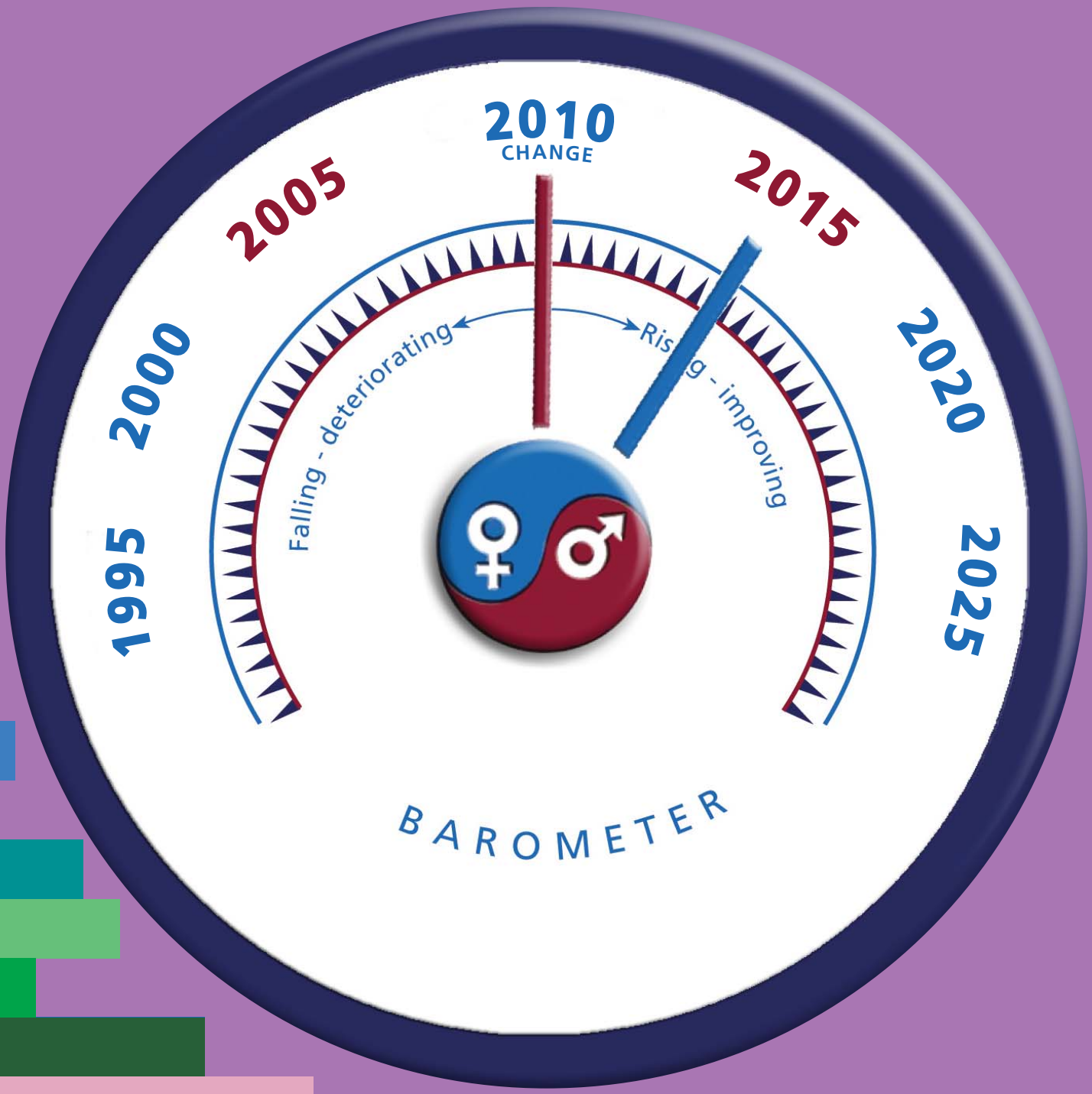
SADC GENDER PROTOCOL 2010

BAROMETER



Edited by Colleen Lowe Morna
and Loveness Jambaya Nyakujarah

The Southern Africa Protocol Alliance comprises:
Action Aid Africa Regional Office
African Court Coalition
Association of Local Authorities, Namibia
African Fathers Initiative
African Women Economic Policy Network
Botswana Council of NGOs (BOCONGO)
Coordinating Assembly of Non Governmental Organisations, Swaziland
Christian Council of Churches (Mozambique)
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People Opposing Women Abuse (POWA)
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Southern Africa HIV and AIDS Information Dissemination Service (SAfAIDS)
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UNECA Africa Centre for Gender and Social Development
African Union Women, Gender and Development Directorate
United Nations Fund for Women (Southern Africa)

The Southern African Gender Protocol Alliance vision is of a region in which women and men are equal in all spheres. The Alliance promotes and facilitates the creation of gender equity and equality through lobbying and advocacy towards the achievement of the 28 targets of the SADC Protocol on Gender and Development by 2015. Gender Links coordinates the work of the Alliance.

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Acknowledgements

This report is a sequel to the 2009 regional baseline study of the provisions of the Southern Africa Development Community (SADC) Protocol on Gender and Development against the reality on the ground conducted by the Southern Africa Gender Protocol Alliance in all the 15 SADC States. It tracks progress made in the past year since the 2009 Heads of State Summit and includes updated data and a new chapter on Peace building and conflict resolution.

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The study should be read in tandem with the DVD: *"Roadmap to Equality"* and handbook *"Roadmap to Equality: Lessons learnt in the campaign for the SADC Gender Protocol"* which chronicle the process through which civil society organisations campaigned for the adoption of the Protocol. The intention is to update the report and its accompanying score card annually to track progress towards achievement of the 28 targets set by the Protocol.

We are deeply indebted to UKAid through the Department for International Development (DFID) and the Friedrich Ebert Stiftung (FES) Botswana office for funding the research and production of the 2010 Barometer, DVD, handbook and popular versions of the Protocol in 23 languages.

Acronyms

AAA	Advertising Agencies in Mauritius
AIDS	Acquired Immune Deficiency
ABC	All Basotho Convention
ANC	African National Congress
APP	All People's Party
ART	Anti-retroviral treatment
ARV	Anti Retroviral drug
AU	African Union
BCP	Botswana Congress Party
BDP	Botswana Democratic Party
BNF	Botswana National Front
CCM	Charna cha Mapinduzi
CEDAW	Convention on the Elimination of All Forms of Discrimination
CHBC	Community Home Based Care
CoD	Congress of Democrats
CMFD	Community Media for Development
COPE	Congress of the People
COSATU	Congress of South African Trade Unions
CRP	Constitutional Review Process (Zimbabwe)
CSO	Civil society Organisations
CSW53	53rd Session of the Commission on the status of women
DA	Democratic Alliance
DRC	Democratic Republic of Congo
DPP	Democratic Progress Party
DPN	Democratic Party of Namibia
DTA	Democratic Turnhalle Alliance of Namibia
ECA	Economic Commission for Africa
ECLA	Economic Commission for Latin America
EPSE	Personal and Social Education Programme (Seychelles)
ESP	Ministry of Education Strategic Plan
FPTP	First Past The Post system
FRELIMO	Frente de Libeartacao de Mocambique Liberation Front
G-BEM	Botswana Girl/Boy Education Movement
GBI	Gender Budgeting Initiative
GBV	Gender Based Violence
GEM	Gender and Media Summit
SUMMIT	
GEMSA	Gender and Media Southern Africa
GFP	Gender Focal Point
GIME	Gender in Media Education
GL	Gender Links
GMAS	Gender and Media Audience Research
GMBS	Gender and Media Baseline Study
GMDC	Gender and Media Diversity Centre
GMMP	Global Media Monitoring Project
GMPS	Gender and Media Progress Study
GPA	Global Peace Agreement (Zimbabwe)
HAM	Higher Media Authority
IAJ	Institute for the Advancement of Journalism
IBA	Independent Broadcasting Authority
ICASA	Independent Communications Authority of South Africa
ICPD	International Conference on Population Development
ICT	Information and Communication Technology
IEC	Institute Electoral Commission
IOM	International Organisation for Migration
ISPDC	Inter state Politics and Diplomacy Committee
IT	Information Technology
HIV	Human Immuno deficiency Virus
LPPA	Lesotho Planned Parenthood Association
MAG	Monitor Action Group
MAP	Media Action Plan
MAP	Madagascar Action Plan
MBC	Mauritius Broadcasting Cooperation
MCO	Ministerial Committee
MDC-M	Movement for Democratic Change - Mutambara
MDC-T	Movement for Democratic Change - Tsvangirai
MDGs	Millennium Development Goals
MECOZ	Media Ethics council of Zambia
MFPWA	Mauritius Faminly Planning and Welfare Association
MINFAMU	Ministry for Family and Women
MISA	Media Institute of Southern Africa
MLP	Mauritius Labour Party
MMD	Movement for Multiparty Democracy
MMP	Media Monitoring Project
MOHSW	Ministry of Health and Social Welfare
MOU	Memorandum of Understanding
MPL	Members of the Provincial Legislature
MPLA	Movimento Popular de Libertacao de Angola - Popular Movement for the Liberation of Angola
MPSR	Malawi Public Services Regulations
MWO	Media Watch Organisation - Gender
GEMSA	and Media Southern Africa

MGECDFW	Ministry of Gender Equality, Child Development and Family Welfare
MWAGCD	Ministry of Women's Affairs Gender and Community Development
NANGO	National Association of Non Governmental Organisations
NCC	National Constitutional Conference (Zambia)
NCOP	National Council of Provinces
NCRF	National Community Radio Forum
NDMC	Namibia Democratic Movement for Change
NGO	Non Governmental Organisation
NGOGCN	NGO Gender Coordinating Network
NICTS	New ICTs
NPCGBV	National Response to Combat Gender Based Violence
NSJ	Southern African Media Training Trust
NUDO	National Unity Democratic Organisation of Namibia
OVC	Orphans and Vulnerable Children
PANAGED	Gender and Development National Action Plan (Madagascar)
PAPCBP	Pan African Capacity Building Program
PCAR	Primary Curriculum Assessment Reform (Malawi)
PEP	Post Exposure Prophylaxis
PLWHA	People Living with HIV and AIDS
PMTCT	Prevention of Mother to Child Transmission
PPRD	Peoples Party for Reconstruction and Democracy
PR	Proportional Representation
RDP	Rally for Progress
RP	Republic Party of Namibia
RPTC	Regional Peace Training Centre
SA	South Africa
SABC	South African Broadcasting Corporation
SAEF	South Africa Editors Forum
SANDF	South Africa National Defence Force
SANTAC	Southern Africa Network against Trafficking
SARPCCO	Southern African Regional Police Chiefs Cooperation Organisation
SDGD	SADC Declaration on Gender and Development
SIDA	Swedish International Development Cooperation Agency
SOSPA	Sexual Offences Special Provision Act
SPPF	Seychelles People Progressive Front
SSP	Safe School Programme
STI	Sexually transmitted Infections
SWAPO	South Western Africa's People Organisation
TACRA	Tanzania Communications and Regulatory Authority
TEVETA	Technical, Entrepreneurial and Vocational Education and Training Authority
TIMILM	Tiako-i-Madagascar I love Madagascar
TSC	Teaching Service Commission
UDF	United Democratic Front of Namibia
UN	United Nations
UNAIDS	United Nations Joint Programme on HIV and AIDS.
UNDP	United National Deveopment Programme
UNDPKO	United Nations Department for Peacekeeping Operations
UNESCO	United Nations Educational ,Scientific and Cultural Organisation
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UNSCR	United National Security Council Resolution
USAID	United States for International Development
VCT	Voluntary Counselling and Testing
VSO-RAISA	Volunteer Service Oversees-Regional AIDS Initiative Southern Africa
WAD	Women in Development
WCNOVAW	Western Cape Network on Violence Against Women
WCoZ	Women Coalition of Zimbabwe
WHO	World Health Organisation
WIPSU	Women in Politics Support Unit
WLSA	Women and Law in Southern Africa
YHC	Youth Health Centre (Seychelles)
ZANU PF	Zimbabwe African National Union Patriotic Front
ZBC	Zimbabwe Broadcasting Corporation
ZWLA	Zimbabwe Women Lawyers Association
ZWRCN	Zimbabwe Women Resource Centre Network

Foreword



It is now almost two years since the adoption of the SADC Protocol on Gender and Development and we find ourselves at the momentous turn of the decade. 2010 is:

- The 15th anniversary of Beijing Plus Fifteen.
- The tenth anniversary (and review year) for the Millennium Development Goals.
- The tenth anniversary of the United Nations Security Council Resolution 1325.
- Thirtieth anniversary of the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW).
- The thirtieth anniversary of Southern African Development Community (SADC).
- The launch of the African Decade for Women (2010 - 2020) of the African Union.
- The year that the Soccer World Cup came to Africa for the first time!
- A significant benchmarking year for the SADC Protocol on Gender and Development.

This study, a sequel to the 2009 Baseline Barometer, is important for benchmarking progress towards the realisation of the 28 targets set for 2015 by the SADC Gender Protocol, which incorporate and enhance the existing African and global commitments. The 2010 Barometer also coincides with the SADC Member States first reports to the SADC Secretariat on implementation of the provisions of the Gender Protocol. Unfortunately only two countries, Namibia and Zimbabwe have ratified the Protocol while Botswana and Mauritius are yet to sign.

A question put to the forty national and regional organisations that form the Southern Africa Gender Protocol Alliance is why continue with this monitoring exercise when governments themselves have agreed a monitoring framework against which they are benchmarking progress.

There are several reasons why the annual civil society Barometer is significant:

- ***A regional synthesis:*** While governments will submit country report, this is the only overall regional analysis of its kind. Evidence abounds that one of the most effective forms of pressure on governments is peer pressure. Almost all that has been achieved on the gender front in the region has been a result of the push-me-pull-you factor. Holding governments to account collectively as well as individually is key to progress.
- ***An independent analysis:*** The civil society Barometer is an independent initiative, drawing on country reports by researchers and experts in each country, analysed by a team of sector experts who are able to contextualise the vast amount of quantitative information assembled in this publication. By providing a mirror on government reports, the Barometer enhances the vital watchdog role of civil society that is a well documented and acknowledged part of the progress achieved to date.
- ***A citizen score card:*** A unique feature of the Barometer are the various tools that have been used to give ordinary citizens "voice" in annual reporting processes that are often done at desk tops, devoid of reference to the people whom they serve. These include the annual score card



Putting the protocol to work at a village meeting in Zimbabwe.
Photo: Colleen Lowe Morna

done at country level and across sectors in participatory ways (see executive summary); as well as the SADC Gender Protocol knowledge and attitude quizzes conducted in 2009/2010 and reported on in this issue of the Barometer.

- ***An accountability tool for civil society as well as governments:*** The Barometer abounds with examples of initiatives undertaken by civil society organisations using the SADC Gender Protocol for leverage. The final chapter on implementation assesses the successes and challenges of the Alliance. Thus the Barometer is an accountability tool for civil society *as well* as governments. Assessing these two partners together is key to the progress that has to be made over the next five years.

Protocol @ work

- Constitutional review opens new possibilities in Zambia.
- 50/50 campaign and the Malawi May 2009 elections.
- Can South Africa's 50/50 success be sustained?
- Using the SADC Gender Protocol to benchmark progress in the private sector.
- The Alliance Economic Justice Cluster prioritises gender budgeting.
- Popularising economic provisions of the SADC Gender Protocol.
- Working together to end human trafficking.
- The Western Cape Network on Violence Against Women.
- Measuring change - GBV indicators.
- Making care work count: A policy drive.
- Citizen's strengthen media regulation.
- Media under the spotlight.
- Media that mediates.
- The road to ratification in Zimbabwe.
- Linking local, national and regional initiatives in Malawi.
- Women activists in Madagascar call for 30% women in transitional government

There are several new and unique features in the 2010 Progress Barometer when compared with last year's Baseline Barometer:

- Data has been updated wherever possible (e.g. on HIV and AIDS trends and elections); new country data has been added (especially from Angola); and new research incorporated (especially on governance and the media).
- There is a new chapter on Peace Building and Conflict Resolution based on Article 28 of the Protocol. This is timely with 2010 being the 10th anniversary of the UN Security Council Resolution 1325 which specifically addresses the impact of war on women and women's contributions to conflict resolution and sustainable peace. Even though the SADC region is enjoying relative peace except some sporadic unrest in the DRC and fragile governments in Madagascar and Zimbabwe, it provides a useful reflection of where women are in the sector.
- This edition features practical examples on the application of the Gender Protocol by governments and civil society in their day to day work as they seek to make a difference in the lives of women and men in the region (see examples in box).
- As mentioned earlier several surveys add texture, reflection and "citizen voice" to this issue of the Barometer, as well as provide on-going tracking tools.

The score card shows that overall there has been a 1% decline in how citizens view government performance relative to the 28 targets of the Barometer from 55% in 2009 to 54% in 2010. The 1% decline of women's representation in parliament to 24% and marginal increase of women as sources in the media to 19% show that there is still a long way to go before parity is achieved. Poverty, the burden of migration, disease, human rights abuses among others continue to threaten the goal of achieving gender equality.

An important start would be for governments to commit to use the 2010 momentum to ratify the Protocol. This would be a tangible sign of commitment, against the many challenges ahead.

Dr Muna Ndulo
Chair, Gender Links

Executive summary

KEY INDICATORS OF THE STATUS OF WOMEN IN SADC COUNTRIES[1]

% women	Angola	Botswana	DRC	Lesotho	Madagascar[2]	Malawi	Mauritius	Mozambique	Namibia	Seychelles	South Africa	Swaziland	Tanzania	Zambia	Zimbabwe
GOVERNANCE															
Parliament	38.6	7.9	7.7	22.9	10.3	21.2	18.8	39.2	26.9	23.5	42.7	21.9	30.7	15.2	17.9
Local Government	na	19.3	na	58	6	n/a	6.4	35.6	41.8	n/a	39.7	17.9	34.2	6.6	18.5
Cabinet	25.7	21.1	14.3	31.6	15.4	22.7	12	32.1	18.2	16.7	41.2	23.5	20	13	17.1
EDUCATION															
Primary School	46	49	45	51	49	50	49	47	51	51	49	48	50	49	49
Secondary School	44	52	36	56	48	44	52	44	54	51	52	50	44	45	48
Tertiary level	40	53	26	44	49	39	54	38	56	57	53	50	32	53	n/a
ECONOMY															
Economic decision-making	24	44	14	21	16	18	0	25	25	31	23	40	21	23	23
Income[2]	na	38	na	28	na	41	27	41	28	na	31	28	na	34	37
SEXUAL AND REPRODUCTIVE HEALTH															
Using contraception	6	44	31	37	15	42	76	17	55	41	65	43	41	30	60
Births attended by skilled personnel	46	99	61	55	51	54	100	48	81	100	92	74	46	47	69
HIV AND AIDS															
Comprehensive knowledge on HIV and AIDS	7	40	15	26	19	42	68	43	65	67	27	52	45	34	44
Living with HIV as proportion of total	61	58	58	58	58	58	19	60	50	42	59	57	55	57	60
HIV positive pregnant women receiving PMTCT	14	95	4	71	1.8	14	68.3	28	58	99	83	69	68	60.9	42.6
MEDIA															
Overall	na	46	73	22	33	23	33	27	40	na	50	40	36	33	13
Board of directors	na	24	47	18	10	27	36	25	39	na	38	30	22	27	38
Senior management	na	39	50	8	20	26	22	35	35	na	35	29	30	33	10
Top management	na	30	56	18	13	19	25	17	42	na	25	33	21	11	13
Female staff in institutions of higher learning	na	37	18	67	44	29	79	28	47	na	50	33	28	29	25
Proportion of students in institutions of higher learning	na	54	77	73	71	50	82	26	60	na	64	37	60	61	57
News sources	na	20	19	32	23	20	19	14	20	31	20	19	21	14	16

[1] All figures refer to % of women in that category; the figures are derived from the tables in the report. Sources of all data are indicated in the relevant tables throughout the report. na =not available; n/a = not applicable. All numbers have been rounded to the nearest decimal point

[2] The percentage of women's income is arrived at by adding male and female income for each country as determined by the ILO and then expressing female income as a percentage of the total. Figures highlighted in red are those in which women constitute 50% or more of a particular indicator.

Except for slight gains in education, health and economic decision-making, there has been limited progress for the women since the adoption of the Southern African Development Community (SADC) Protocol on Gender and Development in 2008.

Gains in women's education, including at the tertiary level, are not reflected in political decision-making, where there has been backsliding at the very moment that SADC countries should be making rapid strides towards the attainment of the 28 targets set for 2015.

The table of key indicators shows that other than education, use of contraceptives, and births attended by skilled personnel, the only area in which women are consistently above the 50%

mark is the proportion of women living with HIV and AIDS. This and gender violence are among the most telling indicators of women's unequal status in the region.



Alliance focal person Chingedze Chinyepi at the launch of the Baseline Barometer in Gaborone, Botswana. *Photo: Colleen Lowe Morna*

The regional analysis is based on shadow country reports prepared by activists and experts in the fifteen member states of SADC whose governments will present their own reports to the regional body this year. The civil society watchdog country reports and regional analysis highlight huge variations between countries in relation to the 28 targets. For example, Mauritius has the region's lowest maternal mortality with only 28 deaths per 100, 000 compared to 1140 per 100 000 in Malawi (one of the highest rates in the world). While 99% of HIV positive pregnant women in Seychelles receive Prevention of Mother to Child Transmission (PMTC) treatment in DRC the comparative figure is 4%. These figures underscore the variations in socio-economic conditions in the region.

But the fact that two countries (Mauritius and Botswana) have not yet signed, and that only two (Namibia and Zimbabwe) have ratified the Protocol raises concern as to the overall level of commitment by governments to this key instrument. Five years before key deadlines are to be met, gender activists gave their governments an overall score of 54%, compared to 55% in last year's Baseline Barometer. Country scores ranged from 79% in Namibia to 38% in Zimbabwe.

These are the main findings of the 2010 progress barometer produced by the Southern African Gender Protocol Alliance, which comprises over forty regional and national NGOS that campaigned for the adoption of the Protocol. The 2010 Barometer is being launched at the parallel civil society forum to the SADC Heads of State summit in Windhoek Namibia.

On a positive note:

Constitutional provisions for gender equality are patchy, but reviews open doors for change: While Constitutions have varying provisions on sex discrimination and gender equality, these are patchy. However, good practices in a number of countries including South Africa, Namibia and Malawi, and constitutional reviews taking place in five SADC countries point to the potential for change. The SADC Gender Protocol has been a reference point for women in demanding their rights during the constitutional review process in Zambia, Madagascar and Zimbabwe.

There has been progress in education, including at the tertiary level: Many countries have reached gender parity in primary and secondary education. In seven SADC countries - Botswana, Mauritius, Namibia, Seychelles, South Africa, Swaziland and Zambia - there are now more women than men in tertiary institutions. The Gender in Media Education (GIME) audit that is being launched at the Gender and Media Summit in October 2010 reveals that there is a higher proportion of women than men media

students (61%), although there are still fewer female (36%) than male educators.

There has been an increase of women in decision-making: Women now constitute 23% of economic decision-makers, up from 18% in 2009. However, in some countries this is considerably lower, for example in Mauritius there are no women in economic decision-making. There is only one women finance minister (in Namibia) in the SADC region.

There are signs that women's meaningful participation in the economy is being taken seriously: For example, the Zambian ministry of lands is setting a good example with gender disaggregated data on land distribution aimed at ensuring that at least one third of all new land holdings are allocated to women. A regional gender budgeting network led by the Zimbabwe Women's Resource Centre and Network (ZWRCN) that coordinates the Alliance economic cluster aims to ensure that women and men benefit equally from government expenditure.

Women in the private sector are finding their voice: Business Women in South Africa is using the gender protocol to benchmark progress in achieving gender parity in the private sector.

The unpaid work of women is being challenged: GEMSA, in partnership with Voluntary Services Overseas- Regional Aids Initiative Southern Africa (VSO-RAISA) is taking forward the "Making Care Work Count Campaign" through advocating stand alone care work policies in line with the provisions of the SADC Gender Protocol.

The role of women in the peace and security of the region is finally receiving attention: Although data is still woefully scarce, the chapter on peace and security introduced in this issue of the Barometer shows that this sector is finally receiving attention. South Africa is to be commended on keeping gender disaggregated statistics that show a representation of women of about 25% in its security services, and Namibia for coming close to attaining gender parity in its peace keeping forces during this monitoring period.



Malawi vendor. *Photo: Gender Links*

HIV and AIDS campaigns are slowly paying off: There is some evidence that prevention campaigns are beginning to change sexual behaviour patterns and lead to a reduction in HIV and AIDS. However, gender disparities continue to be a major driver of the pandemic in the region. SADC countries are stepping up male circumcision initiatives as a means of prevention.

Extensive advocacy work by the Southern Africa Gender Protocol Alliance has led to increased awareness of the existence of the SADC Gender Protocol: A pilot knowledge quiz shows that 61% of citizens around the region have basic information about the Protocol, but overall less than half answered more detailed questions, such as the specific provisions of the Protocol, correctly. For example only 30% are aware of the gender violence target to reduce by 50% current levels of gender violence by 2015.

This calls for even more concerted awareness campaigns.

Of serious concern is the fact that:

Harmful customary practices undermine women's rights: The contradictions between customary law and codified law undercut women's rights at every turn. Harmful practices which threaten the physical integrity of women and girls are occurring every day. Women struggle to access justice. Customary law further undermines access to justice. In many SADC countries, girls marry from the onset of puberty. Widows throughout the SADC region are vulnerable to highly discriminative practices such as property dispossession.

Meaningful economic participation is weak: Trade policies are mostly gender blind. Only a few procurement policies make specific reference to women. Women still struggle to access credit although most SADC countries now have programmes of one kind or the other to assist women in accessing credit. Women continue to predominate in the informal sector. Figures on land ownership are patchy, but range from 11% to 46% (in Botswana). However the land holdings of women are much smaller than those of men. There are huge gaps in the per capita income of women and men: for example in South Africa, the per capita income of women in 45% that of men.

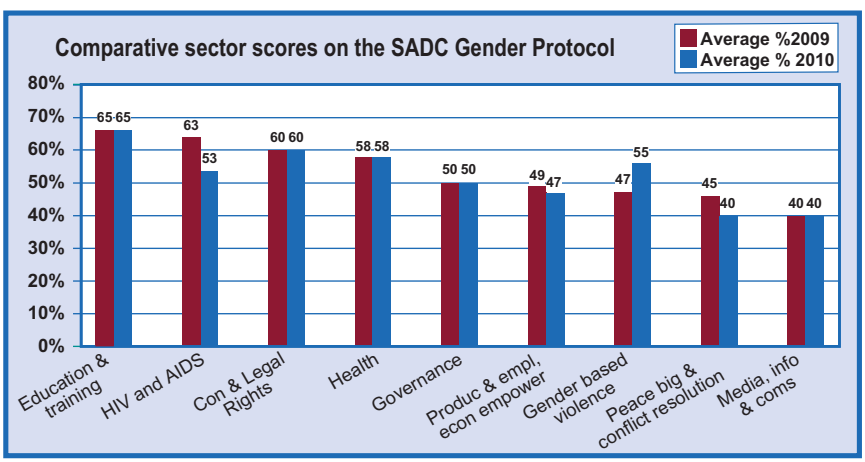
Women lack decision-making power over their lives and bodies: Choice of termination of pregnancy is only fully legal in one SADC country: South Africa. Despite the provisions for sexual and reproductive health and the fact that most countries have some policy framework to cater for this, contraceptive usage varies from 6% in Angola to 65% in South Africa.

Gender violence is escalating: Despite concerted campaigns, there is no sign of gender violence abating. Indeed, this is taking new forms with trafficking now a major threat. Sexual and gender based violence in schools is a serious problem in the region, and greater measures must be taken to combat this trend.

Women lack agency and voice: There has been a paltry 2% increase in women sources in the media from 17% in the 2003 Gender and Media Baseline Study (GMBS) to 19% in the Gender and Media Progress Study (GMPS). While smaller and more socially conservative countries like Lesotho and Malawi have demonstrated remarkable progress, those with more advanced media like South Africa, Namibia and Mauritius have remained static.

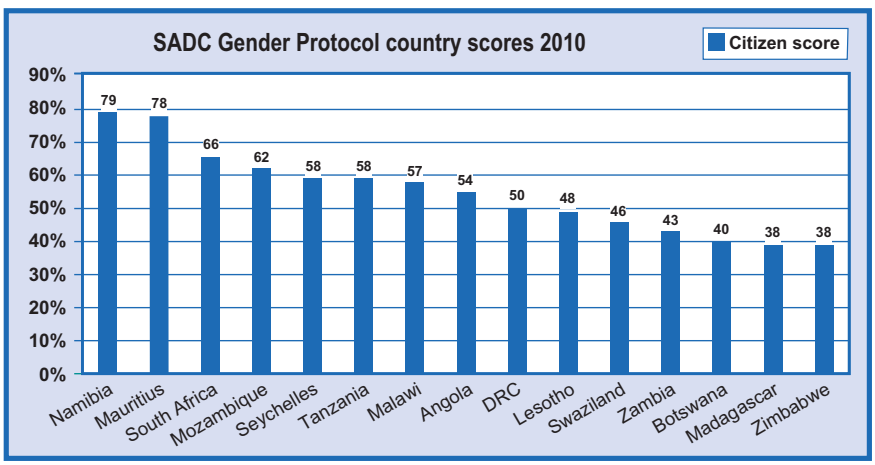
Citizen score card 2010

The 2009 Baseline Barometer introduced a Citizen Score Card for the Protocol, in which advocacy groups critiquing country reports could also score their country performance against the 28 targets in the Protocol. This process was repeated in 2010, and country scores summarised for each sector. The 2010 scores are summarised in the table after the executive summary, and the comparative figures provided graphically below.

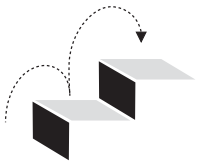


Scores show a slight drop one year after the launch of the Baseline Barometer: The scores for the two years are similar, with dips on HIV and AIDS, peace and conflict resolution and a slightly higher score on gender violence. Overall, there is a decline from 55% to 54%. It is unfortunate that two years since the adoption of the Gender Protocol there is so little sign of progress.

Education scores highest, media lowest: The graph also shows that of the ten sectors surveyed for the report, education scores highest, while media, information and communication score lowest. These perceptions are consistent with the empirical findings.



Best and worst performers: The graph of average country performance against the 28 targets of the Protocol ordered from highest to lowest puts Namibia, Mauritius and South Africa at the top of the chart. Botswana (a politically progressive but socially conservative country), Madagascar and Zimbabwe (two countries in transition) are at the bottom of the list. While these scores are just perceptions - and citizens in some countries might be tougher graders than others - they are an important mirror for governments on how their voters view their performance.



Next steps

Each chapter of the 2010 Progress Barometer contains examples of the "Protocol@work". These include examples of how governments and NGOs are using the Protocol for lobbying, advocacy, legal and constitutional reform aimed at achieving the targets of the SADC Gender Protocol. Critical next steps include:

- Launch of the 2010 Progress Barometer at the SADC Heads of State Summit in 2010.
- Administering of the "SADC Gender Protocol Citizen Score Card", SADC Protocol knowledge and attitude quizzes for 2011.
- Workshops on the country reports and administering of the citizen score card at country level.
- Storing all information in an online, interactive data base.
- Developing and refining sector and country policies.
- Stepping up cross region campaigns such as the 50/50 campaign.
- Tracking, monitoring and evaluating progress.
- Updating and reporting on the baseline study each year.



Members of the Southern Africa Gender Protocol Alliance. *Photo: Trevor Davies*

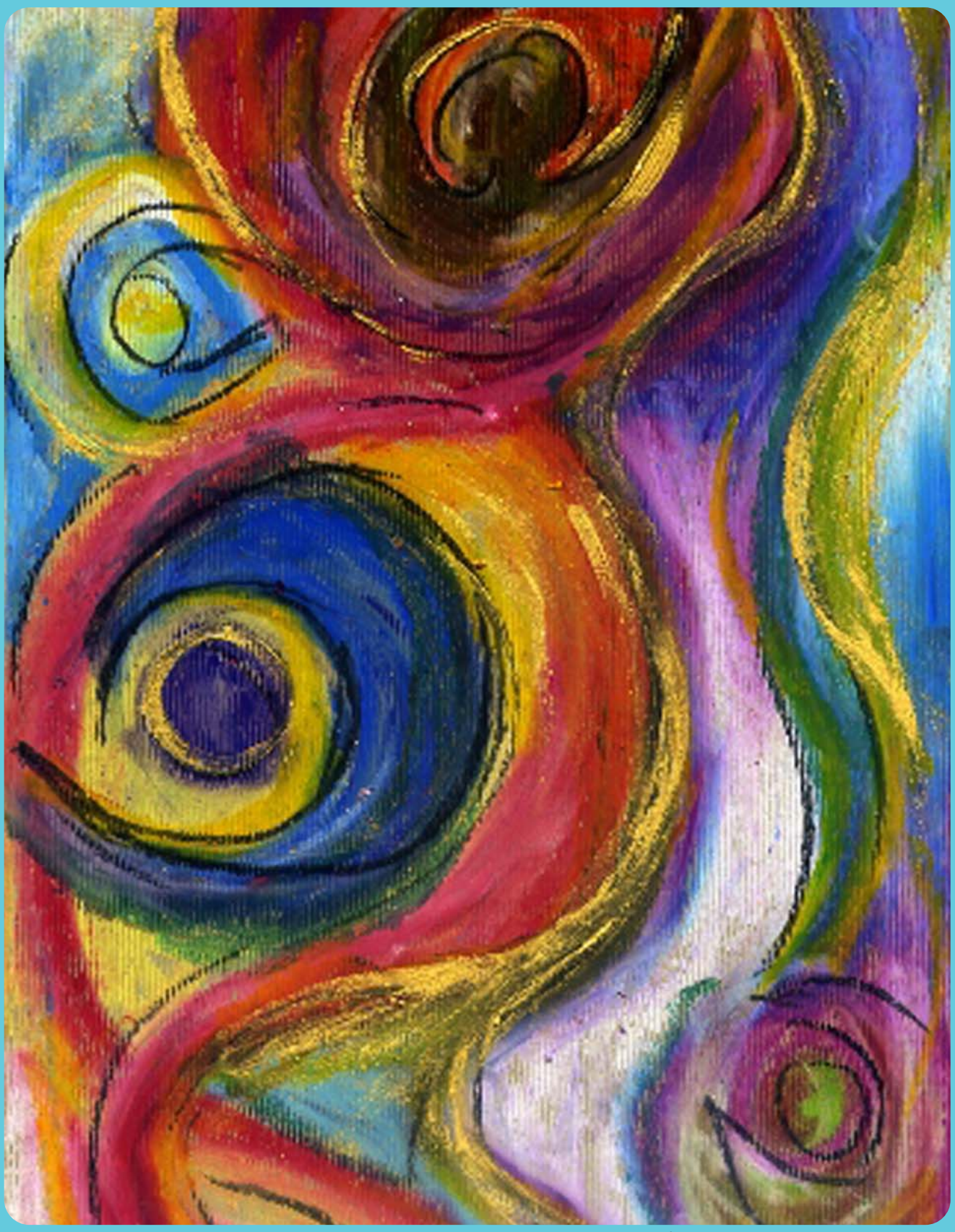
MAIN PROVISIONS	SPECIFIC TARGETS TO BE ACHIEVED BY 2015
ARTICLES 4 - 11: CONSTITUTIONAL AND LEGAL RIGHTS	
Provides for all Constitutions in the region to enshrine gender equality and to give such provisions primacy over customary law. All laws that are discriminatory to women are to be repealed. It also provides for equality in accessing justice, marriage and family rights and the rights of widows, elderly women, the girl child, women with disabilities and other socially excluded groups.	1. Endeavour to enshrine gender equality and equity in their Constitutions and ensure that these are not compromised by any provisions, laws or practices. 2. Review, amend and or repeal all discriminatory laws. 3. Abolish the minority status of women.
ARTICLES 12-13: GOVERNANCE (REPRESENTATION AND PARTICIPATION)	
Provides for the equal representation of women in all areas of decision-making, both public and private and suggests that this target be achieved through Constitutional and other legislative provisions, including affirmative action. It further stipulates that Member States should adopt specific legislative measures and other strategies, policies and programmes to ensure that women participate effectively in electoral processes and decision-making by, amongst others, building capacity, providing support and establishing and strengthening structures to enhance gender mainstreaming.	4. Endeavour to ensure that 50% of decision-making positions in all public and private sectors are held by women including through the use of affirmative action measures.
ARTICLE 14: EDUCATION AND TRAINING	
This article provides for equal access to quality education and training for women and men, as well as their retention at all levels of education. It further provides for challenging stereotypes in education and eradicating gender based violence in educational institutions.	5. Enact laws that promote equal access to and retention in primary, secondary, tertiary, vocational and non-formal education in accordance with the Protocol on Education and Training and the Millennium Development Goals. 6. Adopt and implement gender sensitive educational policies and programmes addressing gender stereotypes in education and gender based violence.
ARTICLES 15-19: PRODUCTIVE RESOURCES AND EMPLOYMENT, ECONOMIC EMPOWERMENT	
This Article provides for the equal participation of women in economic policy formulation and implementation. The article has provisions and targets on entrepreneurship, access to credit and public procurement contracts, as well as stipulations on trade policies, equal access to property, resources and employment.	7. Ensure equal participation by women and men in policy formulation and implementation of economic policies. 8. Conduct time use studies and adopt policy measures to ease the burden of the multiple roles played by women. 9. Adopt policies and enact laws which ensure equal access, benefits and opportunities for women and men in trade and entrepreneurship, taking into account the contribution of women in the formal and informal sectors. 10. Review national trade and entrepreneurship policies, to make them gender responsive. 11. With regard to the affirmative action provisions of Article 5, introduce measures to ensure that women benefit equally from economic opportunities, including through public procurement process. 12.Review all policies and laws that determine access to, control of, and benefit from, productive resources by women. 13.Review, amend and enact laws and policies that ensure women and men have equal access to wage employment in all sectors of the economy.

BAROMETER CITIZEN SCORE CARD

PROGRESS DATA 2010	INDICATORS GOING FORWARD	SCORE OUT OF TEN	
		2009	2010
✓ Most SADC constitutions have non- discrimination clauses and 12 provide for non-discrimination based on sex. Nine provide for gender equality. ✓ Six constitutions have claw back clauses. ✓ Only two Constitutions address the contradictions between customary law and customary practices that undermine women's rights.	✓ Increase in the number of countries that include sex as a grounds for discrimination. ✓ Increase in the number of countries that include gender equality in their Constitutions. ✓ Number of countries that ensure that Constitutional provisions are not undermined by any other law or practice.	6	0
✓ In each country (details in report) there is still discriminatory legislation to review.	✓ Number of countries that review and eliminate all discriminatory practices.	6	6
✓ Very few countries have specific legislation to do so; examples are Zimbabwe (Legal Age of Majority Act 1982) and Namibia (Married Persons Act). These laws are in any case undermined by customary law.	✓ Number of countries that specifically abolish the minority status of women, and ensure that this is not undermined by customary law.	6	6
Parliament: The average representation of women in both houses across the region is 24%. This ranges from 7% in Botswana and the DRC to 44% in South Africa. **Local government:** The average representation of women at the local level is 29.7%. This ranges from 1.2% in Angola to 58% in Lesotho. 58% (the highest) to 6,4% (the lowest). **Cabinet:** The average representation of women in cabinet is up to 22% from 21.4% in 2009; this ranges from 41% in South Africa to 12% in Mauritius. **President/prime minister:** There are no women heads of state. Malawi and Zimbabwe have women deputy presidents and Mozambique has a woman prime minister. **Public service:** Comprehensive data is not available. For the eight countries for which data could be obtained, this ranged from close to parity in Botswana to less than one fifth in Malawi. **Private sector and other areas of decision-making:** Comprehensive data not available. Affirmative action has been applied in all the sive countries that have made substantial progress, but this does not cover all areas of decision-making within the countries. Cases are: South Africa (voluntary party quota; Employment Equity Act); Namibia (legislated and voluntary at local level); Mozambique and Angola (voluntary party quotes) Lesotho (local government electoral law).	✓ Number of countries that make a concerted effort and achieve gender parity in parliament.	5	5
Primary: Equal enrolment of girls and boys in all countries except Angola and DRC where girls constitute 46% of total enrolment. **Secondary:** Gender gap is narrowing in all countries; more girls than boys in Lesotho; but girls only 36% in the DRC and 44% in Tanzania, Mozambique, Malawi and Angola. **Tertiary:** Equal proportions of women and men in Swaziland; in Seychelles (58%), Namibia, Mauritius, South Africa; Botswana and Zambia there are more women than men. In Madagascar, Lesotho, Angola, Malawi, Mozambique, Tanzania and DRC women are less than men (26% in DRC, the lowest)	✓ Number of countries that attain gender parity at all levels of education.	7	7
The proportion of women in the teaching service ranges from 70% in Lesotho to 20% in the DRC; men predominate as principals; women predominate in the arts and men in the sciences and technical subjects; while there have been some reviews of curriculum gender stereotypes abound. GBV in schools is high.	✓ Progress towards achieving gender parity in school administrations. ✓ Progress towards achieving gender parity in subjects. ✓ Changes to school curricula.	6	6
Women comprise 25% of decision-makers defined as minister/ deputy minister/permanent secretary of finance; economic permanent secretary/DG; governor and deputy governor of the reserve bank. This ranges from Swaziland (40%) to Mauritius (none).	✓ Number of countries that achieve gender parity in economic decision-making.	4	4
Only South Africa, Malawi and Madagascar have conducted such studies; little evidence of policy measures flowing from these.	✓ Number of countries that have done time use studies.	5	4
Ad hoc initiatives mostly focus on micro finance, for example, eg in Mauritius the National Women Entrepreneur Council; Tanzania the National Micro Finance policy gives guidelines on achieving gender equality; SA various funds for micro finance.	✓ Number of countries that have policies and laws to promote women's participation in economic decision-making.	5	5
Most policies are gender blind with a few exceptions; eg Zambia Trade and Industrial policy recognises that women remain marginalised in the professional work place and private enterprise; proposes steps for addressing this.	✓ Number of countries that review trade and entreprepreneurship policies from a gender perspective.	4	4
Only South Africa has a Preferential Public Procurement Act that provides for redressing historical imbalances including gender. The Mauritius Public Procurement Act refers to "community and end user participation" without specifically referring to women.	✓ Number of public procurement acts and procedures that specifically mention gender equality.	5	5
Comprehensive information is difficult to access; data obtained shows a range from 11% land ownership in Seychelles to 25% in DRC and Tanzania. In Botswana women are 46% of landowners but holdings are smaller. In Tanzania women land holdings are about one third the size of those of men.	✓ Number of countries that review laws and extent to which these promote parity in ownership.	5	5
Women earn, on average, 50% to 70% of men's earnings in the SADC region.	✓ Number of countries that have ratified the ILO conventions and conventions 100 and 101. ✓ Completed audit of current labour legislation.	6	6

MAIN PROVISIONS	SPECIFIC TARGETS TO BE ACHIEVED BY 2015
ARTICLES 20-25: GENDER BASED VIOLENCE	
This article makes provision for the implementation of a variety of strategies, including enacting, reviewing, reforming and enforcing laws, aimed at eliminating all forms of gender based violence, and trafficking. There are specific stipulations for the provision of a comprehensive package of treatment and care services for survivors of gender based violence, including the access to Post Exposure Prophylaxis and the establishment of special courts to address these cases. There are specific provisions on human trafficking. A section which provides for monitoring and evaluation sets targets and indicators for reducing gender based violence levels by half by 2015.	14. Enact and enforce legislation prohibiting all forms of gender-based violence.
	15. Ensure that laws on gender based violence provide for the comprehensive testing, treatment and care of survivors of sexual assault.
	16. Review and reform their criminal laws and procedures applicable to cases of sexual offences and gender based violence.
	17. Enact and adopt specific legislative provisions to prevent human trafficking and provide holistic services to the victims, with the aim of re-integrating them into society.
	18. Enact legislative provisions, and adopt and implement policies, strategies and programmes which define and prohibit sexual harassment in all spheres, and provide deterrent sanctions for perpetrators of sexual harassment.
	19. Adopt integrated approaches, including institutional cross sector structures, with the aim of reducing current levels of gender based violence by half by 2015.
ARTICLE 26: HEALTH	
This article provides for the adoption and implementation of policies and programmes that address the physical, mental, emotional and social well being of women with specific targets for reducing the maternal mortality ratio and ensuring access to quality sexual and reproductive health services.	20. Adopt and implement legislative frameworks, policies, programmes and services to enhance gender sensitive, appropriate and affordable quality health care.
	21. Reduce the maternal mortality ratio by 75%.
	22. Develop and implement policies and programmes to address the mental, sexual and reproductive health needs of women and men; and
	23. Ensure the provision of hygiene and sanitary facilities and nutritional needs of women, including women in prison.
ARTICLE 27: HIV AND AIDS	
This article covers prevention, treatment care and support in relation to HIV and AIDS.	24. Develop gender sensitive strategies to prevent new infections.
	25. Ensure universal access to HIV and AIDS treatment for infected women, men, boys and girls.
	26. Develop and implement policies and programmes to ensure the appropriate recognition, of the work carried out by care-givers, the majority of whom are women; the allocation of resources and psychological support for care-givers as well as promote the involvement of men in the care and support of People Living with Aids.
ARTICLE 28: PEACE BUILDING AND CONFLICT RESOLUTION	
This provides for the equal representation of women in conflict resolution and peace building processes as well as the integration of a gender perspective in the resolution of conflict in the region.	27. Put in place measures to ensure that women have equal representation and participation in key decision-making positions in conflict resolution and peace building processes, in accordance with UN Council Resolution 1325 on Women, Peace and Security.
ARTICLES 29 - 31: MEDIA, INFORMATION AND COMMUNICATION	
This article provides for gender to be mainstreamed in all information, communication and media policies and laws. It calls for women's equal representation in all areas and at all levels of media work and for women and men to be given equal voice through the media. The Protocol calls for increasing programmes for, by and about women and the challenging of gender stereotypes in the media.	28. Take measures to promote the equal representation of women in ownership of, and decision-making structures of the media, in accordance with Article 12.1 that provides for equal representation of women in decision-making positions by 2015.

PROGRESS DATA 2010	INDICATORS GOING FORWARD	SCORE OUT OF TEN	
		2009	2010
Nine SADC countries have legislation on domestic violence; only seven have specific legislation that relates to sexual offences. Three countries have no specific legislation – Angola, Madagascar and Zambia.	✓ Number of specific GBV laws per country; measure change in laws periodically.	6	5
Only SA has included the provision of comprehensive treatment and care, including Post Exposure Prophylaxis (PEP) to survivors of sexual assault to reduce chances of contracting HIV and AIDS. In Botswana, Mauritius, Namibia, Zambia this is included in policies but not law thus its less enforceable. Seychelles provides for health workers only. PEP in most countries is not well known or accessed.	✓ Number of laws that have clauses that provide for comprehensive testing, treatment and care.	6	6
Only 5 countries (Lesotho, Namibia, SA, Tanzania, Zimbabwe) have sexual offences legislation.	✓ Number of countries with sexual offences acts.	6	6
12 Southern Africa countries have signed the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (Palermo Protocol). Six countries have specific laws on human Trafficking - Madagascar, Mauritius, Mozambique, Swaziland, Tanzania and Zambia. This is an increase from 4 last year. In South Africa and Zimbabwe, trafficking is provided for in Sexual Offences Legislation. Malawi is receiving technical support from the IOM to develop legislation.	✓ Number of countries with specific legislative provisions to prevent human trafficking and provide holistic services. ✓ Number of people reintegrated into society. ✓ Number of cases that have been prosecuted (for those that have laws). ✓ Number of new countries that adopt legislation or add human trafficking provisions to their legislation.	5	5
Ten SADC countries have legislative provisions for sexual harassment; mostly in labour laws. Mauritius has a Sex Discrimination Act. In Botswana, Mozambique, Namibia, South Africa and Zimbabwe, this is covered under labour law. In Tanzania, sexual harassment is covered in Penal Code and Sexual Offences Act.	✓ Number of countries with sexual harassment legislation, policies and strategies.	5	5
14 SADC countries have adopted and are implementing National Action Plans/Strategies/ Response to End Gender Based Violence. Most SADC countries are moving away from Sixteen to 365 Day Action Plans to End GBV. However plans lack specific targets and indicators; effective monitoring mechanisms. Data on GBV is sporadic and unreliable. A pilot project to develop GBV indicators is underway in South Africa, Mauritius and Botswana.	✓ All countries to develop country specific National Action Plans. ✓ Effectiveness of NAPS as measured by countries that have already adopted GBV National Action Plans. ✓ Extent of GBV, and reduction each year as measured through the GBV indicators study.	6	6
In 2001/2002 only South Africa and Zimbabwe fulfilled their commitment to allocate 15% of government expenditure to health. Lesotho, Mozambique and Swaziland achieved about half of the 15% target; Botswana achieved 10,45%.	✓ All SADC countries to have gender sensitive and aware health policies that address issues of access and quality.	6	6
Maternal mortality varies widely from 28 per 100 000 in Mauritius to 1140 per 100 000 in DRC.	✓ Number of countries, especially those with high levels, that achieve the 7% reduction in maternal mortality.	6	6
Only three Southern African countries have a contraceptive usage rate of over 60%; SA is highest at 65% Zimbabwe was second, with 58%; Angola lowest at 5%.	✓ Percentage of people accessing and using contraceptives. ✓ Gender disaggregated data according to type of contraceptive.	6	6
Total coverage of sanitation facilities varies from 100% in Seychelles, Mauritius to 15% in Madagascar; urban coverage is generally better than rural coverage.	Number of countries that achieve 100% sanitation coverage.	5	5
Four of the 15 countries have a prevalence rate of over 15%, while 4 have a prevalence of 4% or less. The highest prevalence is in Swaziland (26%) and lowest in Madagascar and Mauritius (2%). With the exception of Mauritius and Seychelles where HIV is mostly driven by drug use, women in SADC have a higher prevalence rate than men. This is highest in Angola (61% women compared to 39% men). Mauritius at 68% had the highest percentage of women aged 15-24 with comprehensive knowledge of HIV and AIDS (UNGASS 2010 Country Reports), followed by Seychelles (67%) and Namibia (65%). The lowest comprehensive knowledge of HIV and AIDS: Angola (7%), DRC (15%) and Lesotho (18%).	✓ Percentage reduction of HIV and AIDS in each country and reduction in the gender gap. ✓ Increase in comprehensive knowledge of HIV and AIDS.	6	6
✓ Access to ARVs ranges from 3% in Madagascar to 95.2% in Seychelles. At least nine countries score above 50% access. There is little gender disaggregated data on access to treatment.	✓ Number of countries that achieve universal access for women and men and gender disaggregated statistics to track/ensure this progress.	7	6
A GEMSA audit based on remuneration; logistic and material support; training and professional recognition; psychological support and gender considerations rated the policy of one SADC country (Namibia) as excellent; Botswana, Tanzania; Zimbabwe as good; Swaziland; South Africa as fair; Zambia and Malawi as mediocre; Lesotho, Mozambique, Mauritius and DRC as poor.	✓ Development of a model policy/checklist on care work. ✓ Number of countries that meet the standards of the model policy.	6	4
✓ There are no special measures to ensure women's representation and participation in the sector. ✓ With 24% women in defence force and 21% in the police force, SA leads the way.	✓ Extent to which gender parity considerations are taken into account in Madagascar and in all peace processes.	4.5	4
Media houses: The Glass Ceiling in Southern African newsrooms study by GL found that women constitute 41% of media employees; 32% if South Africa is excluded. This ranges from 70% in Lesotho to 13% in Zimbabwe. Women constitute less than 25% of those on the boards of governors, as top and senior managers in the media. **Sources:** The Gender and Media Progress Studies (GMPS) showed that the proportion of women sources in the news had increased by a mere 2% to 19% since the baseline study conducted in 2003.	✓ Number of media houses that achieve gender parity at all levels. ✓ Progress towards attaining gender parity in news sources.	4	4
	2009 Total = 154 / 280 x 100 = 55%	**2010 Total = 152 / 280 x 100 = 54.3%**	



A question of culture *Anushka Virahsawmy*

CHAPTER 1

Constitutional and legal rights

Articles 4-11

KEY POINTS

- All SADC Constitutions have provisions on sex discrimination and gender equality. The strongest provisions are in the South Africa, Namibia and Malawi Constitutions.
- Constitutional reviews taking place in countries such as Zambia, Madagascar, Zimbabwe and Angola open possibilities for incorporation of the Protocol provisions.
- The SADC Gender Protocol has been a reference point for women in demanding their rights during the Constitutional review processes in Zambia and Zimbabwe.
- The contradictions between customary law and codified law undercut women's rights at every turn.
- Harmful practices which threaten the physical integrity of women and girls are occurring every day.
- There are several examples of affirmative action being incorporated into laws and Constitutions.
- Reviews of discriminatory legislation are taking place throughout the region in an effort to eliminate remaining discriminatory practices.
- Women struggle to access justice. Customary law further undermines access to justice yet alternative ways of addressing its contradiction to Roman Dutch law exist.
- In many SADC countries, girls marry from the onset of puberty.
- Widows throughout the SADC region are vulnerable to discriminative practices such as property dispossession.



Making constitutions work for women: Alliance Manager Loveness Jambaya Nyakujarah. *Photo: Colleen Lowe Morna*

Legal frameworks - the policies and laws governing a country - are at the foundation of advancing gender equality. Advancing and realising women's rights through such legal provisions has been a priority for SADC since ratifying and acceding to such international agreements as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW 1979), the SADC Declaration on Gender and Development (1997) and its Addendum on the Prevention of Violence Against Women and Children (1998), and the Beijing Declaration and Platform for Action (1995).



In 2000, SADC countries also joined 189 members of the United Nations in the Millennium Declaration, a global vision for improving the conditions of humanity throughout the world in the areas of development and poverty eradication, peace and security, protection of the environment, and human rights and democracy. The resulting Millennium Development Goals (MDGs) recognise the advancement of women's right to gender equality as critically necessary for progress. The Declaration pledges explicitly to combat all forms of violence against women and to implement the CEDAW. Furthermore, it recognises the importance of promoting gender equality and women's empowerment as effective pathways for combating poverty, hunger and disease, and for stimulating truly sustainable development.

Since 2000, there has been a paradigm shift from a needs based approach regarding women's development to a rights-based approach. This approach compels duty bearers (usually governments) to uphold, protect and guarantee rights, especially of the most vulnerable and those at risk of exclusion and discrimination. The approach looks at participation, equity and protection as the three fundamental aspects of change. ***Participation*** focuses on enhancing involvement of the vulnerable in society to contribute to decision-making on issues that directly affect them. ***Equity*** addresses issues of power/ powerlessness, with special emphasis on relations between women and men, governments, minorities and others suffering from social exclusion, stigma and discrimination. ***Protection*** refers to securing the rights and interests of the most vulnerable in society by addressing the various injustices through, among other actions, advocacy work at various levels.

Despite these commitments, the rights of women throughout SADC are still not fully respected or protected. Women are under-represented in government at all levels, have inferior access to education and employment, face obstacles to receiving health care, experience wide-scale gender violence, have little access to land and are disproportionately affected by the HIV and AIDS pandemic.

In SADC, putting in place laws and policies to legislate gender equality is much more complex because of the existence of plural legal systems. This pluralism allows for conflict between formal and customary law, which is generally discriminatory to women and can be a hindrance to the advancement of women.

While most SADC countries have signed and ratified regional and international instruments which seek to give women more rights, customary law still prevails in many circumstances. In some cases, this dualism is part of national legal frameworks. In others, it results from common practice. Customary law is even more prevalent in rural areas where there are fewer formal courts. In both urban and rural areas, lack of education about women's rights under the formal legal system and women's lack of empowerment

to use these legal instruments to protect and uphold their rights contributes to the prevalence of customary laws.

The specific targets of the Gender Protocol for 2015 regarding women's Constitutional and legal rights are for countries to:

- Endeavour to enshrine gender equality and equity in their Constitutions and ensure that these are not compromised by any provisions, laws or practices.
- Eliminate any practices that negatively affect the fundamental rights of women, men, girls and boys.
- Put in place affirmative action measures with particular reference to women.
- Review, amend and/or repeal all discriminatory laws.
- Abolish the minority status of women.
- Ensure equality in accessing justice.
- Ensure equal rights between women and men in marriage.
- Protect persons with vulnerabilities.
- Protect the rights of widows and widowers.
- Eliminate all forms of discrimination against the girl child; as well ensure the protection and development of the girl and boy child.

Constitutional provisions

The minority status of women perpetuated by customary law and practices is a major gender justice issue that SADC countries need to conclusively deal with by ratifying, domesticating, and implementing the international and regional commitments they have made, and by removing any customary laws that are discriminative to women and claw back clauses within Constitutions. The absence of mandatory language in this clause was a disappointment for gender activists. However, the language used leaves open the possibility of test cases that will nudge this language and understanding forward.



Guaranteeing women's participation in all spheres: Maseru councillors.
Photo: Susan Tolmay

The Protocol provides that by 2015, all countries shall endeavour to enshrine gender equality and equity in their Constitutions and ensure that these are not compromised by any provisions, laws or practices.

Governments, as well as other parties, have a duty to both respect and uphold rights. In the case of violence against women, for instance, governments have a duty to refrain from committing such violence themselves through the police and the army. However, they also have a duty to prevent others from committing violence against women, by legislating against it, enforcing this legislation by prosecuting husbands or partners who attack their wives, running campaigns to raise awareness about domestic violence, among others. A Constitution is the fundamental and supreme law of the land, from which all other laws and sector policies derive their legitimacy, and must comply with its basic principles. It is therefore critical that Constitutions are true reflections of generally accepted principles of equality and democracy. In addition, gender equality must be a fundamental value of any Constitution. A Constitution is also supposed to guide and inspire people to national and individual development. As reflected in Table 1.1, there are many variations between countries on this front.

Table 1.1: Analysis of gender equality clauses in constitutions

Country	Provides for non-discrimination generally	Provides for non-discrimination based on sex specifically	Provides for non discrimination on the basis of sex and others e.g. marital status, pregnancy	Provides for the promotion of gender equality	Has other provisions that relate to gender	Has claw back clause	Addresses contradictions between the Constitution, law and practices	Provides for affirmative action
Angola	Yes, Article 23	Yes, Article 21	Yes, Article 21	Yes, Articles 21and 35	Yes, Articles 36 and 77	No	Yes, Article 239	No
Botswana	Yes, Section 15 (1) and (2)	Yes, Section 15 (1) and (2) 3	Yes, Section 15 (3)	No	No	Yes, Section 15 (4), (5), (6), (7), (8) and (9)	No	No
DRC	Yes, Articles 11, 12 and 13	Yes, Articles 14, 36, and 45	Yes, Article 40	Yes, Article 14	Yes, Article 16	No	No	Yes, the national policy of gender mainstreaming, promotion of women, of the family and of children
Lesotho	Yes, Sections 1 and 18	Yes, section 18	No	Yes, Sections 26 and 30	Yes, Section 8	Yes, Section 18	Yes, Section 18	Yes, Sections 18 and 26
Madagascar	Yes, Article 8	No	Yes, Article 8	No	Yes, Article 17	No	Yes, Article 160	No
Malawi	Yes, Section 20	Yes, Section 20	Yes, Section 13 and 20	Yes, Section 13	Yes, Section 19 and 18	Yes, Section 26	Yes, Section 5	Yes, Section 30
Mauritius	Yes, Article 3	Yes, Section 16	Yes, Section 16	Yes, Section 16	No	Yes, Section 16	No	No
Mozambique	Yes, Article 35	Yes, Article 36	Yes, Article 39	Yes, Article 120	No	No	Yes, Article 143	No
Namibia	Yes, Article 10	Yes, Article 10	Yes, Article 14	No	No	No	Yes, Article 19	Yes, Article 23
Seychelles	Yes, Article 27	No	Yes, Article 30	No	No	No	No	Yes, Article 27
South Africa	Yes, Chapter 1	Yes, Chapter 2	Yes, Section 9	Yes, Section 9	Yes, Section 12	No	Yes, Sections 15, 30	Yes, Section 187
Swaziland	Yes, Section 20	No	No	Yes, Section 28	Yes, Section 28	Yes, Section 20	No	Yes, Section 86
Tanzania	Yes, Article 13	Yes, Article 9	Yes, Article 16	Yes, Article 66	Yes, Article 13	No	Yes, Article 30	Yes, Article 78
Zambia	Yes, Article 23	Yes, Article 23	Yes, Article 23	No	No	Yes, Article 23	No	No
Zimbabwe	Yes, Section 23	Yes, Section 23	Yes, Section 23	No	No	No	No	Yes, Section 23

Source: Gender Links: adopted from country legal documents and updates from various civil society organisations.

Most SADC Constitution enshrine non-discrimination generally as well as non-discrimination based on sex: All SADC Constitutions provide for non-discrimination generally. Almost all refer to non-discrimination based on sex; Malawi is a good example of this.



The 1994 ***Malawian*** Constitution embodies a number of provisions relating to promotion of gender equality and women's rights. The provisions, especially the principles of national policy, have been instrumental in facilitating legislative and policy reform to make them compliant with Constitutional aspirations. There were concerns nevertheless that women's specific interests were inadequately addressed, such as the age of marriage, prohibition of harmful cultural practices, representation and participation. The Malawian Constitutional review took place in August 2004 and provided an opportunity for government and civil society to propose reforms on matters that relate to promotion of gender equality. Key gains include:

- **Section 20** protects against sex discrimination.
- **Section 22** provides for full and equal respect of individuals within the family.
- **Section 24** provides for rights of women to equal protection of the law, non-discrimination



Malawian women vote for a better future. *Photo: GEMSA*

in marriage, capacity to enter into legally binding agreements, individual property, custody and guardianship of children, to acquire and retain citizenship and nationality, equal rights on the dissolution of marriage, protection from violence, discrimination at work, and deprivation of property, elimination of harmful/ discriminatory customs and practices.

Sex, marriage and pregnancy: In some instances discrimination based on sex in linked to other issues, for example marital status or pregnancy. In the case of Seychelles the two are conflated.



Article 30 of the ***Seychelles*** Constitution states that "The state recognises the unique status and natural maternal functions of women in society and undertakes as a result to take appropriate measures to ensure that a working mother is afforded special protection with regard to paid leave and her conditions at work during such reasonable period as provided by law before and after childbirth."

Provisions for gender equality: Seven SADC Constitutions provide for the promotion of women and seven have other provisions that relate to gender equality. The following are some good examples of this:



The ***South African*** Constitution views the right to gender equality as fundamental to the struggle for a more just and equitable society and is entrenched in Section 9 of the Constitution (Act 108 of 1996). Key provisions for women in the Constitution include:

- The equality clause states that: "the state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth".
- Provision is made for affirmative action in the clause that states that "legislative and other measures" may be taken to "protect and advance" persons who have been disadvantaged.
- The clause on freedom and security of the person states that everyone has the right to "bodily and psychological integrity". This includes the right to make decisions concerning reproduction; and to security and control over one's body.
- Clause guaranteeing legal and other measures to promote land reform and equitable access to natural resources to redress the effect of past discrimination.
- Constitutional provision for socio-economic rights: such as right to adequate housing, health care services, food, water and social security.
- Bill of Rights provision for basic and further education.
- Statement that in cases where the Constitution conflicts with customary law, the Constitution will take precedence.



There are a number of gender provisions in the ***Tanzanian*** Constitution and it is one of the few that addresses the contradiction between custom and the Constitution, and does not have claw back clauses. Tanzania also has an affirmative action clause in its Constitution - beginning with a 20% quota for women's representation and increasing this to 30% in 2005 to implement the SADC Declaration commitment. There has not been an overall review of the Constitution in Tanzania, but amendments have taken place as recently as 2005 and there are some calls from civil society for a complete Constitutional review. The Gender Protocol adds greater impetus to such calls.

The ***Namibian*** Constitution provision for gender equality is quite progressive in that it contains provisions on discrimination based on sex,



addresses conflict between formal and customary law and does not contain claw back clauses. However, since Namibia's adoption of the

Constitution in 1992, it has only been amended once and there is no plan for a Constitutional review. It is therefore imperative for achieving the SADC Protocol targets that Namibia adopts stronger legislation that enshrines gender equality and that the government plans a Constitutional review that meets the needs of today's Namibia.

Few Constitutions explicitly refer to customary or personal law: Many of the Constitutions in SADC fail to make the distinction between equality and substantive equality, or to pronounce themselves on the issue of customary law. Most do not address contradictions between the Constitutional provisions, laws and practices. With customary laws and practices so prevalent within SADC, this poses a major challenge for advancing gender equality.



Section 16 of the Constitution of ***Mauritius*** guarantees gender equality for all citizens. It provides that no law shall make provisions that are discriminatory either of itself or in its effect and further defines discrimination as affording different treatment to different persons attributable wholly or mainly to their respective descriptions by race, caste, place of origin, political opinions, colour, creed or sex. However, the Mauritian Constitution does not address the issue of personal law.

Claw back clauses erode effectiveness: Some Constitutions have derogations and claw back clauses that undercut the Bills of Rights. Some of the derogations are couched in generalised terms such as national security, public interest, or public morality, which ultimately avail a lot of room for denial of rights to the citizenry. Seven of the SADC countries have such claw back clauses in their Constitutions. The following are some examples:



The ***Botswana*** Constitution under Section 3 guarantees equality before the law. Discrimination is prohibited in Section 15, and Subsection 3 specifically outlaws discrimination on the basis of sex or gender. Section 15 of the Constitution was amended in 2005 by adding the term "sex" to the list of descriptions that define the expression "discriminatory." There is legislation that deals with matters of personal law and there is no discrimination on the basis of gender or sex. However, the Constitution does not address the contradictions between formal and customary law and there are various claw back clauses regarding personal law which could be detrimental to women. There are currently no plans in place for a Constitutional review.



The ***Swaziland*** Constitution promotes gender equality and protect against discrimination generally and on the basis of sex, but makes no provision for discrimination on the basis of pregnancy or marital status, leaving women open to possible discrimination. In theory the Constitution protects against contradictions with customary law. It states that Parliament shall not be competent to enact a law that is discriminatory either of itself or in its effect. In practice customary law governs the daily lives of Swazi women. There is no Constitutional review yet foreseen in Swaziland as the Constitution is fairly new, having been adopted in July 2005 and implemented in February 2006. The current Constitutional provisions on gender equality are not adequate to deliver to women as per the SADC Protocol targets, but there is an opportunity for the Swaziland government to extensively review current domestic legislation and align it with the Constitution and the Convention on Elimination of All Forms of Discrimination Against Women. This, coupled with extensive strategising, lobbying, and advocacy will increase the chances of making the SADC Protocol targets possible.



Lebohang Pheko and Maude Dikobe debating the Gender Protocol.
Photo: Trevor Davies

Customary law and women's rights

By Dr Muna Ndulo*



There has for a long time been a major debate on the continued application of customary law between human rights activists and traditionalists. While traditionalists argue that customary law by promoting traditional values makes a positive contribution to the promotion of human rights, activists argue that it undermines the dignity of women and is used to justify treating women as second class citizens.

Many African Constitutions contain provisions guaranteeing equality, human dignity and prohibiting discrimination based on gender. However, the same constitutions recognise the application of customary law providing a mechanism for the resolution of conflicts between some customary law norms and human rights provisions.

The SADC Gender Protocol norms need to be reflected in national constitutions and national legislation. As reflected in the examples of the Ugandan and South African constitutions, there are precedents for this.

The 1985 Uganda Constitution in Article 33 provides that "(1) women shall be accorded full and equal dignity of the person to men. (2) The state shall provide the facilities and opportunities necessary to enhance the welfare of women to enable them to realise their full potential and advancement. (3) The state shall protect women and their rights, taking into account their unique status and natural maternal functions in society; (4) women shall have the right to equal treatment with men and that right shall include equal opportunities in political, economic and social activities; (5) without prejudice to Article 32 of this constitution, women shall have the right to affirmative action for the purpose of redressing the imbalances created by history, tradition or custom and (6) laws, cultures, customs or traditions which are against the dignity , welfare or interest of women or which undermine their status are prohibited by this constitution[1]."

Similarly, the Constitution of South Africa states that:" The courts must apply customary law when that law is applicable, subject to the Constitution and any legislation that specifically deals with customary law[2]."

No SADC constitutions should immunise customary law against human rights provisions. This should be accompanied by legal reform of both customary and ordinary legislation. Reform efforts should start with a comprehensive diagnostic study of each SADC country's legal system aimed at identifying laws that require reform. With respect to customary law, any reform efforts must be mindful of the weapons of the traditionalists who argue that human rights norms are the product of Euro-Christian societies.

The fight for gender equality should also be taken to the courts in mass movements. *The Hotel Intercontinental v. Longwe* in Zambia and *The Republic of Botswana v. Unity Dow* were trail blazers in the SADC region in this field.

More recent example that have carried the struggle of establishing a society were men and women are equal to a higher level are the *Bhe and others v. Sithole and Minister of Justice*, the South African Constitutional Court took up the constitutional validity of the principle of primogeniture in the context of the customary law of succession. Central to the customary law of succession is the principle of male primogeniture.

In *Shilubana v. Nwamitwa* the South African Constitutional Court had to deal with whether the community has the authority to restore the position of traditional leadership to the house from which it was removed by reason of gender discrimination. We can only hope that our courts will give us more of these kinds of decisions.

(Dr Muna Ndulo is GL Chair and Professor of Law Cornell University Law School and Director of Cornell University's Institute for African Development.)*

[1] Constitution of the Republic of Uganda, 1995, article 33 (1), (2), (3), (4), (5), (6).
[2] The Constitution of the Republic of South Africa, 1996, article 211 (3).

Constitutions are not static and reviews taking place or planned in at least four countries open important possibilities: There have been Constitutional reforms in some SADC countries, like Namibia, Swaziland, Zambia, and Zimbabwe. Most grew out of civil society activism, which called for the creation of new legal instruments that would better express the needs of the people. Women's groups especially wanted to see increased protection of women's rights in the revised Constitutions. Constitutional reforms are still on-going with debates revolving around issues such as people driven approach, Bill of Rights, including socio-economic and cultural rights and response to HIV and AIDS, separation of powers, clear protection of women and children's rights and other minority groups, and more representative electoral systems, including affirmative action provisions for women's acquisition of political positions. Currently, there are Constitutional review processes planned or taking place in at least four SADC countries; two of these countries that have recently emerged or are emerging from conflict.



Madagascar: The Constitution was intended to bear no discrimination without further singling out sex from other social, demographic, and economic characteristics. Interviews with a member of the Constitution's drafting committee confirmed the fact that gender was not a concern to be specifically addressed in the Constitution. At the time of the Constitution's drafting, no special interest was paid to gender issues and these were rarely discussed whether among voters, political actors, or non governmental actors. Opportunities to solve the gaps noted are now emerging with the work to draft a new Constitution as part of the transition to a Fourth Republic. Indeed, this process includes a series of regional conferences a national meeting that will involve all the different groups in the Malagasy society. In order to achieve the Protocol targets, civil society organisations have been working to promote gender equality and promoting women's participation in political and public life by conducting sensitisation and training on gender, targeting various groups such as political parties, academics, magistrates, youth and women's associations. However, it should be noted that these actions have tended to be once-off actions without any sustained follow-up. *Week End* Newspaper dated 27th June 2010 reported that there could be legislative provisions for 30% women at the local level.



Madagascan trading stall. *Photo: Colleen Lowe Morna*



At its last constitutional review, the ***Seychelles*** Constitution was amended to remove most gender discriminatory language and in general is assumed to be gender neutral, making no distinction between the sexes. The word "person" is used when referring to a citizen of the country or to any other human being. When the Constitution refers to categories of persons, it uses words with specific reference to their status or role, e.g. the aged, the disabled or mothers as in the affirmation of the rights of working mothers. However, the neutrality to gender in the constitution may still lead to discrimination against women as it does not acknowledge the specific needs and obstacles women may face in regards to their rights. A constitutional review is currently taking place but there is no information available to indicate that there will be any implications for gender issues.



Like many African countries, ***Zambia*** has a dual legal system consisting of statutory and customary law. The Zambian constitution has no provisions for the contradiction between formal and customary law and has various claw back clauses that affect women's rights. The current constitutional review process opens some interesting prospects.



Constitutional review opens new possibilities in Zambia

By Matrine Bhuku-Chuulu*

Zambia has been going through a Constitutional review process in the last few years. The National Constitution Conference (NCC) produced the draft Constitution and opened for comment from 2 July - 12 August 2010. This gives opportunity to members of the Southern Africa Gender Protocol Alliance in Zambia led by Women in Law Southern Africa (WLSA) to lobby for provisions/articles of the SADC Gender Protocol to be incorporated in the draft Constitution. Some examples of provisions in the draft constitution that relate to gender include:

Article 42:
Every person is equal before the law and has the right to equal protection and benefit of the law.

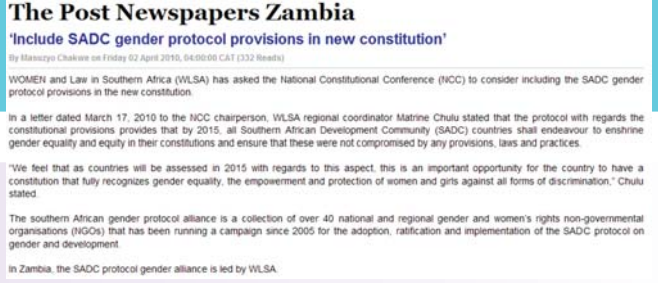
Article 48:
Every person has the right not to be discriminated against, directly or indirectly, on the grounds of race, tribe, sex, pregnancy, origin, colour, age, disability, religion, conscience, belief, political opinion, culture, language, birth or health, marital, ethnic, social or economic status. For the purpose of this Article, "discrimination" means affording different treatment to different persons attributable wholly or mainly to their respective descriptions, race, tribe, sex, origin, political opinion, colour, pregnancy, culture, conscience, age, disability, religion, belief, birth or health, marital, ethnic, social or economic status whereby persons of one such description are subjected to disadvantages or restrictions to which persons of another such description are not made subject, or are accorded privileges or disadvantages which are not accorded to persons of another such description.

Article 49:
1) Women and men have the right to equal treatment including the right to equal opportunities in cultural, political, economic and social activities.
2) Women and men have equal rights to
   a) Inherit, have access to won, use, administer and control land and other property.
   b) Choose a residence and domicile.
   c) Choose a family name.
   d) Acquire, change or retain the nationality of their children.
   e) Guardianship and adoption of children.
3) Women and men have equal rights with respect to marriage.
4) Any law, culture, custom or tradition that undermines the dignity, welfare, interest or status of women or men is prohibited.

Article 50:
1) All children whether born in or outside wedlock, are equal before the law and have equal rights under this Constitution.
2) A child's mother and father whether married to each other or not, have an equal duty to protect and provide for the child.

Article 52:
(3) A person who is eighteen years of age or older has the right to freely choose a spouse of the opposite sex and marry.

Article 64: Progressive realisation of economic, social and cultural rights
1) Parliament shall enact legislation which provides measures which are reasonable in order to achieve the progressive realisation of the economic, social and cultural rights under this Bill of rights.



The Post Newspapers Zambia

'Include SADC gender protocol provisions in new constitution'

By Masuzyo Chakwe on Friday 02 April 2010, 04:00:00 CAT (332 Reads)

WOMEN and Law in Southern Africa (WLSA) has asked the National Constitutional Conference (NCC) to consider including the SADC gender protocol provisions in the new constitution.

In a letter dated March 17, 2010 to the NCC chairperson, WLSA regional coordinator Matrine Chulu stated that the protocol with regards the constitutional provisions provides that by 2015, all Southern African Development Community (SADC) countries shall endeavour to enshrine gender equality and equity in their constitutions and ensure that these were not compromised by any provisions, laws and practices.

"We feel that as countries will be assessed in 2015 with regards to this aspect, this is an important opportunity for the country to have a constitution that fully recognizes gender equality, the empowerment and protection of women and girls against all forms of discrimination," Chulu stated.

The southern African gender protocol alliance is a collection of over 40 national and regional gender and women's rights non-governmental organisations (NGOs) that has been running a campaign since 2005 for the adoption, ratification and implementation of the SADC protocol on gender and development.

In Zambia, the SADC protocol gender alliance is led by WLSA.

http://www.postzambia.com/post-print_article.php?articleId=7713

2) The Government shall take measures, including:
   (a) Affirmative action programmes designed to benefit disadvantaged persons or groups;
   (b) Legislation:
   - That promotes equity, equality and freedom from discrimination and establishes or provides for standards relating to the achievement of those measures.
   - That ensures that state organs and state institutions fulfil the obligations of the state under this Bill of rights.
   - That ensures that persons fulfil their obligations under the Bill of Rights (this will ensure that spouses meet their obligations and parents).

Article 244: Establishment of the Gender Equality Commission
There is hereby established the Gender Equality Commission which shall promote respect for gender equality and the protection development and attainment of gender equality.

Parliament shall enact legislation to provide for the functions, composition, appointment, tenure of office, procedures, operations, administration, finances and financial management of the Gender Equality Commission established under this Article.

Article 307 (16) (Interpretation of Constitution)
Where any person is empowered to make an appointment under this Constitution that person shall ensure that equitable consideration is given to persons of both gender.

WLSA has cited some problematic provisions. These include:
- The banning of all forms of abortion with no exceptions such as rape and incest.
- Insufficient provisions for harmful countering harmful practices such as elderly women being accused of practicing witchcraft; the practice of property grabbing from widows and mourning rituals that require widows to be sexually cleansed after the death of a husband; polygamy which permits men to marry more than one wife; and the practice of early marriages for girls who customarily get married off as soon as they attain puberty.
- The derogation sub-clause in Article 48 which effectively protects customary law. Activists are urging the deletion of this clause which contradicts all the new standards that have been set. Although the Zambian government has in their periodic reports to the CEDAW Committee, Beijing +15 review and others, indicated their intention to undertake a comprehensive review of discriminatory laws, this has not been done to date.

(Matrine Bhuku-Chuulu is regional director of WLSA which coordinates the Constitutional and legal rights cluster of the Gender Protocol Alliance).



Like most other African countries, ***Zimbabwe*** has a dual legal system with customary law operating alongside general law. Zimbabwe's current Constitution was adopted as part of a peace settlement to mark the end of British colonial rule in 1979. Since then there have been several amendments, but only two referred to gender equality. The 14th amendment introduced gender as grounds for non-discrimination to s23 of the Constitution, which is the non-discriminatory clause. Later in 2005, Constitutional Amendment 17 added further grounds for non-discrimination to include sex, pregnancy and disability. However, the greatest pitfall in the Zimbabwean Constitution is the claw back clauses to be found in the non-discriminatory clause, which still allows for discrimination under customary law. Zimbabwe is currently undergoing a process of constitutional review. Zimbabwe's Constitution is currently being reviewed with a view to elections being held within the next year as per the Global Peace Agreement. As Zimbabwe has both signed and ratified the Protocol, this opens the possibility for Zimbabwe to incorporate its provisions.

The SADC Gender Protocol and the Zimbabwe Constitution



By Emilia Muchawa*

Following an election whose results were highly contested in June 2008, the three political parties that won parliamentary seats signed a Global Political Agreement on 15 September 2008. Article 6 of this agreement provides for the writing of a new constitution.

To date a Parliamentary Select Committee running the process has been setting up bodies, agreeing on a framework, scheduling and mobilising resources and holding a first stakeholder's conference. The Women's Coalition of Zimbabwe (WCoZ), and umbrella body, has been strategising, mobilising women and working on increasing constitutional literacy with a gender lens. These groups have been using the SADC Protocol on Gender and Development to strengthen their hand. In 2009, Zimbabwe and Namibia were the first two countries to ratify the Protocol.

The language of the SADC Gender Protocol influenced the first stakeholder's conference where women demanded a separate thematic committee dealing with women and gender issues. Women refused to be lumped together with children and those living with disabilities as had been the initial intention. They argued that issues of women and gender were *sui generis* and deserved to be treated separately as the Heads of State and government at global, African Union (AU) and SADC level had already recognised this in developing protocols dealing with this issue. This led to the establishment of the Women and Gender Thematic committee; the appointment of the Chairperson of the WCoZ as deputy chairperson; and her involvement in the induction of the Parliamentary Portfolio Committee.

In response to the under-representation of women at the training of the outreach teams in January 2010, women from civil society and from across the political divide mobilised each other; drafted and read out a petition which quoted from the SADC Protocol on Gender and Development and demanded a fulfilment of the gender parity commitment as follows:

"Whereas Zimbabwe has ratified the SADC Protocol on Gender and Development which calls for (among other things) the achievement of 50/50 gender representation in decision making bodies by 2015;
Whereas women fought together with men in the liberation struggle and continue to contribute to the development of post independent Zimbabwe;
We the women participants at this Outreach Training Workshop note with great concern that:

1. The Constitution-Making process so far goes against the letter and spirit of Article VI by not ensuring gender parity in Thematic Committees, Resource persons, the Select Committee, the Steering Committee and the Management Committee;
2. The process so far is not adequately inclusive or democratic as 52% of the population is grossly underrepresented in the Constitution Making Process;
3. If the outreach Programme is carried out with teams where women appear in token numbers, not 50/50, the process and the New Constitution will not ensure the deepening of "our democratic values and principles and the protection of the equality of all citizens, particularly the enhancement of full citizenship and equality of women" Article VI of the GPA;

We therefore call upon the co-chairs and the Select Committee to ensure that the situation is redressed urgently before the beginning of the outreach programme by co-opting additional women to achieve gender parity in all teams."[3]

[3] See ZWLA website www.zwla.co.zw

In terms of the substantive issues that the women of Zimbabwe are lobbying and advocating for, the SADC Protocol, together with Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW) and the African Union Protocol on the Rights of Women has played a key role.

The discussion document used by ZWLA and the WCoZ is the Women's Charter[4] initially produced in 1999 by the Women's Coalition of Zimbabwe and reviewed in 2009 with the Protocol as a reference. At the Women's Coalition of Zimbabwe constitutional review and strategy conference held on 28 and 29 October 2009 women made extensive reference to the Protocol, in particular in justifying women's equal participation in this process and other transitional processes.[5]

Oxfam commissioned a policy paper to ensure the incorporation of women's interests the constitutional review process (CRP) in Zimbabwe. It provides the legal background to the key demands of Zimbabwean women of the CRP, particularly that the rights that they demand should be included in the proposed new Constitution. The paper also provides the provisions of international women's human rights instruments such as the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW), the Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa and the SADC Protocol on Gender and Development (not yet operational) which reinforce these demands.[6]

It is evident from the documents produced by different players for information dissemination and for justifying the different demands that women are making that the Protocol, because of its timeliness to the constitution making process, is the most quoted. Further it is a lesson that has been well learnt by women that our policy makers prefer and are more persuaded when they are held accountable to a home grown instrument than the global ones. It is therefore more rewarding and receptive if one relies on the SADC Gender Protocol though the same principles may run in other instruments.

Examples of SADC Gender Protocol provisions cited, what women want
The constitution making process has largely been viewed as an opportunity to fulfil article 4 of the SADC Protocol which provides: "States Parties shall endeavour, by 2015, to enshrine gender equality and equity in their Constitutions and ensure that these rights are not compromised by any provisions, laws or practices." The principles of equality and non discrimination underpin the SADC Protocol as do the women's demands. This is in line with article 4 of the protocol and the preamble.

Women in Politics Support Unit (WIPSU) which has been running a 50/50 campaign has heavily relied on the Protocol's provisions on gender parity in politics and decision- making. This same line has been followed by the Ministry of Women's Affairs and the Parliamentary Women's Caucus.[7] WIPSU has been advocating for the implementation of the Protocol since 2008 and in particular see articles 12 and 13 that provide for equal representation of women in all areas of decision-making, both public and private. This target, they believe will be achieved through Constitutional and other legal measures. For WIPSU therefore, this constitution making process presents an opportunity to advance their objectives and the Protocol provides a good launch pad.

ZWLA synthesised the women's demands into 14 demands. This document has been used by most of the Women's Coalition members. In demanding that customary laws should not go against the bill of rights, the language of Article 6 of the protocol was instructive. The challenges faced in the process of lobbying for such a clause in the Protocol were also learning curves on how to communicate this demand.

[4] www.zwla.co.zw
[5] WCoZ, Constitutional Review and Strategy Meeting report, 28th to 29th October 2009
[6] See also the Constitution briefing document commissioned by the Women's law Centre for ZWLA and The Women's Coalition of Zimbabwe
[7] WIPSU Update, Volume 1, Issue 1 2010

In making a demand on the recognition of children's rights, the Zimbabwean women are borrowing a leaf from article 11 of the Protocol and its recognition of the role of regional and international instruments and its focus on the girl and boy child.

A whole section of the Gender Protocol focuses on Gender based violence and one of the demands is the right to security of the person and protection from gender based violence.[8] There is a demand that the constitution provides for affirmative action measures in order to address past imbalances on gender inequalities. This is in line with Article 5 of the Protocol.



Zimbabwe women find strength in the SADC Gender Protocol.
Photo: Colleen Lowe Morna

An important demand is on access to resources for women along the lines of Article 18 of the Protocol. A key demand is on protection of socio economic rights and the Protocol from article 14 to 19 and 26 to 27 covers this including right to health care, education, employment and fair labour standards.

Women are also demanding the domestication of international and regional human rights instruments. The Protocol has this not only influenced the process but also the substantive content of the women's demands.

*(*Emelia Muchawa is Director of the Zimbabwe Women's Lawyer's Association and chairperson of the Women's Coalition. The Women's Coalition is the Zimbabwe focal point for the Alliance).*

Affirmative action

State parties are to implement legislative and other measures that eliminate all practices which negatively affect the fundamental rights of women and men. They are also to introduce affirmative action measures.

The SADC Gender Protocol mandates governments to implement affirmative action measures, with particular reference to women, in order to eliminate all barriers preventing their participation in all spheres of life, while creating conducive environments for such participation. Gender equality, equity and the empowerment of women is a fundamental human right and integral to the process of sustainable and more equitable development globally. Affirmative action aims to accelerate de facto equality between men and women. Some of the key delivery areas and strategies to ensure the acceleration of equality include: promoting participation of women in governance and economic empowerment, facilitating the review and amendments of discriminatory laws and procedures and ensuring women and men can access quality services in both rural and urban areas.

As it currently stands, nine of SADC countries have some form of affirmative action provisions. In this regard, it will be necessary for SADC States to put in place affirmative administrative measures and programmes to facilitate increased

[8] See part 6 of the Protocol.

participation, progression and retention of women in different levels of society. In addition, State Parties will have to implement certain temporal measures in order to improve the situation of women and girls.



Affirmative action helps put women in the drivers seat. *Photo: Gender Links*

Affirmative action important for achieving 50/50: Constitutional and legislated quotas are mandatory measures that set aside, through the Constitution or relevant electoral laws, a certain percentage of seats or positions for women. The advantage of this form of quota is that they apply to all political parties and there are sanctions or penalties for non-compliance, such as rejection of lists by Electoral Commissions or disqualification from elections. Namibia and Lesotho have legislated quotas at the local level. In Tanzania, Articles 66(1) (b) and 78(1) of the Union Constitution provides for 30% of the seats in the national assembly to be for women only, based on the percentage of votes that each party garners. While women are free to stand as candidates in this first-past-the-post system, the Constitution guarantees women 30% of the seats in the assembly through a proportional representation distribution mechanism.



The new ***Zambia*** draft constitution promises that the Government shall ensure full participation, gender balance and equitable representation of disadvantaged groups including the youth and persons with disabilities in elective and appointive bodies and in political, social, cultural and economic development of the country. It also proposes that the representation of women and men not be less than 30% of the total number of seats in the national assembly, district council or any other public elective body. However this falls short of the 50% target of women representation at all levels of decision making. Article 64 (1) calls for parliament to design affirmative action to benefit the disadvantaged groups. Clause (2) of the same article calls on political parties to ensure full participation, gender balance and equitable representation of disadvantaged groups including youth and people with disabilities in their organisations and practices.



Hint of affirmative action in ***Swaziland***: In the case of Swaziland, the constitution guarantees just a small step of affirmative action. If at the first meeting of the House after any general election it appears that female members of Parliament will not constitute at least 30%, the House forms itself into an electoral college to elect not more than four women on a regional basis.


Swaziland reed dancers. *Photo: Gender Links*

Surpassing 50/50 in Lesotho local government



Tsepo Molefe (left) challenged Lesotho's legislated 30% quota for women in local government in 2005. Mateboho Tsepane (right) won the council seat for the area after the High Court upheld the law. *Photo: Colleen Lowe Morna*



Lesotho introduced affirmative action through the Local Government Election (Amendment) Act, 2005 reserving 30% selected electoral divisions for women to contest the first local government elections of 2005. Section 4 provides that not less than one-third of seats in the Community Councils be reserved for women. Thus, it authorised the exclusion of male candidates in every third constituency.

The notion of affirmative action received mixed views in the country. It was generally welcomed by gender equality interest groups in government, the women's movement and among development partners, as the most significant and effective measure Lesotho has undertaken to promote gender equality and empower women. However, others are against affirmative action arguing that women should not be "pushed up" any leadership ladder, but should strive to do so themselves.

The quota system met resistance mostly from men on the grounds that it violated their Constitutional rights. While the Lesotho National Council of Non-Governmental Organisations, an umbrella body of civil society organisations expressed its appreciation and support of the principle of women's political empowerment through affirmative action, they opposed the way it had been done, saying it contradicted section 18 of the Lesotho Constitution.

Affirmative action has helped the country surpass the Protocol's 50% threshold, attaining 58% women councillors relative to 42% men at the local level. Lesotho is the only country to have exceeded the 50% target. The move further deepened local democracy in local governance and also served as a sensitisation tool to the nation (especially men) on issues of gender equality and women's empowerment. At the time of writing, however, local elections had been postponed in Lesotho as a result of another possible legal challenge to the quota.

Many challenges to affirmative action: Affirmative action is not generally understood to be a justice and equity issue. Action taken so far by most countries has either been too little or too erratic to achieve impact, and has been administered within the context of existing negative attitudes about women's "inferiority." Affirmative action is sometimes so minimal in its magnitude or impact that it serves more to entrench stereotypes than achieve change. The impact is segmented and sporadic. In addition, the private sector and government ministries have had individual policies on the matter. There have been no standards to provide benchmarks for individual ministerial or private efforts.

There is also the inability to transform some of the temporary measures into concrete programmes due to the limited availability of financial resources. At the same time, negative traditional practices continue to undermine the equality of women and men, in spite of efforts to change mindsets and stereotyping of women through gender sensitisation. There is also a general lack of appreciation of gender and development among members of the public and the public service providers. This tends to subordinate issues of gender and perpetuate negative attitudes towards gender and development programmes.

Discriminatory legislation

The SADC Protocol provides that by 2015 SADC countries shall have reviewed, amended or repealed all discriminatory laws and specifically abolish the minority status of women:

Rights exist at different levels. Legally speaking they are embodied in national legislation like the Constitution and international treaties, but rights are more than just legal matters. More broadly, a right is a legitimate claim that an individual has on "others," whether these "others" are individuals, groups, societies or nation states. Rights are therefore legal and political tools that can be useful in struggles for social and gender justice. Discriminatory laws can erode the rights of women, even rights that seem guaranteed in the Constitution. Reviewing and repealing discriminatory laws is an important part of ensuring legal frameworks are in place to meet Protocol commitments. The table provides examples of discriminatory legislation that still exists in SADC countries.

Table 1.2: Discriminatory Legislation

Country	Discriminatory Legislation	Action being taken
DRC	Discriminatory legislation included nationality law whereby a woman lost her nationality by marrying a foreigner, and labour law where women needed male authority to work but this legislation has since been amended.	Action taken
Lesotho	Land Act of 1979	Land (Amendment) Bill (2009) in place
	Workmen's Compensation Act 1977	None
	Intestate Succession No.2 0f 1953	Review of Section 1 4.1.1-1200.00 4.2 civil rights and mode of life
	Administration of Estates Proclamation of No.19 of 1953	Review of Section 3 (b) on mode of life test
	Laws of Lerotholi on inheritance	None
	Law of Inheritance Act No. 26 of 1873	Review of Section 6
Madagascar	Nationality law	The Ministry of Justice has prepared a bill that should allow Malagasy women to pass down their nationality to their children irrespective of their husbands' nationality as part of an effort to comply with the International Convention on Married Women's Nationality signed by Madagascar and submitted to the Parliament but awaiting promulgation.
	Marriage law	The Family Act has recently been reviewed. Many discriminatory provisions were amended. However, there is still a gender issue surrounding the stipulation of men as the head of households.
	Inheritance Laws	None
Malawi	Land Rights	Land Law under review
	Citizenship Act	Citizenship Act needs to be reviewed
	Reproductive Health Rights	Reproductive health policy needs to be supported by legislation
Mauritius	None	
Mozambique	Penal Code on successions and heritage	Successions and Heritage under Penal Code being reviewed
	Penal Code with regards to abortion	Draft Bill on abortion being prepared
Namibia	Inheritance Laws, Land Policy, Labour Law, Marriage Law, Family Law	None
Seychelles	Legislation on age of consent for sex and marriage for girls	Proposal to amend this piece of legislation is still being considered by the Department of Social Development
Swaziland	Citizenship, Marriage, Deeds	None
Tanzania	Marriage Law, Penal Code, Affiliation Act, Penal Code and Special Offences Sexual Provision Act (SOSPA), the Probation of Offenders Act, Adoption Ordinance, Spinsters Act, Inheritance Law, the Education Act No.6 of 1982, the Customary Law Declaration Order of 1963, Probate and Administration (Deceased Estates) Ordinance Cap.445, Age of Majority Act	Amendment in process for all of these laws except the Affiliation Act according to the government reports, but the progress is slow.
Zambia	Customary Law	Talks to address customary law issues are taking place but no actions as of yet
	Marriage	Reform of marriage law is taking place
	Matrimonial Causes Act	None
	Land Deeds	None
	Citizenship	Reform of Citizenship law taking place

There remains discriminative legislation in most SADC countries and in many, little action is underway to address this issue. While most of the countries in SADC have signed and ratified regional and international instruments that seek to give women more rights, there has been reluctance in translating these words into action by domesticating them into action in national laws.



Botswana: The last comprehensive review of discriminatory laws in Botswana took place in 1998, commissioned by the Ministry of Labour and Home Affairs, Women's Affairs Department. The report reviewed all statutes and subsidiary legislation affecting women and all relevant United Nations Conventions and other documents concerning women, especially the Convention on the Elimination of all Forms of Discrimination Against Women, with the view to assessing the extent to which the laws of Botswana complies with the United Nations standards. Acts amended so far:

- Citizenship Act to allow women married to foreign spouses to pass their citizenship onto their children.
- The Criminal Procedure and Evidence Act regarding the hearings of sexual offences cases.
- Deeds Registry Act to allow women, whether married in community of property or not, to execute deeds and other documents required or permitted to be registered in the deeds registry without their husband's consent.
- Mandatory HIV testing for sexual offenders.
- Recognition of sexual harassment as misconduct.
- Legal age for marriage increased to 18 for girls and boys.
- Abolition of the Marital Power Act (not applicable to customary marriage).



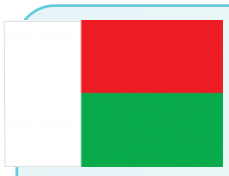
Angola is undertaking a review of all discriminatory laws in accordance with SADC Gender Protocol requirements. The Government Plan 2007 - 2008 states that government will review fundamental legislation such as Penal and Civil Codes, Civil Process and Penal Process, Civil Registrar's Code and draft Labour Process Code to align them to regional and international standards that guarantee gender equality. The government is also in the process of finalising a law on Gender Based Violence which is expected to be passed before the end of the year. A draft bill on Civil and Customary laws will be making its way to the National Assembly for approval within 2010.

Some countries still consider women minors: Historically, marital conventions gave husbands the right to control their wives' income and deprived wives of their right to enter into contracts in their own name. This extended to inheritance, marriage and property laws that denied women equal property rights. In some countries, such legal frameworks continue to exist, conferring minority status on women. There are very few countries in SADC with laws in place to specifically address the minority status of women: Zimbabwe is one such country with the Legal Age of Majority Act of 1982 and Namibia with the Married Persons Act, but these laws are often contradicted by other provisions.

Laws often contradict each other: For example, in Zimbabwe, despite the Legal Age of Majority Act, when a woman is married she is not the legal guardian of her child. According to s3 of the Guardianship of Minors Act, the father of children born in wedlock is the child's guardian and exercises this duty in consultation with the mother. Because of this provision, married women who apply for passports for their children have had their applications refused because they are not the legal guardians and the Registrar has demanded that the father be the one to make the application. S23 (3) of the Constitution allows for discrimination in matters of personal law as well as in matters of customary law, which allows this practice to continue.

Minority status inhibits economic empowerment: Such constraints inhibit women from accumulating assets such as property; managing their own credit performance, finances and raising capital in their own right. This leaves women without the relevant experience or credit histories from which to draw when applying for funds either whilst married or when divorced or widowed. The commitment to abolish the minority status of women by 2015 would mean all women regardless of marital status would have the right to conduct business and undertake contracts in their own right. The minority status of women perpetuated by law and customary practices is a major gender justice issue that SADC countries need to conclusively deal with. Not only do laws reflect societal attitudes but such laws have a direct impact on women's ability to exercise their rights. The legal context of family life, a woman's access to education, and law and policies affecting women's economic status can contribute to the promotion or prohibition of a woman's access to rights and her ability to make informed choices about her life.

Bethusile Mwali in Swaziland is a living example of the spirit of entrepreneurship that exists in women. She is the owner of Bethu's Restaurant and grocer in Malkerns and Thandabantu Café and Take Away Food at eZulwini Midway. Bethusile says," Starting the business was not easy because I encountered difficulty in obtaining the permit and the license to operate until I asked my husband to negotiate on my behalf." This however resulted in her shop and the banking accounts being registered in her husband's name.



Madagascar: In 1994, a Directorate of Legal Reforms was set up in the Ministry of Justice. Since then, the provisions of the country's customary laws have been gradually reviewed in partnership with UNDP, UNICEF and the United States' Agency for International Development (USAID). The main actions undertaken to lift women out of a minority status included:



No minor matter for women in Madagascar.
Photo: Colleen Lowe Morna

- Research on the discriminatory forms and practices persistent in Madagascar;
- Ensuring consistency between national laws and the provisions of international conventions, namely the provisions of CEDAW on the family rights. This action resulted in several legal reforms, including the following (i) legal age of marriage increased to 18 years old for both sex (Act 2007-022, Article 3); (ii) co-responsibility of spouses in the administration of their common assets (Article 11y); (iii) co-responsibility of spouses and equal parental rights in rearing their children (Articles 54 and 55);
- Dissemination of the legal reforms and building the CSOs capacity to carry out awareness-raising campaigns and to influence the government's policy as regards women's legal rights;
- Recent creation of the Directorate of Human Rights within the Ministry of Justice (2008) with the goal of expanding jurisprudence referring to the application of international conventions.

Harmful traditional practices

The Protocol provides for the abolition of practices that are detrimental to the achievement of the rights of women.

There are a number of discriminatory practices that occur in the different countries, frequently under customary law, which are highly harmful to women. These include but are not limited to:

- Marital rape.
- Domestic violence.
- Forced marriage.
- Child marriage.
- Age of consent frequently being lower for girls than boys.
- Having no option for divorce.
- No ability to travel without permission.
- Accusations of witchcraft.
- Not being deemed guardian of children.
- Economic disempowerment.
- *Kusasa fumbi/fisi* (A practice that occurs in Malawi whereby a male has sexual intercourse with a female as an initiation requirement).
- *Kulowa Kufa* (A practice in Malawi where a male member of the community has sexual intercourse with a woman upon the death of her husband).
- Female genital mutilation (not prevalent throughout much of the SADC region, occurs in Tanzania).
- Widow inheritance (where a woman is made to marry her husband's brother if she is widowed).
- Virginity testing.
- Sexual cleansing of widows.
- Prohibition of family planning.
- Elevation of boy children upon girl children.
- Widow dispossession/property grabbing.
- Lack of recognition of polygamous marriages.
- Initiation rights.
- Abduction.
- *Lobola* (Bride Price).
- Wearing of mourning weeds.
- *Kuhlanta* (A practice in Swaziland where girls are married off to her sister or aunt's husband).
- *Kulamuta* (A practice in Swaziland of a man having sexual relations with a younger sister or paternal niece of his wife).

Some practices are not perceived as harmful in terms of perceived injury: These include initiation ceremonies where girls receive sexual instructions; and counselling at puberty. In South Africa male circumcision ceremonies that have led to the deaths of young men are increasingly under scrutiny as harmful practices.

Programmes have been initiated by government and civil society to eliminate harmful cultural practices: There has been engagement with traditional leaders, religious leaders and communities on the dangers of these practices and the impact they have on the enjoyment of human rights. However it is difficult to measure the impact of such programmes as these practices are done in secret and those who practice them may report that they have ceased the practices just to appease government whilst continuing.

Some of these practices continue despite legislation: The following examples from various countries show how traditional practices continue unabated and how they militate against women's rights:

Malawi: There are varying ethnic groups that have different cultural practices, but some of these practices are said to be harmful and in contradiction to the Constitution. What is tantamount to being harmful and demeaning for women is relative and subjective on the basis of perception and social orientation. The Constitution guarantees the right to practice a culture of one's choice but it has posited that the State must eliminate practices that are harmful to women. Some of those identified on the basis that they contribute towards the prevalence of HIV and AIDS are:



- Widow inheritance.
- *Kusasa fumbi/fisi* (a practice whereby a male member of the community has sexual intercourse with a female as an initiation requirement).
- *Kulowa kufa* (a practice where a male member of the community has sexual intercourse with a woman upon the death of her husband).



Lesotho: Customary law in Lesotho elevates the first-born male child above girl children and unmarried daughters, and denies them the right to inheritance. Girl children and unmarried women cannot inherit from their parent's estate unless there is a will in place (which is not frequently the case). This can be challenged in court and in most cases, the will is not upheld. As such, there is a need to reform inheritance and administration of estate laws to protect the rights of girl children and unmarried daughters.



Mozambique: In Mozambique, there are many discriminatory practices against women. When young girls get married they go through a process of initiation rites which teach them to be good wives and how to be submissive and please their husband. There are also situations where widows suffer accusations of witchcraft after their husbands' death, resulting from expulsion for the home (usually a ploy at property grabbing). This is common in rural areas, where the majorities of women are illiterate and have no access to the formal legal system.

Access to justice

The Protocol provides for:

- *Equality in the treatment of women in judicial and quasi judicial proceedings, or similar proceedings, including customary and traditional courts and national reconciliation processes.*
- *Equal legal status and capacity in civil and customary law.*
- *The encouragement of all public and private institutions to enable women to exercise their legal capacity.*
- *Positive and practical measures to ensure equality for women in complainants in the criminal justice system.*
- *The provision of educational programmes to address gender bias and stereotypes and promote equality for women in the legal systems.*
- *Equal representation by women on and in the courts, including traditional courts, alternative dispute resolution mechanisms and local community courts.*
- *Accessible and affordable legal services for women.*

Access to justice means that when people's rights are violated and they need help, there are effective solutions available. All people have a right to go about their lives in peace, free to make the most of their opportunities. They can only do so if institutions of justice as law and order protect them in their daily lives. Justice systems, which are remote, unaffordable, delayed, and incomprehensible to ordinary people, deny them legal protection.

Legal obstacles deter justice: Women and Law in Southern Africa (WLSA) studies on "Women and the Administration of Justice Delivery: Problems and Constraints" revealed that various legal obstacles prevent women's access to legal and judicial services in the SADC region. The legal obstacles fall into several areas, which are interrelated and tend to be mutually reinforcing. Some of the legal problems and issues relate to the following:

- Laws that appear to be neutral at face value but are subject to different interpretation;



Sensitive police services could improve reporting and follow-up
Photo: Colleen Lowe Morna

- Laws that have the potential of being discriminatory because of what is left out;
- In the application of the law, when people act on the contrary; and
- The administering of the laws being ineffective because the institutions or individuals who apply the Law refuse or are unable to apply it.

Furthermore, women face difficulties in accessing justice because of:

- Lack of knowledge of their legal rights;
- Expense of legal representation where there is no legal aid available;
- Language used throughout the legal system and in courts;
- Insensitivity of courts;
- Fear of publicity;
- Duality of legal systems;
- Lack of family support; and
- Lack of empowerment to believe they can make change.



Zambia's new constitution guarantees equal access to institutions of Justice (Article 11) once it comes into force. It states that the Government shall ensure access of the people to independent, impartial and competent institutions of Justice. There is however room to further qualify this in terms of Article 7 of the SADC Gender Protocol in terms of equality in accessing justice to ensure legislation and other measures promote and ensure practical realisation of equality of women.



Legal Aid in South Africa: Section 34 in the Constitution states that: "Everyone has the right to have any dispute that can be resolved by the application of law decided in a fair public hearing before a court or, where appropriate, another independent and impartial tribunal or forum." The Legal Aid Amendment Act, 1996 (Act 20 of 1996) which enables the Legal Aid Board to provide legal representation at state expense for accused persons in deserving cases. As costs are one of the main reasons people and women specifically are not able to access the justice system, this Act is critical as it begins to address that issue.



Free legal services in Zambia: Access to justice in Zambia, especially by women, is generally poor because of lack of knowledge where to find the courts, lack of resources to hire legal services, and the fact that most women are not familiar with speaking in public places such as courts. Many other cultural beliefs and socialisation hinders access to justice. Most people, especially in rural areas, use traditional and local courts to hear and resolve cases. Local and traditional courts are easier to access as they are found in almost all parts of the country and legal fees are very minimal.

In local courts, which are the lowest courts in the Constitutional hierarchy of courts in the country, customary law is also applied. Local courts are by far outnumbering the "modern law branch" as there are 453 Local Courts in Zambia compared to only 53 Magistrate Courts. The Jurisdiction of Local Courts is not restricted to customary law though. Following the Local Courts Jurisdiction Order, Local Courts apply various statutes among them the Intestate Succession Act from 1989, Parts of the Penal Code from 1931, the Witchcraft Act from 1934 and other more exotic ones. The report on the project "Improvement of the Legal Status of Women and Girls in Zambia" spells the following as some of the hindrances for women's access to justice:

- Cultural beliefs concerning the position of women in the family and in society.
- Women having no knowledge of their rights.
- Local Court personnel having no knowledge of women's rights.
- Social and legal discrimination of women.
- Financial constraints of women.

In order to bridge the gap, some organisations such as the Legal Aid Clinic for Women, Legal Resources Foundation, Women in Law in Southern Africa (WLSA) and the government Legal Aid Department provide free legal services to women and other vulnerable people. However, the services rendered by these organisations are far from reaching the needs of all women in need of legal services in the country.

Customary law in practice: There are arguments that customary laws and legal systems allow for locally appropriate solutions to resolving disputes. However, the patriarchal nature of most dual systems means that women are usually the losers in this scenario. While claw back clauses and lack of clarification between formal and customary law in SADC Constitutions remain, women's rights will likely suffer.

Marriage and family laws

The Protocol requires that State Parties enact and adopt appropriate legislative, administrative and other measures to ensure that women and men enjoy equal rights in marriage and are regarded as equal partners in marriage. Existing legislation on marriage shall therefore ensure:

- *No person under the age of 18 shall marry;*
- *Every marriage takes place with free and full consent of both parties;*
- *Every marriage to be registered;*
- *Reciprocal rights and duties towards the children of the family with the best interests of the children always being paramount; and*
- *An equitable share of property acquired during their relationship.*

State Parties must also put in place laws and other measures to ensure that parents fulfill their duties of care towards their children, and enforce maintenance orders. Married women and men should have the right to choose whether to retain their nationality or acquire their spouse's nationality through legal provisions. However, there is no period within which these measures should be achieved.

The most significant area for legal reform are the current contradictions between formal and customary law that occur across the SADC region; as marriages are governed by parallel legal systems of statutory, customary and in some cases religious law. Women suffer discrimination due to non-uniform marriage and divorce laws, polygamy, the application of customary property laws that still favour men's ownership of land, discriminatory and harmful cultural practices, violence against women and lack of equal access to education. Customary and Islamic marriages are potentially polygamous and permit some of the negative practices that have the effect of discriminating against women. Some of the practices relate to forced or arranged marriages especially for young girls, widow inheritance, the extensive marital power given to men in matters of property and women's reproductive rights.

Concerning personal property, customary law varies, but women may usually retain personal property brought into the marriage. However, anything acquired after marriage is part of the husband's estate in case of death. Restrictions on women, which may have their historical basis in custom rather than law, are legal restrictions when enforced by the courts. Courts have passed judgments to that effect. Justice Gubbay summed it by stating in *Jena Vs Nyemba* that, "Property acquired during a marriage becomes a husband's property whether acquired by him or his wife." In Zimbabwe the exceptions to this rule is the *mombe yeumailinkomo yohlanga* (motherhood beast). WLSA Mozambique 2000 has demonstrated that most marriages in Mozambique are not legally valid under the law. Women therefore do not take up their cases to formal courts. *(WLSA 2001)*

Table 6 (a) examines marriage and family law throughout the region:

Table 1.3: Marriage and family laws

Provision	Angola	Botswana	DRC	Lesotho	Madagascar	Malawi	Mauritius	Mozambique	Namibia	Seychelles	South Africa	Swaziland	Tanzania	Zambia	Zimbabwe
No person under the age of 18 shall marry	Yes, the legal age for marriage is 18 but can take place from 15 with parental consent	Yes, the minimum age for marriage is 18	No, girls can marry at 15 and boys at 18 without parental consent	No, girls can legally marry at 16 and at 18 for boys. Under customary law, girls and boys can marry after puberty	Yes, the legal age for civil marriage is 18 but under customary marriage, there is no fixed age require-ment	No, girls can marry at 15 and boys at 18 but marriages can take place earlier with parental consent	Yes, the official age for marriage is 18 for boys and girls but girls can get married from 16 with parental consent	Yes, the minimum age for marriage is 18	Yes, the age for civil marriage is 21	Yes, the legal age for marriage is 18 but for girls can take place from 15 with parental consent	Yes, the minimum age for marriage is 18	No, girls can civilly marry from 16. Under customary law, marriage can take place from puberty	No, girls can marry from 15 and boys from 18	No, the legal age to marry is 16 but under customary law, marriage can take place from puberty	No, the age of consent for marriage is 16
Every marriage shall take place with the full consent of both parties	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	Yes
Every marriage, including civil, religious or customary is registered	No	No	No	No	No	No	Yes	Yes	No	Yes	Yes	No	No	No	No
Parties have reciprocal rights and duties towards their children, including when spouses separate, divorces or have the marriage annulled	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes
Laws to enforce maintenance orders	No	Yes	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes
Married women and men have the right to decide whether to retain their nationality or acquire spouses nationality	Yes	Yes	Yes	No	No	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	No

Source: Gender Links. Compiled from individual country assessments of laws by the researchers (see acknowledgements for names).

Positive moves forward: There are some significant recent changes in marriage laws. For example the age of consent for marriage has been increased in Botswana, Mozambique and Madagascar to eighteen and the DRC parliament is currently debating the same change. Furthermore, the Marital Power Act came into place in Botswana and has fuelled amendments in the Deeds and Registry Act allowing women to register immovable property in their own names. Similarly, a wife now has to give consent in property transactions of the husband, while the law has also allowed sharing of property for couples who are cohabiting. The Traditional Chiefs now have power to share the property for couples. However, legal education is necessary if these reforms are to benefit women.

In December 2003, Mozambique passed the Family Law that secures a broad range of rights previously denied to Mozambican women. Among the provisions, the law ensures that:

- The head of a family may either be a woman or a man;
- Eighteen years is the age of consent for marriage for girls and boys;
- Women can inherit property in the cased of divorce;
- Non-recognition of polygamy; and
- Recognition of de facto unions and traditional marriages.

Maintenance laws in Namibia confer equal rights and obligations to couples with respect to the support of children and create legal obligations for spouses to support each other and their children. The procedures for accessing child and spousal maintenance have also been clarified and simplified.



While ***Zambia*** previously did not allow foreign men married to Zambian women to attain Citizenship, this is now changing in light of the Constitutional review taking place. For example the new provisions contained in Article 26 on Citizenship by marriage include:

- A woman married to a man who is a citizen, or a man married to a woman who is a citizen, may, upon making an application in the manner prescribed by an Act of Parliament, be registered as a citizen of Zambia.
- Clause (i) shall apply only if the applicant has been ordinarily resident in the Republic for a continuous period of not less than fifteen years immediately preceding that person's application.
- Clause (i) applies to a person who is married to a person who but for that person's death, would have continued to be a citizen of Zambia under clause (i) of Article 21.
- Where the marriage of a person is annulled or dissolved after the person has been registered as a citizen of Zambia under clause (i) that person shall, unless the person renounce that citizenship, continue to be a citizen of Zambia.
- Where on an application for registration under clause (i), the Citizenship Board of Zambia has reasonable grounds to believe that a marriage has been entered into primarily with a view to obtaining the registration, the citizenship Board of Zambia shall not effect the registration.

Age of consent for marriage: As can be seen from the table, there is much discrepancy around the age of consent for marriage throughout the SADC region, as it differs from civil to customary marriage and whether or not there is parental permission. Under civil law, in eight of the



Early marriage takes girls out of school. *Photo: Trevor Davies*

countries women cannot marry before the age of eighteen but in two of these countries (Angola and Seychelles) marriage can take place from fifteen and from sixteen in Mauritius without parental consent. In the other SADC countries, under civil law, with parental consent girls can marry at fifteen in the DRC, Malawi, and Tanzania, and can marry at sixteen in Lesotho, Swaziland, Zambia and Zimbabwe.

Under customary marriage law, there is no fixed age for marriage but it generally takes place from the age of puberty. These marriages render young women vulnerable to physical, economic and sexual abuse and contravene their rights to health and education. Marrying at a young age can mean that their under-developed bodies cannot cope with childbirth, thus increasing risks of maternal and infant mortality, the risk of HIV and AIDS infection and a poor level of health generally. In terms of education, girls who marry young are less likely to finish their education and therefore, more likely to be illiterate and have reduced economic and employment prospects.



Debating marriage laws at the Tanzania Gender Festival.
Photo: Colleen Lowe Morna

Marriages taking place with woman's consent: Under civil law, in all of the countries marriage must take place with the woman's consent except in the case of Tanzania where the courts can allow a woman's parents to consent on her behalf to marriage under the Law of Marriage Act. The issue of consent in regards to customary marriage, is however problematic. Under customary law, parents can arrange marriages for their daughters can "give away" their daughters in marriage or in some cases even sell them. Furthermore, it is questionable if a girl who enters into marriage at the age of puberty would have the understanding and knowledge to fully be aware of what she is entering into.

Registration of marriages: Only four of the SADC countries require all forms of marriage to be registered, whether civil, legal or religious (Mauritius, Mozambique, South Africa, Seychelles). Marriages performed under civil law are generally registered but customary marriages and religious marriages, which occur most frequently, are not. This results in a lack of access for women to the formal legal system regarding marriage laws and women's rights not being recognised in cases of inheritance, polygamy and separation.

Reciprocal duties towards children in cases of divorce or annulment: In all SADC countries except Swaziland and Tanzania, both men and women have equal duties towards children in the cases of divorce or annulment. In the case of Swaziland, guardianship is vested primarily in the father of the child. Even when the marriage has ended in divorce, the mother may be granted custody only with the father maintaining guardianship. In the case of Tanzania, under customary law, women are only entitled to support in "special circumstances" which are not clearly defined. In terms of maintenance, in ten of the SADC, countries there are laws to enforce maintenance payments but these are frequently not sufficiently enforced and are problematic in terms of establishing paternity if a child is not registered and in polygamous marriages.

The right to maintain nationality: In ten of the SADC countries, women have the right to decide whether to retain their nationality or to acquire their spouse's nationality. In the case of Lesotho for example, only men have the right to decide their nationality and a woman acquires the nationality of her husband upon marriage.

Widows and widower rights

The Protocol requires that Member States enforce legislation to protect widows from being subjected to inhuman, humiliating or degrading treatment. A widow will also automatically become the guardian and custodian of her children after the death of her husband; she will also continue living in the matrimonial home. She will exercise her rights to access employment and other opportunities to enable her make meaningful contribution to society.

A widow will also be protected against all forms of violence and discrimination based on her status while having the right to an equitable share in the inheritance of the property of her late husband. She will also have the right to remarry a person of her choice. States will also put in place legislative measures that will ensure that widowers enjoy the same rights as widows.



Customary law hinders implementation: Given the prevalence of customary law and the existence of claw back clauses, it remains difficult for many widows to access the formal legal system throughout the SADC region. The majority of the laws listed in the table above pertain to widows under the formal legal system but offer little protection to widows in customary marriage. The exception to this is under the South African Marriage Law, which includes customary marriages and incorporates the right not to be subjected to any form of violence. In thirteen of the countries, there is legislation meant to protect widows from inhuman, degrading or humiliating treatment, the exceptions being Swaziland, Tanzania and Zambia. However, the legislation that is referred to regarding this in most of the SADC countries is taken from the Consti-tution, which protects citizens in general from inhuman, humiliating or degrading treatment. There is little legislation referring specifically to widows, and even less addressing issues widows face under customary law.



In the case of ***Zambia***, women under some customary traditions must undergo sexual cleansing rituals after the death of their husband and if they refuse, they lose their right to inherit property. These rituals can range from prolonged isolation, forced sex with male in-laws and other treatment humiliating to the widow. Due to the conflict between customary and formal law, there is little to protect women currently in these circumstances. According to the Gender Based Violence survey report (GBV 2006) 43% of people reported that sexual cleansing was still practiced in their culture or tradition. Traditional practices such as sexual cleansing put women at a higher risk of contracting HIV and AIDS and sexually transmitted diseases (STIs).

Formal systems do not address widow inheritance: The formal legal system does not address practices of widow inheritance under customary law; in some cultures, upon the death of her husband, a woman herself may be inherited, as she is seen as "belonging" to her late husband's family, bought through the payment of bride price, or lobola. Although widows can generally remarry, they are often encouraged to marry someone from their husband's family in order to obtain property rights and guardianship of their children.

If a deceased husband's family does not make any claim of ownership upon her, women face further difficulties in that they are frequently unable to return to their own family. The natal family does not consider her a member, and in most cases, is unable to look after her. She can fall victim to social stigma and feel that it is simply inappropriate for her to go back to her childhood home. With nowhere to go, she is often left destitute and homeless. In some SADC countries, widows face further insecurity in that after the death of their husband, they are not automatically the guardians of their children. In the case of Malawi, guardianship depends on whether the marriage took place in a matrilineal or patriarchal system. Under a patriarchal system, where a bride price (lobola) was paid, the children are seen as belonging to the husband's family.

Some tribes in Zambia still practice marriage inheritance, in other words the widow is "passed on" to the brother or male relative of the deceased. The 2006 GBV survey report indicates that 13% of the widowed were claimed in marriage to their deceased spouse's relatives. This was more common among females than males, as 15% of the females were married off to a relation of the deceased, compared to only 4% of the males who were married off to the sister of the deceased. Furthermore, child and forced marriages have continued to put women's lives in danger of contracting diseases such as HIV and AIDS. Many young girls in most parts of the country are forced into marriage at a tender age when they are not yet ready for marriage.

Widows often lose property: The most frequently occurring violation of widow's rights is property dispossession and loss of inheritance rights, even though there are formal laws governing this in nine of the SADC countries. In pursuing these rights widows can be exposed to physical harm and even death at the hands of male relatives or face accusations of witchcraft and of having caused the death of their husbands. In some countries, such as Angola, women can go to a *"Soba"*, a local chief with their complaint and if they rule in her favour, they may grant her a piece of communal land. However, this land is generally of low quality.

Although widows have the right to employment by law in twelve of the SADC countries, lack of education, capital and land may make it difficult to access these opportunities. Lack of support from her husband's family and an inability to return to her maternal family means widows are the poorest and most vulnerable groups in many societies. SADC governments need to do more to address the issues widows face as a specific group to protect them from discrimination and violations of their rights.



At work in Angola *Photo: Tom Haskell*

The Protocol requires that Member States adopt laws, policies and programmes to ensure the development and protection of the girl child. This includes: eliminating all forms of discrimination against the girl child; ensuring that girls have the same rights as boys and are protected from harmful cultural attitudes; girls are protected from all forms of economic exploitation, trafficking, violence and sexual abuse; girl children have access to information, education, services and facilities on sexual and reproductive health and rights.

The girl child



Ama Buruxa youth group, children affected by violence and HIV.
Photo: Colleen Lowe Morna

Girls throughout the SADC region remain vulnerable to harmful cultural attitudes, practices, and abuse. As a result, girls continue to have unequal access to education, health care and other services and face violence, forced early marriage, sexual exploitation, an increased burden of care and domestic responsibility due to the HIV and AIDS pandemic and a lack of power over their bodily integrity and their future. Although there is extensive regional and international legislation protecting the rights of children it is clear that the done to protect them from discrimination and harmful practices.

There is an urgent need to improve the life chances for girls in SADC countries. As we can see from table six (c), in eight countries there is legislation which eliminates all forms of discrimination against the girl child. In only seven, there is legislation protecting girl children from harmful cultural attitudes and in only seven ensure girls have access to information, education, services and facilities on reproductive health rights. Governments of the SADC region must implement and enforce the existing legislation that supports and upholds the rights of girl children and create domestic legislation and policies that show an understanding of these issues.

The effects of HIV and AIDS upon the girl child: HIV and AIDS undoubtedly heightens the difficulties girl children face throughout the SADC region, due to the following factors:

- Women and girls across most of the SADC region (bar Mauritius and the Seychelles) are showing higher HIV and AIDS prevalence rates than men and boys.
- Women and girls are bearing an increasing burden of care through the home based care of those affected.
- Girls are more likely to be withdrawn, drop out or have low attendance in school because of HIV and AIDS.
- If girls have reduced access to the educational system, they are absent from one of the key avenues where they would obtain information about protecting themselves from HIV and AIDS.
- The prevalence of child marriage increases girl's chance of HIV and AIDS.
- The perpetuation of myths about HIV and AIDS for example, it can be cured by raping a virgin, expose girls to physical violence and the risk of infection.
- Physiologically, girls are more prone to HIV infection as their sexual organs are less mature and less resistant to HIV and sexually transmitted infections.
- Poverty may encourage girls to enter into risky sexual behaviour of a transactional quality, exposing them to risk of infection.

The girl child and reproductive health: The early onset of sexual activity throughout the SADC region and lack of access to contraception exposes young girls to HIV and AIDS, STIs and unwanted early pregnancy. This puts a further strain on health services and the region, as there are increased maternal mortality rates, infant mortality rates, illegal abortions, large families. In many of the SADC countries, adolescent health is not covered specifically under family planning policies.

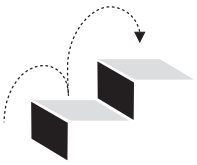
Youth care in Seychelles: Unlike many SADC countries, the Seychelles Government set up a Youth Health Centre (YHC) in 1995 with the mandate to provide youth friendly reproductive health services, including advice, medical care and counselling on reproductive and health issues. Girls and young women accounted for 85% of all clients in 2005. The Centre has proved increasingly popular with young teenagers, with 38% clients visiting the Centre aged below 18 years of age in 2005 compared to 32% in the previous year. The majority of clients visiting the centre in 2005 accessed reproductive and sexual health services (49%), compared to 22% for intensive counselling and 29% for education and information about drugs, alcohol and smoking.

The girl child and inheritance: Like women, girls also encounter problems accessing and inheriting fairly. An example is in Angola where The Family Code states that girl and boy children should inherit property equally (Article 2080). As a matter of practice, however, daughters may not inherit land or will inherit a smaller amount than sons. Families divide their land based on the theory that daughters will receive land when they marry, while sons will be required to provide sufficient land to support a wife and children and care for elderly parents.

Daughters who do not receive land through inheritance have the right to challenge the decision by bringing an action under the Civil Code. However, very few women are likely to do so because : (1) women often have no knowledge that they have a legal right to family land; (2) they have no knowledge of how the legal system functions and no notion, therefore, of how to pursue a claim; (3) they often do not have the financial resources to pursue a claim; and (4) they would be very unlikely to raise the issue of a right to land within the family, let alone bring a legal action against a family member.

Girls and child trafficking: Only six of the SADC countries have currently enacted legislation against human trafficking and it is clear that is an emerging issue throughout the region as children are trafficked both for commercial and sexual exploitation. For example in South Africa, an NGO Molo Songolo carried out research on child trafficking in 2000. Their research focused on both in-country and cross border trafficking. The research uncovered that children were being coerced into prostitution and found that the predominant feature of trafficking in South Africa is that it is in-country with girls being the majority of the victims (Molo Songolo, Cape Town, South Africa, 2003).





Next steps

In most SADC countries discrimination against women and the girl child is still widely practiced and harmful cultural attitudes still proliferate. While women are protected from some of this discrimination and violation of their rights by the formal legal system, these laws are often not effectively implemented, accessed or there is limited awareness of them. Furthermore, the duality of many of the legal systems means that when these abuses occur under customary law, there is little or no opportunity for women's redress.

While most of the countries in SADC have signed and ratified regional and international instruments that seek to give women more rights, there has been reluctance in translating these words into action by domesticating them into action in their national Constitutions. In spite of all the international, regional, sub regional instruments and national laws, there are still widespread violations of women's human rights, compounded by the lack of implementation and adherence to the international regional, sub regional instruments and national laws. There is a need for:

- Civil society and governments to mobilise for the realisation of gender equality and women's and girls' human rights.
- The development of model Constitutional provisions arising from this audit and targeted campaigns for progressive provisions to be incorporated in line with the Protocol.
- Mobilisation for the allocation of adequate resources to cover affirmative action programmes together with a campaign on budget tracking for gender equality.
- Communities, civil society and local government to mobilise for the domestication of all ratified instruments.
- Advocacy and pressure to unify systems of formal and customary law.
- Specific measures to address harmful cultural and traditional practices.
- Practical initiatives to ensure gender equal access to justice.



Forgotten by families *Anushka Virahsawmy*

CHAPTER 2

Gender and governance

Articles 12-13

KEY POINTS

- Gender and governance is one of the areas around which there has been the greatest level of activism in Southern Africa.
- The proportion of women in parliament has increased from 17.5% at the time of the SADC Declaration on Gender and Development to about 24% at present. This is a 1% drop from the 25% reflected in the 2009 Baseline Barometer.



Photo: Loga Virahsawmy

Voting in the May 2010 general elections in Mauritius.

- The proportion of women in parliament ranges from 42% in South Africa to 7% in Botswana and the DRC. These wide variations, and the declines experienced in the Botswana and Namibia elections in late 2009, are a source of concern at a time when momentum should be building up ahead of the 2015 deadline.
- The Southern African Development Community (SADC) average of women in parliament is higher than the global average of 19% and second only to the Nordic countries. Three SADC countries (South Africa, Angola and Mozambique) are in the top ten countries globally in terms of women's representation in parliament.
- The ruling African National Congress (ANC) in South Africa is the first party in the region to have formally adopted and implemented the Protocol target of gender parity by 2015 (in the April 2009 elections) there is a higher proportion (almost 30%) women at the local level but the gap between countries is even wider, from 6.4% in Mauritius to 58% in Lesotho.
- The fact that gender parity has been reached or exceeded in some countries shows that change is possible. There is no instance however in which such targets have bee achieved without special measures being taken: either voluntary or legislated quotas.
- These work best in countries with the Proportional Representation (PR) system but can also work in the First Past the Post System (FPTP) as illustrated in the case of local government in Lesotho.
- The 2010 Gender and Media Progress Study (GMPS) by Gender Links (GL) and the Media Institute of Southern Africa (MISA) shows that there has been an increase in the proportion of women sources in the politics topic category from 8% to 13%; still far short of parity but an indication that gender, elections and media advocacy work is paying dividends.
- The key to change is political will. The fact that women are still least well represented in cabinet (with some exceptions, like South Africa) throws into question the political commitment of leaders.
- Even as the 50/50 campaign escalates, there is an important and growing focus on what happens "beyond the numbers."



Voting in Botswana in the October 2009 elections. *Photo: Colleen Lowe Morna*

Of all the areas of focus in the region, gender and governance has been among the most high profile and received the most attention. One of the most visible gender gaps in society, the questioning of why women are absent where decisions are taken has been widely canvassed, including through the global 50/50 campaign.

As our democracies have matured, so has our understanding of the links between gender and governance. We have come to understand that there can be no democracy for the people by the people unless both women and men are represented. Whether or not women make a difference, they have a right to be represented in decision-making.

Several studies have also now gone beyond numbers to show that women bring different interests and perspectives to decision-making.[1] While women may not all be the same, they have certain shared experiences that have traditionally been left out of public policy and decision-making. Like any interest group in society, women have the right to be heard and not just seen.

Since the adoption of the SADC Declaration on Gender and Development in 1997, the proportion of women in parliament in SADC has increased from 17.5% to almost 24.1% - a 1% drop from last year's 2009 baseline data.

Some countries such as South Africa are nearing gender parity in key areas of political decision-making. As a region, Southern Africa strides ahead of the rest of Africa and is second only to the Nordic countries. By adopting a legislated quota for local government elections in 2006 that resulted in 58% women being elected (the only case of political decision-making in SADC in which women are in the majority) a SADC member state showed that gender parity in politics is more than possible!

Still, there is a long way to go. The drop in women's representation in parliament in Botswana, host country of the SADC Secretariat, from 18 percent in 1999 to 11.1 percent in 2004 and a further 3.2% drop to 7.9% in the October 2009 elections came as a disappointment. Equally worrying was Namibia's slide backwards from 30.8% women in parliament to 26.9% in the November 2009 elections just after the country had hit the one third mark. Similarly Mauritius had little to celebrate when the representation of women in parliament increased by a mere 1.7% from 17.1% to 18.8% in its May 2010 elections.

This demonstrates that the gains made in recent years even in countries doing relatively well need to be guarded. Many SADC countries have missed or are missing opportunities through lack of effective strategies and action plans devised well ahead of elections. Countries with the First Past the Post (FPTP) system that is least conducive to women's participation made little or no effort to review the electoral system, or to explore options within their system. In Botswana, for example, while both of the main opposition parties (Botswana National Front and Botswana Congress Party) make provision for 30% women candidates, this quota is not applied in reality hence the poor performance.

There has been a lack of willingness to learn from the best practices in the region which show that without tackling the key issues of electoral systems and quotas, there can be no rapid increase in women's representation in elected office. These best practices are drawn both from countries with a PR system (Mozambique and South Africa) and with a FPTP system (Tanzania and Lesotho).

[1] Studies such as the Gender Links report *Ringing up the Changes, Gender in Southern African Politics*, the first to assess the qualitative difference that women bring to decision-making in the region, have helped to move the debate beyond numbers to why gender equality is integral to good governance.

The tendency in some countries to "make way for women" at the local level (e.g. in Namibia, South Africa and Lesotho) is welcome but carries the concern that the only reason this is happening is that local government is not regarded as important as other spheres of governance. Gender and local government have, up to now, not formed a significant part of gender and governance discourse, activism or policy measures. It is critical that these now come to the fore. This is also true of other areas of decision-making such as the public service, the judiciary and the private sector for which data is still scanty.

Although the Protocol provisions on gender and governance are relatively short, they are pertinent. They provide for equal representation of women and men in *all* areas of decision-making in the *public* and *private* sectors by 2015. Furthermore, this clause is cross referenced with Article 5 that provides for affirmative action, a strategy that has been key to the rapid increase in women's political participation where this has been achieved. But not all countries subscribe to affirmative action. Mauritius has cited Article 5 for not signing the Protocol arguing that the country's constitution disallows affirmative action.

A significant feature of the Protocol is that it goes beyond numbers, calling for campaigns to demonstrate the link between gender and good governance. The Protocol calls for measures to ensure that women participate equally in elections and the administration of elections. It also details measures to be taken to empower women decision-makers as well as provide gender training for male decision-makers.

Although there is still need to gather far more baseline data on some areas of decision-making, this chapter synthesises existing data and make recommendations for further research to ensure that these key provisions are effectively monitored.

Table 2.1: SADC performance indicators for women in decision-making

	2000				2005					2010							
	Globe rate	Lower house	Upper house	Both houses	Globe rate	Lower house	Upper house	Both houses	Cabinet	Globe rate	Lower house	Upper house	Both houses	Cabinet	Local Gvt	Both houses (parliament) Increase/decrease	Overall gain/ loss over 10 years
																2000 - 2005	2005 - 2010	
Globe Ave.		**13.9%**	**17.7%**	**13.9%**		**16.4%**	**15%**	**16.2%**			**19.1%**	**18.1%**	**19.0%**			**2.3%**	**2.7%**	**5%**
Reg Ave.		**17.7%**	**22.5%**	**18.0%**		**20.4%**	**23.2%**	**20.6%**			**24.7%**	**19.8%**	**24.1%**	**22.0%**	**23.9%**	2.6%	3.5%	**6.1%**
Angola	**42**	15.5%	N/A	15.5%	**70**	15.0%	N/A	15.0%	5.9%	**10**	**38.6%**	N/A	**38.6%**	25.7%		-0.5%	23.6%	**23.2%**
Botswana	**38**	17.0%	N/A	17.0%	**91**	11.1%	N/A	11.1%	25.0%	**114**	7.9%	N/A	7.9%	21.1%	19.3%	-5.9%	-3.2%	**-9.1%**
DRC		No available figures			**86**	12.0%	N/A	12.0%	16.7%	**110**	8.4%	4.6%	7.7%	14.3%			-4.3%	**-4.3%**
Lesotho	**101**	3.8%	27.3%	10.7%	**87**	11.7%	36.4%	17.0%	27.8%	**40**	24.2%	18.2%	22.9%	**31.6%**	**58.0%**	6.3%	5.9%	**12.2%**
Madagascar	**76**	8.0%	N/A	8.0%	**116**	6.9%	11.1%	8.4%			8.7%	17.9%	10.3%	15.4%	6.0%	0.4%	1.9%	**2.3%**
Malawi	**73**	8.3%	N/A	8.3%	**75**	13.6%	N/A	13.6%	12.5%	**54**	21.2%	N/A	21.2%	22.7%	8.3%	5.3%	7.6%	**13.0%**
Mauritius	**74**	8.2%	N/A	8.2%	**62**	17.1%	N/A	17.1%	10.0%	**72**	18.8%	N/A	18.8%	12.0%	6.4%	8.9%	0.0%	**10.6%**
Mozambique	**9**	30.0%	N/A	30.0%	**10**	34.8%	N/A	34.8%	25.0%	**9**	**39.2%**	N/A	**39.2%**	**32.1%**	**35.6%**	4.8%	4.4%	**9.2%**
Namibia	**18**	25.0%	7.7%	20.4%	**24**	34.6%	19.2%	30.8%	24.0%	**32**	26.9%	26.9%	26.9%	18.2%	**41.8%**	10.4%	-6.0%	**4.3%**
Seychelles	**19**	23.5%	N/A	23.5%	**20**	29.4%	N/A	29.4%		**43**	23.5%	N/A	23.5%	16.7%		5.9%	-5.9%	**0.0%**
South Africa	**10**	29.8%	32.1%	30.1%	**14**	32.8%	33.3%	32.8%	43.0%	**3**	**44.5%**	**29.6%**	**42.7%**	**41.2%**	**39.7%**	2.7%	9.9%	**12.6%**
Swaziland	**105**	3.1%	13.3%	6.3%	**93**	10.8%	30.0%	16.8%	18.8%	**87**	13.6%	**40.0%**	21.9%	23.5%	17.9%	10.5%	5.0%	**15.6%**
Tanzania	**40**	16.4%	N/A	16.4%	**19**	30.4%	N/A	30.4%	14.8%	**23**	***30.7%***	N/A	***30.7%***	***20.0%***	***34.2%***	14.0%	0.2%	**14.3%**
Zambia	**63**	10.1%	N/A	10.1%	**81**	12.7%	N/A	12.7%	22.7%	**79**	15.2%	N/A	15.2%	13.0%	6.6%	2.5%	2.5%	**5.1%**
Zimbabwe	**47**	14.0%	N/A	14.0%	**67**	16.0%	N/A	16.0%	13.9%	**80**	15.0%	24.2%	17.9%	17.1%	18.5%	2.0%	1.9%	**3.9%**

Notes: *Tanzania are due to have national elections in 2010*
Namibia figures are as they appear on the Namibia government website

Sources: IPU and Gender Links, accessed July 2010

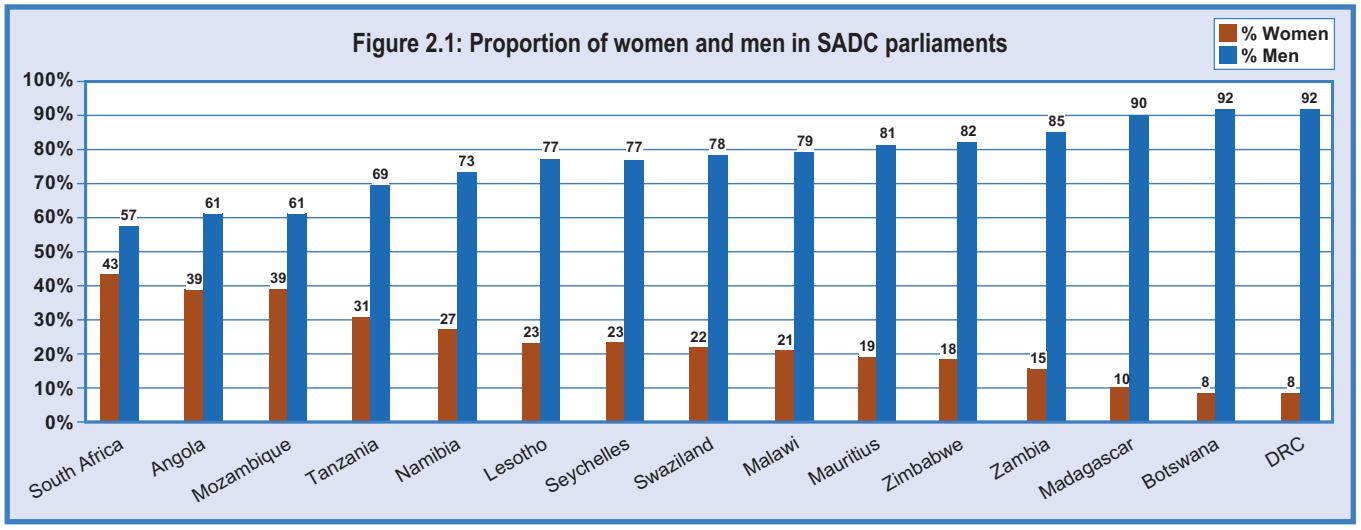
Representation

The Protocol provides for state parties to ensure that, by 2015, at least 50% of decision-making positions in the public and private sectors are held by women including the use of affirmative action measures as provided for in Article 5.

It further provides for member states to ensure that all legislative and other measures are accompanied by public awareness campaigns which demonstrate the vital link between the equal representation and participation of women and men in decision-making positions, democracy, good governance and citizen participation are put in place at all levels.

Performance is mixed: At a glance, the table shows that performance continues to be mixed across all the different areas of political decision-making for which data could be obtained. Women's representation in parliament (upper and lower houses) ranges from 42% (South Africa) to 7.7% (DRC). Figures for Madagascar have not been included due to political uncertainties. In local government, women's representation ranges from 6.4% in Mauritius to 58% in Lesotho. While the ranges in cabinet are less drastic, even there the gap is from 12% in Mauritius to 41% in South Africa. Such broad discrepancies reflect both the lack of will on the part of some governments as well as what can be achieved when such will is present.

Parliament



Source: Gender Links, using data from the Inter-Parliamentary Union website.

Steady overall increase but worrying signs from recent elections: There has been a steady overall increase in women's representation in parliament from 17.5% in 1997 to 24.1% in 2010. However if South Africa, whose parliament accounts for about two-fifths of the total is excluded, the proportion drops to 20.9%. At 42% South Africa comes closest to achieving gender parity in parliament, but no country has yet achieved this distinction. Four SADC countries (Tanzania, Mozambique, Angola and South Africa) have achieved 30% or more women in parliament. There has been a significant reduction in the number of parliaments in which women constitute less than 10% of the total (for example Mauritius, Swaziland and Malawi are now all out of that category). Following the decline in women's representation last year, Botswana has joined the DRC as the only countries in SADC in which women's representation is less that 10%.

SADC as a region compares favourably with other regions in the world: Table 2.2 shows that as a region SADC comes second to the Nordic countries and is ahead of the Americas and Europe excluding the Scandinavian countries as well as Sub-Saharan Africa. SADC is also well ahead of the 19% global average of women in parliament.

Table 2.2: Regional comparison of women in parliament

Region	Lower house	Upper house	Both houses
Nordic countries	42%		40.8%
SADC	**24.7%**	**19.8%**	**24.1%**
Americas	22.7%	23.7%	22.9%
Europe excluding Nordic countries	20.1%	19.7%	20.0%
Sub-Saharan Africa (including SADC)	18.3%	20.4%	18.6%
Asia	18.6%	16.4%	18.4%
Pacific	13.2%	32.6%	15.3%
Arab States	9.2%	7.6%	8.8%
Global average	**19.1%**	**18.1%**	**19.0%**

Source: www.ipu.org, accessed 16 July 2010.

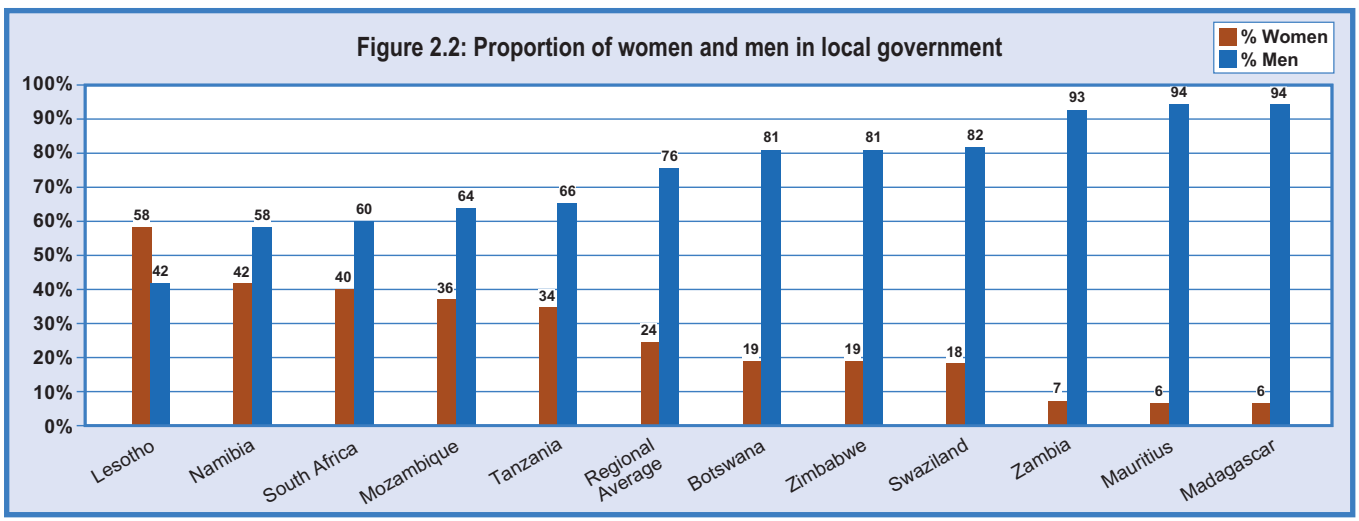
Global ranks from three to 108: Table 2.3 shows where SADC countries rank globally and relative to each other against the 180 countries cited on the website of the Inter Parliamentary Union. At position three (after Uganda and Sweden) South Africa does the region proud. Angola and Mozambique are also within the top ten. Sadly, Namibia has dropped from number 21 globally to 32 but remains in the top 5 in the region. Having slipped to 110 from 108 in the last year, DRC remains the lowest among the SADC countries. Madagascar is not ranked due to current political uncertainties.

Table 2.3: Global and regional ranking of women parliamentarians

Country	% Women in lower or single house		Global rank		SADC rank	
	2009	2010	2009	2010	2009	2010
South Africa	44.5%	44.5%	3	3	1	1
Mozambique	34.8	39.2%	15	9	3	2
Angola	37.3	38.6%	9	10	2	3
Tanzania	30.4	30.7%	23	23	4	4
Namibia	26.9 %	26.9 %	21	32	5	5
Lesotho	25	24.2%	28	40	6	6
Seychelles	23.5%	23.5	41	43	7	7
Malawi	20.5%	21.2	52	54	8	8
Mauritius	17.1 %	18.8	66	72	9	9
Zambia	16%	15.2	77	79	10	10
Zimbabwe	15.2%	15.0	78	80	11	11
Swaziland	13.8%	13.6	83	87	12	12
Botswana	11.1%	7.9	95	114	13	13
DRC	8.4%	7.7%	108	110	14	14

Source: www.ipu.org, accessed 16 July 2010.

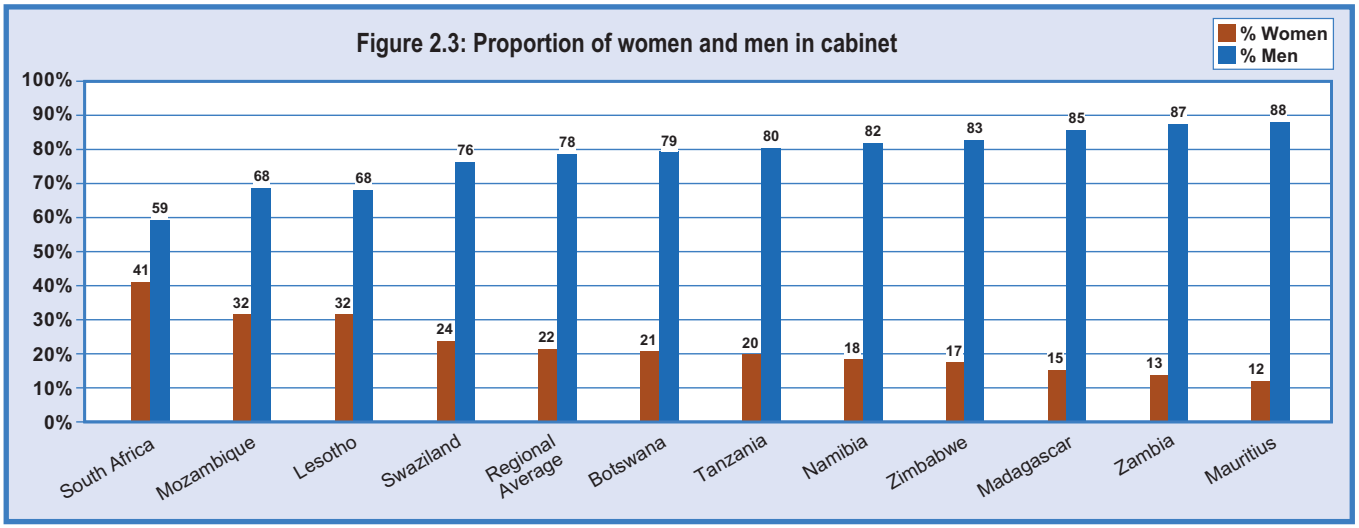
Local government



Source: Gender Links

Figures on local government are incomplete over the ten year period and missing in some instances (eg Angola). Seychelles does not have elected local government officials and Malawi will have its first local government elections later in 2010. The range between the highest (Lesotho, at 58%) and lowest (Mauritius and Madagascar at 6%) is higher than at national level. Five countries (Lesotho, Namibia, South Africa, Mozambique and Tanzania) have achieved 30% or higher with regard to women in local government. Lesotho is the only instance of any area of political decision-making in SADC in which the representation of women exceeds 50%. Three countries, Zambia, Madagascar and Mauritius are all below 10%.

Cabinet



Source: Gender Links and IPU (www.ipu.org). Last accessed 16 July 2010.

Women's representation in cabinet has grown fast, but not fast enough: Cabinet is the one sphere of decision-making in which it is theoretically relatively easy to "ring up the changes" since leaders have the leeway to appoint their inner team. The average representation of women in cabinet in the region has increased from 12 percent in 1997 to 22% in August 2010 (a 10 % increase). In the last year the average moved by 1% to 22% as of July 2010. Some Heads of State have shown a willingness to use cabinet appointments for bringing women into leadership, especially in the smaller countries. Mozambique has overtaken Lesotho and Angola to sit at number two in the region since the Baseline Barometer was first produced. While Botswana ranks second from last in terms of women in parliament it is however not doing badly with 21% women in cabinet. However, the fact that women's representation in cabinet is still lower than parliament of local government (see participation below) is a source of concern. What is commendable is that all SADC countries sit at above 10% women in cabinet with the former bottom two Mauritius and Zimbabwe having moved to 12% and 17.1% respectively.

The outlook for 2015: Table 2.4 shows that the range between highest and lowest performing countries is vast and in all areas of politics has *increased* between 2005 and 2009, underscoring the variation in political commitment to achieving the target. Estimates of where the region will be at the end of 2015 are that SADC may have achieved the 30% but not the 50% target.

Table 2.4: Summary of progress since 2005								
Area	Average % 2005				Average % 2010			
% women		High	Low	Range		High	Low	Range
Parliament	19.7%	36%	10.7%	**25.3%**	24.1%	42.7%	7.7%	**35%**
Cabinet	19.5%	43.3%	5.8%	**37.5%**	22%	41%	12%	**31%**
Local government	22.6%	43.5%	1.2%	**42.3%**	23.9%	58%	6.4%	**51.6%**

Source: Gender Links and IPU (www.ipu.org). Last accessed 16 July 2010.

Political parties

Political parties play a critical role in "opening the door" for women to enter and participate in decision-making. After all, in parliamentary systems, it is only through political parties that anyone can be elected into office.

Half of the ruling parties in SADC have adopted one or other quota: The table shows that ruling parties in seven (or half) the SADC countries have adopted quotas of one kind or the other. In two instances (South Africa's ANC and the South West Africa People's Organisation of Namibia) these are (in line with the Protocol) parity targets. The ruling Frelimo in Mozambique has a 40% target. The others are between 25% and 50%.

Quotas are often just on paper: Zimbabwe's three political parties all claim to have quotas. The Zimbabwe African National Union Patriotic Front (ZANU PF) has always claimed to have a 30% quota for women in leadership. One faction of the Movement for Democratic Change T (MDC Tsvangirai) says that it adopted a 50% quota at the 2009 leadership conference. However this has not been systematically applied and women's representation stands at 18%. As illustrated in the case study of political parties in Namibia, many of these are gender blind.[2]

Table 2.5: Political parties		
Country	Ruling party	Quota and Nature/No.
Angola	MPLA	30% quota of women
Botswana	BDP	None
DRC	PPRD	30% quota of women
Lesotho		None
Madagascar		None
Malawi	UDF	25%
Mauritius	MLP	None
Mozambique	FRELIMO	40% quota on women
Namibia	SWAPO	50/50
Seychelles	SPPF	None
South Africa	ANC	50/50
Swaziland		Political parties are banned
Tanzania	CCM	None
Zambia		None
Zimbabwe	ZANU/PF; MDC-T	30% and 50%

Source: Gender Links - a compilation of data provided by researchers from all SADC countries.

[2] Excerpt from research commissioned by the Electoral Institute of Southern Africa in collaboration with GL.

Namibian party manifestos gender blind



The Gender Research & Advocacy Project of the Legal Assistance Centre in Namibia compiled a comparison of gender issues in 10 of Namibia's 14 political parties, published in Issue No. 7 of *Election Watch* produced by the Institute for Public Policy Research (IPPR). *The Namibian* newspaper also did a gender analysis of party manifestoes in its coverage leading up to the national elections.

The Gender Research & Advocacy Project found that the National Unity Democratic Organisation of Namibia (Nudo) had the most far reaching gender provisions. On the whole, the study found that party manifestos fail to mainstream gender throughout their policy discussion.[3] References to women are found in discussions of gender-based violence; on increased representation of women in decision-making bodies, and a few make reference to women's economic contribution or their role in child-bearing. But gender issues are not integrated into the parties' discussions of broad issues like health, land ownership, agricultural production, environmental issues and economic and development policies.[4]

Table 2.6: Gender issues in political party manifestos in Namibia

PARTY	GENDER ISSUES IN PARTY MANIFESTOS
All People's Party (APP)	The manifesto includes a section entitled "Gender Equality at all levels". This section says that APP "is for total gender equality". It cites the following specific policies: (1)"50/50 in decision making structures must become a reality in our lifetime". APP undertakes that every Minister will have a Deputy Minister of the opposite sex, and that there will be 50/50 balance in the management cadre of the public service, in all positions of state-owned enterprises, and in local authorities. APP will also offer incentives to private companies which implement a 50/50 policy. (2)"tax incentives for people who employ domestic workers in order to ensure working women do not have to suffer when they have small children." Gender issues are not specifically mentioned in any other sections of the manifesto.
Congress of Democrats (CoD)	The manifesto includes section entitled "Valuing the Contribution of Women". This section says that women constitute the majority of the population but that society "still does not fully value the contribution of our women." It notes that women are victims of "violence, rape and passion murders" and asserts that "Government has done little over the last 20 years to mainstream women's causes into the country's development agenda". It cites the following specific policies: (1)"Put a premium on women's contribution to society. This is the only way in which we can benefit from the contribution and ingenuity of more than half of our citizens." (2)"Working with NGOs and CBOs to remove all legal impediments raising barriers to equal participation by women." The section on skills development and employment notes that "a growing number of our women are reduced to prostitution" as a result of poverty and unemployment. Amongst health problems cited in the section on poverty and welfare are maternal mortality, infant mortality and teenage pregnancies.
Communist Party	None.
Democratic Party of Namibia (DPN)	None.
Democratic Turnhalle Alliance (DTA) of Namibia	The manifesto includes a section entitled" Gender issues" in the part of the document on basic principles of policy. This section says that the DTA "is committed to the total elimination of all forms of discrimination against women and their complete recognition in all spheres of society." The DTA recognises women's careful role in the domestic, economic and political spheres, and promises to "actively pursue equal

[3] Gender Research & Advocacy Project of the Legal Assistance Centre, in Election Watch , Issue No 7, 2009, Produced by the Institute for Public Policy Research (IPPR)
[4] Gender Research & Advocacy Project of the Legal Assistance Centre, in Election Watch , Issue No 7, 2009, Produced by the Institute for Public Policy Research (IPPR)

PARTY	GENDER ISSUES IN PARTY MANIFESTOS
	rights for women before the law". It furthermore "recognises the leading and stabilising role of the women of Namibia in society and will support their cause in all walks of life". There are no other specific mentions of gender. A summarised version of the manifesto published by the party contains no references to gender issues at all.
Monitor Action Group (MAG)	The "policy document" of MAG calls for clear definitions in the Namibian Constitution for the concepts "equal opportunities" and "free association", and pledges to "get rid of quotas based on race, ethnicity or gender." This is the only mention of sex or gender.
Namibia Democratic Movement for Change Namibia (Namibia DMC)	The manifesto includes a section on "Women empowerment." It says that NDP will set up a commission which will promote the representation of both men and women in government and private institutions, as leaders and on decision-making boards, "so that women can play a very big role which man are playing currently and by not discriminating women as they are our mothers who are taking care of men from a baby-boy to become a boy or a man." In the section on representatives in Parliament, NDP pledges 50-50 men and women on its party lists for Parliament and local authority elections.
National Unity Democratic Organisation of Namibia (Nudo)	Nudo's overall aim includes a commitment to create a society "where justice is accessible and the rule of law applied to all" irrespective of gender (amongst other grounds). The manifesto contains a lengthy section on "Gender and Women Empowerment" which opens with the statement that Nudo "is truly committed to equality between women and men". Because women constitute a majority of the population, "all problems affecting Namibian society are affecting women the most". The manifesto also cites specific problems affecting women: domestic violence, rape, poverty and unemployment (especially amongst rural women), HIV/AIDS (which affects women most severely), illiteracy and ignorance. These problems make women more prone to alcohol and drug abuse. Ignorance of their rights causes women to lack self-confidence. It cites gender disparities in access to power and decision-making across various spheres as a source of differentiated development for males and females. The manifesto states a commitment to "revitalising women's roles in social, economic, cultural and political arenas", and says that under a Nudo government "women shall be free to choose their own paths to self-fulfilment and responsibilities to their families and communities". It cites the following specific policies: (1) Strengthen legal instruments to protect women, review and repeal laws which discriminate on the basis of gender and strengthen legal obligations of paternity. (2) Enquire equality in property and inheritance rights. (3) Introduce a human rights education programme that will sensitise society to women's rights. (4) "introduce special schemes for female-headed households". (5) Remove barriers to women's access to credit and provide training to increase the productivity of women in the informal sector. (6) Provide incentives to companies and groups that support women's economic projects, especially in rural areas. (7) Introduce special health clinics for women, increase women's capacity to promote their own health and ensure the delivery of sexual and reproductive health services. (8) Make education and training more accessible to women and make educational curricula gender-sensitive at all levels, starting with pre-school. (9) Train women in assertiveness and leadership to increase the self-confidence so that they can compete effectively with men for leadership positions in schools. (10) Use short-term affirmative action to facilitate women's entry into fields where they are most under-represented. (11) Introduce education programmes that raise women's political consciousness and educate both women and men to recognise the abilities of female candidates. (12) Implement quotas in the electoral system to ensure fair representation of women in local and national government. The foreword to the manifesto notes Nudo's concern "for women who have been marginalised". The section on education mentions the problem of teenage pregnancies. The section on disabilities identifies women with disabilities as a priority group (amongst others).

PARTY	GENDER ISSUES IN PARTY MANIFESTOS
Rally for Democracy and Progress (RDP)	The manifesto contains a section on "Women and Youth". With respect to women, under the subheading "prevention of violence against women and children", RDP promises to promote public awareness of the evils of violence and crime against women and children. Related policies are: (1) To "introduce awareness programmes at all levels of the educational system"; (2) To collaborate with community, traditional and religious leaders and NGOs "to fight the scourge of violence"; and (3) To"impose stiffer sentences on those who rape women and children". Under the subheading "women's empowerment", RDP promises to increase the role of women in government "to participate in key decisions and make policy work", in order to address the concerns of women more adequately and boost development by improving the health and education of women. Related policies are: (1) To strive for at least 50% representation of women in government, and the party's own "political and organizational activities". (2) To "promote and increase the retention of women in education". (3) To "increase public information to stop practices that harm or discriminate against women". (4) To "make reproductive and other female health issues central to social and health policy". (5) To "enact legislation to safeguard the dignity and rights of women and to "effectively return" to affirmative action policies for women". The section of health mentions the increase in infant and maternal mortality, and specifically mentions the prevention of mother-to-child transmission as a component of its HIV and AIDS strategy. The section on the economy mentions homelessness women and youth as the two priority groups for a national housing strategy. The section on corruption and crime once again highlights violence against women and children.
Republican Party of Namibia (RP)	None.
SWANU of Namibia	The manifesto does not mention gender. However, the section on health mentions the promotion of preventing mother-to-child transmission as a component of an educational programme on HIV and AIDS.
SWAPO Party of Namibia	The manifesto includes a section on "Promotion of Gender Equality and Equity", which says that "gender mainstreaming and the equitable representation of women in positions of power will remain a priority" and that Swapo Party will "intensify the implementation of laws and programmes to combat violence against women and children and will ensure that offenders in this regard shall face the full force of the law." It cites the following strategies: (1) continue to improve policies affecting professional and working women, "including the improvement of maternity leave benefits and the creation of child-friendly working environments" (2) "provide leadership to all structures of society in gender mainstreaming along with equal access for women to all socio-economic and political activities and in the enforcement of laws prohibiting gender-based violence". Both the section on economic management and sustainable growth and the section on social upliftment and empowerment mention the need to ensure that finance for small and medium enterprises is available to female entrepreneurs (amongst others). The section on health pledges to improve and expand reproductive health care for pregnant women to reduce maternal mortality rates. There are two points pertaining specifically to women in the section of the manifesto on past achievements: HIV prevalence in pregnant mothers fell from 22% in 2002 to 17.8% in 2008. In 2005, Namibia exceeded the SADC target of 30% women representation in Parliament, reaching 30.8%.
United Democratic Front of Namibia (UDF)	None.

Source: A comparison of gender issues in 10 of Namibia's 14 political parties, published in Issue No. 7 of Election Watch by the Institute for Public Policy Research (IPPR).

Electoral systems and quotas

There are two main types of electoral system:

- In the *Proportional Representation* (PR) or "list system" citizens vote for parties that are allocated seats in parliament according to the percentage of vote they receive. Individual candidates get in according to where they sit on the list. In an open list system, voters determine where candidates sit on the list. In a closed list system, the party determines where candidates sit on the list, although this is usually based on democratic nomination processes within the party.
- In the constituency or "First Past the Post" (FPTP) system, citizens vote not just for the party, but also for the candidate who represents the party in a geographically defined constituency. Thus a party can garner a significant percentage of the votes, but still have no representative in parliament, because in this system "the winner takes all."

There is overwhelming evidence internationally to suggest that women stand a better chance of getting elected under the PR (and especially the closed list PR system) as opposed to the constituency electoral system.[5] The reason for this is that in the former case, candidates focus on the party and its policies, rather than on a particular individual. This works in favour of women - at least in getting their foot in the door - because of the in-built prejudices against women in politics (Lowe Morna 1996). The chance of women getting elected is even higher when the PR system works in concert with a quota.

Table 2.7: Electoral systems and quotas

Type of quota	Constituency based system	PR system	Mixed PR and constituency based system
Voluntary party quota	E.g. Opposition parties in Botswana in the 1999 elections	E.g. ANC in South Africa; Frelimo in Mozambique	E.g. SA local government in 1995 - ANC voluntary quota for list seats
Constitutional or legislated quota	E.g. The Tanzanian constitution reserves 20% of seats for women (distributed on a PR basis)	E.g. Local government elections in Namibia	E.g. SA local government elections in 2000; act stipulated that parties should strive to ensure parity

Source: Gender Links: information compiled from in-country research, 2009.

As illustrated in Table 2.7, in addition to the two types of electoral system (PR and constituency) there are two main types of quota (voluntary as well as constitutional and/or legislated). It is also possible to have either of these in a mixed PR and constituency system.

Voluntary party quotas have the advantage of party buy-in, but they can only deliver large numerical increases in closed-list PR systems where the party has a significant say on who gets onto the list. In constituency systems, voluntary party quotas can only succeed in delivering the numbers if women candidates are fielded in safe seats, which is often not the case.

Constitutional or legislated quotas have the advantage that they guarantee the numbers. But in the case of the constituency system, where seats have to be "reserved" for women, this may have the disadvantage that such seats are regarded as second-class or token.

Some parties argue that *any* quota infringes on freedom of choice but without quotas, women stand little chance of making substantial headway in political decision-making.

FPTP and no quota

Southern Africa has examples of all these different combinations. At the one end of the spectrum, countries with the constituency system and no quota or special measures have the lowest representation of women. Botswana and Mauritius are examples of this combination. While the increase in women's representation in Malawi has shown that there is scope for

[5] For more information on the comparative global data on quotas for women in politics see www.idea.int/quota.

increasing women's participation in this system through lobbying and advocacy, it is painfully slow.



The Constitution of **Botswana** does not have a provision for a quota to increase women's representation. Along with Mauritius, Botswana is also one of the two countries that have not signed the SADC Gender Protocol.

The ***Botswana Democratic Party (BDP)***, Botswana's ruling party, does not have a quota for women, and is not supportive of affirmative action. Women are however encouraged to contest for office in the party's structures, parliament and local government. Women constituted 21% of those in the 2005-2007 BDP Central Committee.

The ***Botswana National Front (BNF)*** is the main opposition party, and is doing well in urban areas. Its constitution states that 30% of the members of the Central Committee shall be women, which is an important indicator of commitment towards achieving gender equality within the party. However, the party has not always translated this commitment into fielding women candidates in safe seats. Currently, there is only one woman in the BNF's Executive Committee.

The ***Botswana Congress Party (BCP)***, a faction of the BNF, is the second most popular opposition party after the BNF. The BCP is the fastest growing opposition party in the country. On issues of gender equality, the BCP is committed to "the renaissance of women's roles in social, economic, cultural and political arenas through strengthening legal instruments to protect women by the abolition of customary and modern laws that discriminate against women" (BCP, 1999). According to the party's constitution, 30% of the governing body of the party, the Central Committee, shall be women. Like the BNF, the BCP has not yet put measures in place for achieving the stipulated 30%; but in the BCP's current Central Committee, 26% of the members are women.

In the 2009 elections, the ruling BDP and BNF each fielded three female candidates for the 57 contested parliamentary constituencies. In most cases, women received nominations in regions where gender activists argued they had little chance of winning because they were up against seasoned male politicians with substantial financial backing. The smaller political parties did not nominate any women to stand as candidates in the elections.



Margaret Nasha, first woman speaker in Parliament in Botswana. *Photo: Gender Links*

Only two women were elected directly into parliament. On 20 October 2009, President Ian Khama specially appointed four more members of parliament. Two are women. There are thus four women and 58 men in the current Botswana parliament - a proportion of 7.9% women; down from 11% before the elections.[6]

Botswana recorded a first when Dr Margaret Nasha became the first woman speaker of parliament. "I feel elated, honoured and humbled to be the first woman to assume the position of Speaker of the National Assembly," she said.



Mauritius is another example of a country in the region that has a FPTP electoral system and did not adopt any quotas or special measures in its May 2010 elections, the last but one before the 2015 deadline. Table 2.8 shows that only 21 women were fielded as candidates in the 62 constituencies, and only ten won.

[6] In the 2004 elections four women were elected to the 57 constituencies. The President nominated three more women as specially elected members of parliament (Dube, 2005).

Table 2.8: Women candidates and winners by party in the Mauritian elections						
Party	Total no. of women fielded	% women overall out of total of 62 candidates	Elected female candidates	% of women	Best loser	Total no. of women in Parliament
Alliance of the Future (PTr/MSM/PMSD)	13	21.6%	7	11.6%	2	9
Alliance of the Heart (MMM/UN/MMSD)	8	13.3%	3	5%	1	4
Grand Total	21	35%	10	16.6%	3	13

Source: Gender Links. Information compiled by country researchers from party documents and inter-news.

The Electoral Supervisory Commission appointed a further three women (out of a total of seven) to seats in the National Assembly as part of the "Best Loser System" designed to redress any religious or ethnic imbalances after the open vote. This led to a total of 13 women out of the total 69 MPS - a proportion of 18.8% or increase of 1.7% from 17.1% in the 2005 elections.

Even though Mauritius is not a signatory to the SADC Protocol on Gender and Development political leaders have repeatedly committed to higher representation of women in political decision-making. During the electoral campaign both Prime Minister Dr. Navin Ramgoolam and Paul Raymond Berenger, now Leader of the Opposition, said that they would field more women in 2015. Ramgoolam told men to *"pran kont"* (be careful) as there might even be more women than men in the 2015 general elections, while Berenger said *"une femme dans chaque circonscription en 2015"* (a woman candidate in each constituency in 2015). The nomination of 30% women as Parliamentary Private Secretaries (equivalent to Junior Ministers) suggests that the Prime Minister might be more proactive about the local government elections scheduled for late 2010.



As illustrated in the May 2009 elections in ***Malawi***, intense lobbying can lead to increases in women's political participation in the FPTP system, but these are more incremental than dramatic in nature. Over the last two decades in Malawi there has been a steady increase both in the numbers of women who participate in the primaries and those who are elected. The proportion of women in parliament has increased from 6.0% in 1994; to 9.0% in 1999 to 13.6% in 2005 to 21.2% in 2009.

A well orchestrated 50/50 campaign implemented through a tripartite partnership involving government, civil society and development partners since 1999 has been instrumental in strategic interventions to convince the electorate to vote for women as well as promoting and encouraging women to participate. Development partners have given funding and other forms of support to government and civil society to boost the campaign.

Civil society is organised through the NGO Gender Coordinating Network which has a Women in Politics and Decision-Making Permanent Committee. In the first quarter of 2010 NGOGCN coordinated 68 SADC Gender Protocol village and community workshops to reach out to citizens and raise awareness on the key provisions of the Protocol especially the 50% target as part of its Southern African Gender Protocol Alliance supported by Gender Links. Over 10,000 women and men attended. Two approaches were used - opinion leaders and potential candidates in the elections were grouped in a classroom setting while the communities at large were invited for open meetings.

The project will be intensified as Malawi prepares for local government elections slated for November 2010. The coalition is specifically targeting women who were trained but failed to make it into national politics to run in the local elections, where there are many more opportunities.

FPTP with quota



Lesotho switched from the constituency to a mixed system for the 2002 national elections in order to placate opposition parties. But the constituency system continued to be employed for the first local government elections in May 2005. The Local Government Amendment Act of 2004 also required that 30% of the constituency seats be reserved for women on a rotational basis for at least three elections.

In research carried out for the GL study, *At the Coalface, Gender and Local Government,* Minister of Local Government Pontso 'Matumelo Sekatle, a political scientist and one of the few women in cabinet, played a key role in driving the legislation through, against considerable opposition from other political parties and civil society, not to mention a high court suit filed by Tsepo Molefe, a former councillor who felt that his rights had been violated.

The model that Lesotho opted for is similar to that chosen in India where the 74th Constitutional Amendment requires that 33% of the seats in the local elected bodies in the towns and country side (the *panchayats*) are reserved for women. Gender quotas are combined with reserved seats for scheduled casts as part of a rotation system, according to which it is decided in advance which category will be allowed to contest for the seats in the different wards.[7] Similarly, Article 180 (1) (b) of the Uganda constitution stipulates that one-third of each local government council shall be reserved for women.

The Lesotho Government Elections Amendment Act 2004 provides for one third of the seats to be reserved for women in rotation, for three successive elections. This means that over the period each constituency would be reserved for women once.

One of the male candidates, Tsepo Molefe, opposed the quota in the high court, but this was overturned on grounds that the Constitution allows for affirmative action.



Tsepo Molefe (left) challenged the quota in Lesotho. *Photo: Colleen Lowe Morna*

An independent team of observers deployed by the Commonwealth Secretariat concluded that:

> *A cloud of uncertainty prevailed over the backdrop of the Local Government Elections, with a clear breakdown of consensus and communication among critical stakeholders in the electoral process. Consequently we identified shortcomings in the conduct of critical processes leading up to the elections, such as delimitation of constituencies, the conduct of the voter registration update and voter education. We however commend the overall conduct of the polling day activities, which were carried out in a peaceful atmosphere and in a transparent manner, in accordance with the law.*[8]

Table 2.9: Gains for women in the 2005 local government in Lesotho

	Women	Men	Total	% Women
Elections	681	609	1290	53%
Bi-elections	745	545	1290	58%

Source: GL and Lesotho IEC 2007

[7] Karam, A and Ballington, J ed (2005) Women in Parliament: Beyond Numbers, IDEA, p 148.
[8] Commonwealth Report on the Conduct of Local Elections in Lesotho (2005) p 19.

An interesting feature of these elections is that 23% women won in the open elections. This shows that women have the confidence to contest elections in their own right. The argument by those in favour of the quota is that it is a temporary measure that will eventually be phased out. A concern at the time of going to press is that the 2010 local elections in Lesotho have been postponed in the wake of further objections to the quota system. As the quota for women in local government in Lesotho is the only instance of a legislated quota in the FPTP system that predominates in the SADC region, the government's moves and their impact on women's political representation will be closely watched.

Constituency and PR system: the case of Tanzania



A possible alternative is the mixed constituency and PR approach provided in the Tanzanian constitution. Women are free to contest in the open elections. In addition 30% of the seats in parliament are reserved for women and apportioned to parties on a PR system in accordance with the vote they garner in the elections. This system does not directly infringe anyone's constitutional rights and is therefore less open to contestation. The challenge in Tanzania is to raise the bar from 30% to 50%. There is also need to encourage more women to come in through the normal constituency system so that the quota becomes a temporary measure (currently almost all the women in parliament are there through the quota and they are often regarded as secondary to the MPs who sweated in out in elections). These are the challenges that Tanzania faces in elections scheduled for later in 2010.

PR system with legislated quotas at local level but none at national



In contrast to Malawi, Mauritius and Lesotho, **Namibia** has a PR electoral system. In the case of local government, it also has a law that requires that at least 30% of seats be reserved for women. The ruling South West African People's Organisation (SWAPO) has adopted the zebra - one woman, one man system - for its lists at the local level. The combination of all these factors led to 41% women at the local level in Namibia in the 2005 local elections.

In contrast, there are neither mandatory nor voluntary quotas at the national level, in which elections are also run on a PR basis. The November 2009 national elections in Namibia witnessed a major back ward slide as women representation in parliament dropped from 30.8% to 23 %. This is despite the fact that the country has not only signed but ratified the Southern African Development Community (SADC) Protocol on Gender and Development.

SWAPO, which accounted for the majority of the 30.8% women who were MPs before the elections, had only two women in the top 10 of its 72 member list. Overall there were 23 women on SWAPO's list, a poor showing for the party favoured to win the elections and one that has openly committed to achieving gender equality and equal representation of women. Without either a legislated or voluntary party quota, only 15 women won seats in the 72 member national assembly in October 2009; fourteen of these women from SWAPO.

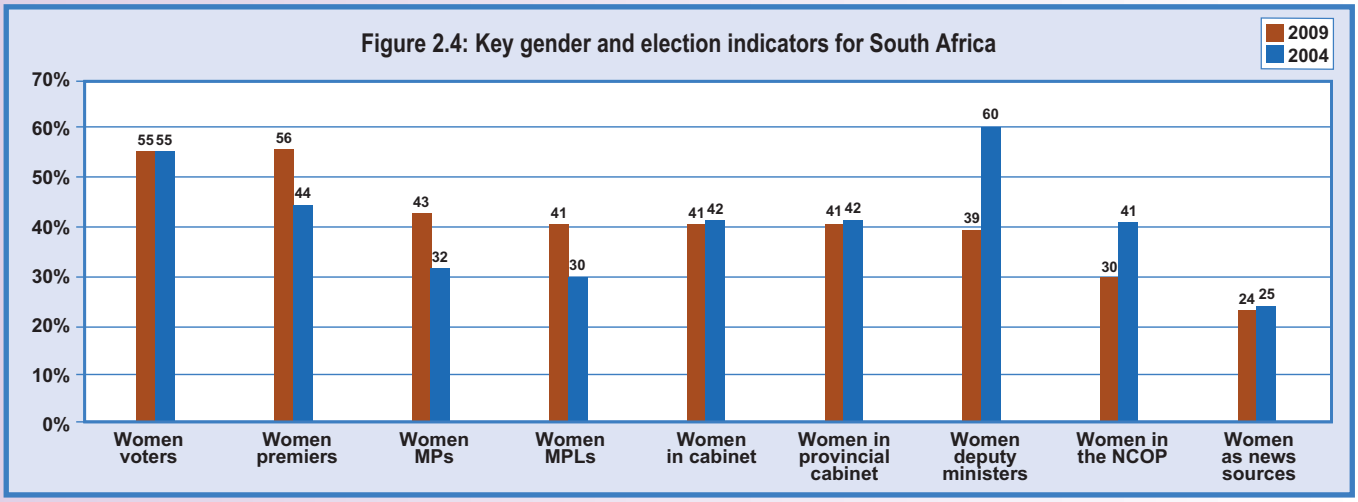
The law gives the Namibian President the powers to appoint six additional members, but even if he appointed all women, this would have only brought women's representation to 30.5%. In the event, the President only appointed three additional women, bringing the total number of women to 18 or 23%. The election results are still being contested by opposition parties.

Failure to advance towards parity is largely due the fact that there are no deliberate efforts by the country's electoral bodies and parties to push the envelope and advance from one third to 50% women in parliament. Quotas at national level could contribute significantly to levelling the playing field as they have done at the local level.

Protocol @ work

Can South Africa's 50/50 success be sustained?

Women's rights activists argue that despite South Africa's successes, the country should not rely on voluntary party quotas. The concerns also point to the fact that gender equality goes beyond women's equal participation in decision-making. Campaigns must address the patriarchal underpinnings of society that affect the way that both women and men behave.



Source: Gender Links

Figure 2.10 summarising key gender and election indicators, shows that on the plus side:

- Women comprised 55% of those registered to vote. This shows that contrary to prevailing views, women are interested in politics and in being active citizens.
- Representation of women in parliament has increased from 33% to between 43%[9] of the total.
- Representation of women Members of the Provincial Legislature (MPL's) has increased from 30% to 42%.
- 14 out of 34, or 41%, of the new ministers announced by President Jacob Zuma on 10 May are women. This is roughly consistent with the 42% women in cabinet under President Thabo Mbeki and 43% under the seven month caretaker administration of President Kgalema Motlanthe.
- Of the 14 ministries headed by women, at least eight are in non-traditional areas like correctional services; defence; home affairs; international relations and co-operation; mining; public enterprises; science and technology. This underscores a maturing of our democracy.
- Women deputy ministers are well represented in the economic cluster, including the new ministry of economic development and the two deputy ministers of trade and industry. Women are still highly under-represented in economic decision-making.
- While the principle of a women's ministry is problematic, the appointment of former National Education Health and Allied Workers' Union (Nehawu) President Noluthando Mayende-Sibiya, one of the most powerful and influential women in the trade union movement, to this post is a positive sign. Mayende-Sibiya also serves as a co-convener for the South African Progressive Women. She brings a keen appreciation of the role of women in economic development and is an advocate for the recognition and remuneration of the unwaged work of women.
- Women now comprise five out of the nine provincial premiers or 55%, up from 44% before.
- Women comprise 41% of provincial cabinet ministers, going as high as 64% in Gauteng, which is headed by a woman premier.

[9] The national assembly lists keep on changing owing to the resignations while a few others have still not yet been sworn in.

- Although the proportion of women sources in the media is still low (see below) the election promoted unprecedented debate on some previously no-go areas such as to what extent the personal in political; whether or not polygamy is unconstitutional; what is meant by gender aware leadership and how leaders should be held accountable.
- Gender activists played a key role in "pushing the envelope" and ensuring that these debates were placed on the agenda. Women's Net and the Tshwaranag Legal Advocacy Centre invited representatives of political parties to come and account for how their policies would address gender violence. Gender Links, GEMSA and partners in the Gender and Media Diversity Centre (GMDC) formed a strategic alliance with the Mail and Guardian's Critical Thinking Forum; Constitution Hill; the Human Rights Commission and SABC TV International to mount a series of election debates on "The personal is political"; "Polygamy has no place in South Africa" and one on Gender, Elections and the Media. As the analysis of election coverage shows, activists used TV debates, radio talk shows, and leader pages to challenge South Africa's leaders and hold them accountable. Held under the broader rubric of Gender and Leadership, the debates yielded a checklist on gender aware leadership.

Concerns raised in a gender audit of the elections conducted by GL and GEMSA include:

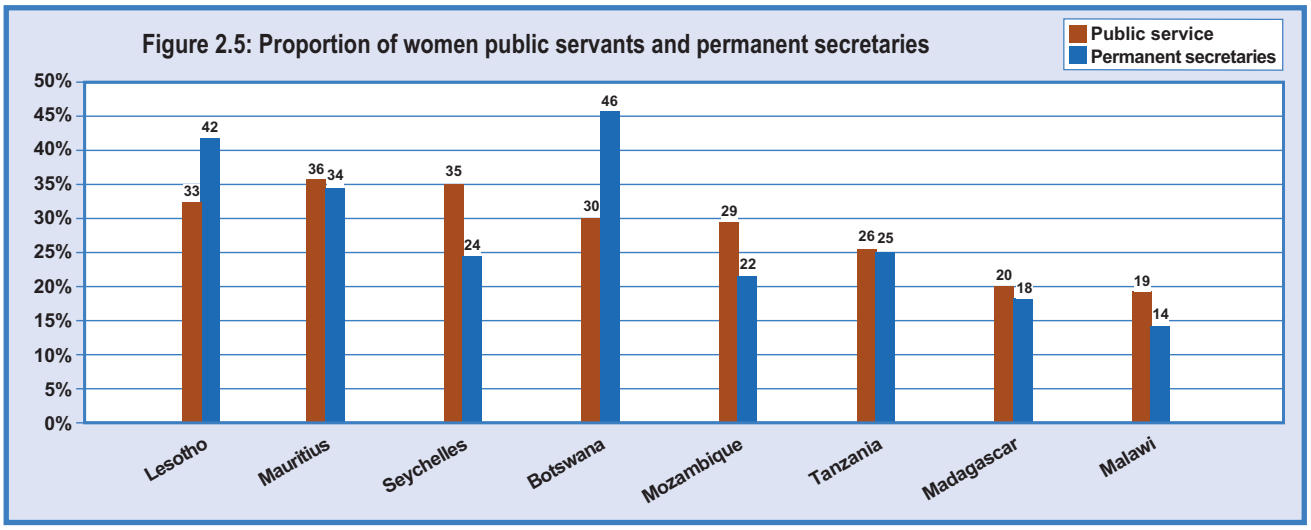
- The 50/50 principle has not been carried to the highest levels of government as South Africa no longer has a woman deputy president.
- While President Thabo Mbeki had 60% women in deputy ministerial posts, this declined to 38% under President Motlanthe, and 11 out of 28 or 39% under President Zuma. Deputy presidential positions are often a training ground for ministers. This decline is therefore regrettable at a time when the ANC has committed itself to gender parity in all areas of decision-making.
- The leadership in parliament is now heavily male dominated, with the Speaker, chairman of the National Council of Provinces and almost all the chief whips and leaders of parties, except for the Independent Democrat's Patricia de Lille being men.
- Representation of women in the NCOP has dropped from 40% to 30%, with only two out of the 16 women (12.5%) in this structure coming from opposition parties, even though they constitute 35% of the members. This again underscores the extent to which the progress towards women's equal representation and participation in decision-making in South Africa rests on the ruling ANC. It underscores the need for renewed vigour in advocating for a legislated 50% quota that binds all parties.



Zuma inauguration. *Photo: Colleen Lowe Morna*

- The main opposition Democratic Alliance (DA), despite being led by a woman, remains averse to quotas stating that it is only interested in "fitness for purpose." It is appalling that Helen Zille's new cabinet in the Western Cape is 75% white and has no women other than herself. To suggest that these are the only people "fit for the purpose" in the Western Cape is not only out of keeping with the march of history but may indeed be unconstitutional. The action taken by the Congress of South African Trade Unions (COSATU) to raise this matter with the Human Rights Commission and the Equality Court is to be commended.
- Preliminary results of media monitoring conducted by Media Monitoring Africa (MMA) show that women constituted a mere 24% of news sources in election coverage; up from 10% in 1999, but similar to the 23% achieved in 2004. This shows that women's views and voices are still marginalised in elections- the most public and participative of all national events.
- None of the opposition parties support quotas. Some argue that the ANC has had a snowball effect on them. This is most noticeable in the case of the Congress of the People (COPE), which mostly comprises former ANC members, and has 48% women in parliament, despite not supporting quotas. But the declines in other parties, and the one step forwards, two steps backwards approach to gender parity is likely to call for more obligatory measures to ensure that SADC targets are met.

The public service



Source: Gender Links: based on information compiled from in-country research - using inter-news, internet search and policy documents in 2009.

Scant data and wide variations: As reflected in Figure 2.5, there is scant data and there are wide variations in the region with regard to women's representation in the public service. In Lesotho, this is close to parity; in Botswana, Mauritius and Seychelles above 30%. However, In Malawi, women constitute less than one fifth of public servants.

With the exception of Botswana, the proportion of women at the top is lower than the proportion of women in the public service: This reflects the glass ceiling in the public service. For the countries for which data could be obtained, women constituted 30% of less of the permanent secretaries in their countries. Interestingly, however, women comprise a high 46% of the top bureaucrats in Botswana. Again this shows that it is possible to aspire towards and achieve gender parity in the public service.

Participation in decision-making

The Protocol provides for State parties to adopt specific legislative measures and other strategies to enable women to have equal opportunities with men to participate in electoral processes including the administration of elections and voting.

It also provides for equal participation by women and men in policies, strategies and programmes for building the capacity of women and men in decision-making through leadership and gender sensitivity training and mentorship; support structures for women in decision-making; structures to enhance gender mainstreaming and changing decision-making attitudes and norms. The Protocol specifies that men be included in these activities.

Electoral processes

Women outnumber men as voters: While it is possible to get data on those registered to vote, this data is often not disaggregated by sex. In the three countries where data was obtained (Botswana, Tanzania and South Africa) women constituted the majority of those registered to vote. This shows that women are keen to participate in public life.



Young women taking over? *Photo: Colleen Lowe Morna*

In **South Africa**, initially, the IEC targeted a total of 22 million voters at the cost of nearly R200 million. By time the registration process closed in February, a total of 23,174, 279 had registered as voters for both national and provincial elections representing an increase of 12% from the 2004 national and provincial elections when there were 20 674 926 verified voters on the roll.[10] Voter registration statistics released by the IEC showed that in all the provinces more women than men have registered. Overall, women constitute 55% of all registered voters; this runs as high as 58% in the Eastern Cape. Another notable feature was the "Obama effect" in South Africa. The elections attracted a lot of young people. Some 12 million or over half of those who registered to vote are between the age group of 18-39. Of these, 6.4 million or 53% are young women and 5.6 million (47%) are young men. This means that young women are now the most numerous voters in South Africa.

Leadership roles

Women are still missing from top decision-making positions: Women are still missing from top decision-making positions: An important test of women's participation in public life is the extent to which they not only participate in structures of governance but in the leadership of these entities. The earlier section detailed how women are still least well represented in cabinet. Table 2.10 shows that all the ruling parties in the region are led by men, and only one opposition party (in South Africa) is led by a woman.

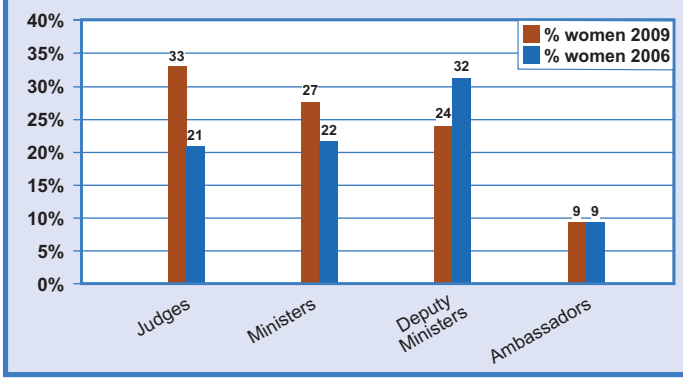
Table 2.10: Women and men in party leadership

	Angola		Botswana		DRC		Lesotho		Madagascar		Malawi		Mauritius		Mozambique		Namibia		Seychelles		South Africa		Tanzania		Zambia		Zimbabwe	
	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M
Ruling party		1		1		1		1		1		1		1		1		1		1		1		1		1		1
Main opposition		1		1		1		1		1		1		1		1		1		1	1			1		1		1

Source: Gender Links

Women are particularly scarce in certain areas of leadership: As noted earlier, there is need to gather far more comprehensive data on women's participation in certain areas of decision-making. The comparative graph of women in different types of top jobs in Tanzania (Figure 2.6) shows that while there has been an increase in women judges and ministers, there has been a decline in women deputy ministers in that country. Women are least well represented in diplomacy, and this figure has remained static.

Figure 2.6: Women in top leadership positions in Tanzania



Source: Gender Links

[10] Soure: IEC

More women standing for president: In countries where there is the presidential system of elections, it has long been customary for men only to stand for elections. However, this is gradually changing, as illustrated in the examples below.

A woman for president?



Malawi: Presidential elections are held after every five years under presidential first past the post system. In the past three elections no female was featured as a presidential candidate. However, during the 2009 elections Loveness Gondwe became Malawi's first female presidential candidate. In addition. the incumbent President Bingu wa Mutharika nominated the former Foreign Minister, Joyce Banda as his running mate. She became the first female Vice-President in Malawi's history after the May 19 victory. Although Gondwe did not make it, she too has deeply inspired many women to make a similar attempt in the future. The same is the case with Joyce Banda of the ruling party.



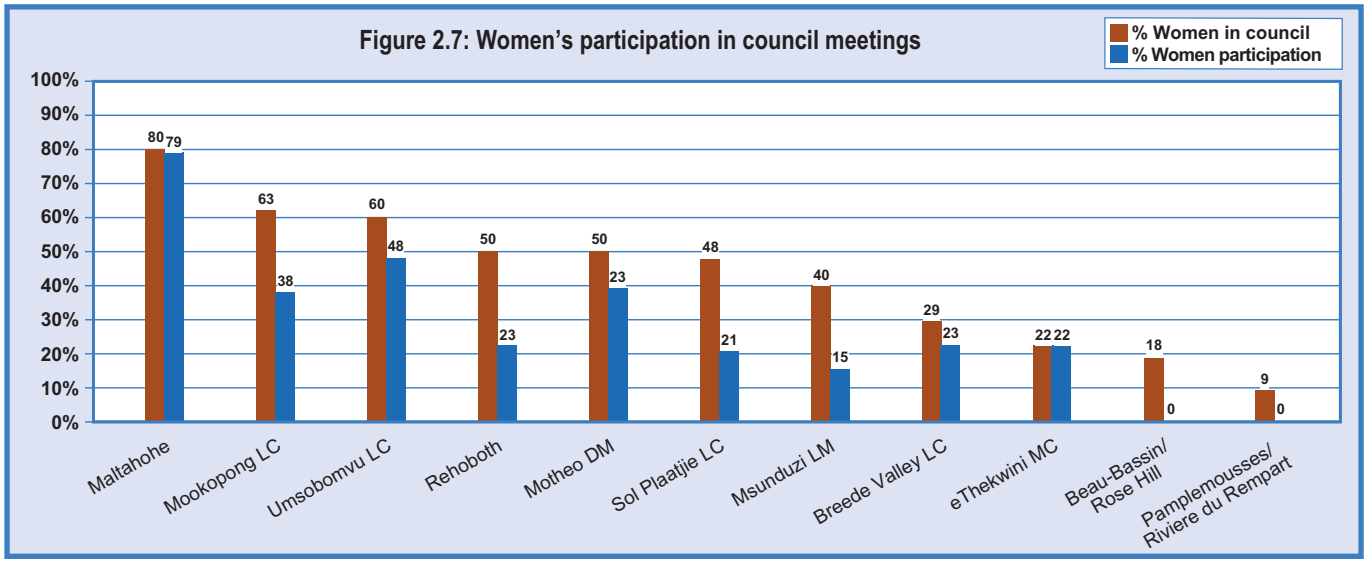
Tanzania: There has so far been only one woman presidential candidate in the history of Tanzania. This was Anna Claudia Senkoro from PPT Maendeleo Party in 2005 who surprised the sceptics by taking the 4th position out of 6 presidential candidates. In 2000, when Hon. Gertrude Ibengwe Mongella (who later became the first head of the Pan African Parliament) tried to run for the top job the Speaker Pius Msweka said: "Time is not yet for women to contest for Presidential position". The Speaker apologised the following day. But Mongella has not put her hat in the ring again. Gertrude Mongella served as the Secretary General of the UN Fourth World Conference for Women in Beijing in 1995.



Gertrude Mongella, Secretary General of the Beijing Conference, failed in her presidential bid. *Photo: Colleen Lowe Morna*

Participation in meetings

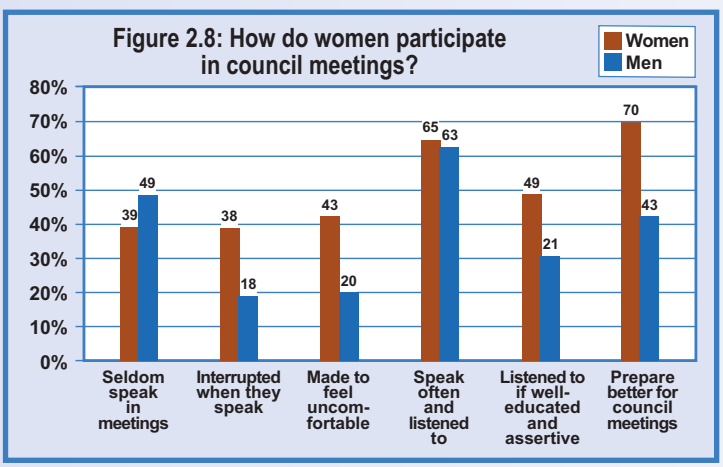
Women speak less in meetings: In observations of 11 council meetings in Namibia, Mauritius and South Africa, GL devised a detailed spread sheet of all the interventions made by councillors, divided into male and female. This was further sub-divided into decision-makers, whether male or female (speakers, mayors or deputy mayors) and ruling party/ opposition. While opposition voices accounted for a total of 34 percent of the interventions (25 percent men and nine percent women) - roughly consistent with opposition strengths in the councils - women's voices only accounted for 27 percent of the total, with men (73 percent) dominating all meetings. This was especially so in Mauritius (the country in the study with the lowest proportion of women (17 percent in the two council meetings observed, but 100 percent male voices). Yet even in South Africa and Namibia, with around 40 percent each women in local government, men dominated meetings 71 to 73 percent of the time. To the extent women spoke, about one third of these came from opposition parties.



Source: Gender Links

As illustrated in figure 2.7 with the exception of eThekwini in the Kwa Zulu Natal province of South Africa where women constitute 23 percent of the total and spoke 23 percent of the time in the meeting observed there were no other instances in which women's voices were equal to their strength in the council (although women in the Maltahohe council in Namibia, who constitute 80 percent of the council and made 78 percent interventions came close).

What the councillors said



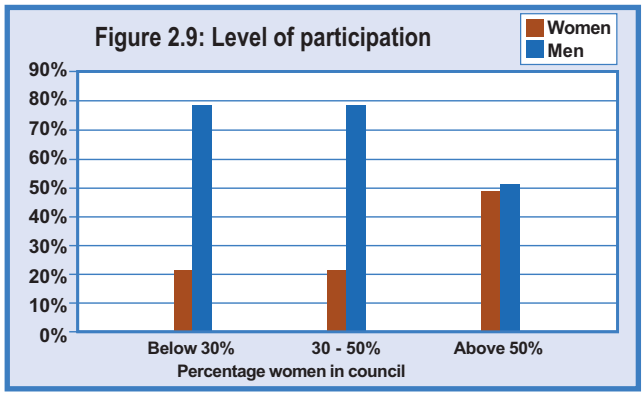
Source: Gender Links

Figure 2.8 shows that in response to various options regarding women's participation in council meetings, a fairly high proportion of both male and female councillors agreed with the statement that women "speak often and are listened to." Men were more likely than women to say that women "seldom speak in meetings." Women on the other hand agreed far more strongly with the statements that women are interrupted when they speak (38% women compared to 17% men); are made to feel uncomfortable (43% women and 20% men) and are listened to only if they are well educated and assertive (48% women and 31% men). Women (70%) also agreed more strongly than men (43%) with the statement that women prepare better for meetings than men.

Source: Lowe Morna, Colleen and Tolmay, Susan - At the Coalface, Gender and Local Government in Southern Africa

More women, more sway?

Figure 2.9 shows that where women constituted below 30% of the participants, they spoke 21% of the time. Where women constituted 30 to 50% of the participants, they spoke 22% of the time. However, when women constituted more than half of the participants, they spoke almost as much as men. The conclusion that might be drawn from this finding is that the "critical mass" is indeed not 30% but gender parity!



Source: Gender Links

Lively debates in Jo'burg and Windhoek

Council meeting observations in the cities of Johannesburg in South Africa and Windhoek in Namibia (the largest municipalities in both countries) reflected high levels of participation by women. In both of these councils women are represented in high numbers with 44% women in the City of Johannesburg and 40% women in the City of Windhoek.



Johannesburg City Council meeting. *Photo: Gender Links*

More women than men attended the meeting observed in the City of Johannesburg. Johannesburg is one of the few council's that provide interpreters. The agenda included the budget and street names.

Consultations with women on a Women Development Strategy in August (Women's Month) in South Africa showed that street names are a source of concern for women who have found that in emergencies they are not able to direct emergency services because of the absence of streets names especially in the former black townships. A woman councillor from a faith-based political party spoke passionately on street names in her locality. Her comments struck a chord with the other councillors, many of whom wanted to respond.

The Windhoek meeting observed dwelt largely on the budget. A woman opposition councillor expressed her dismay at the way the council deals with bread and butter issues. Others joined in by raising concerns about the budget deficit that could have been avoided through proper planning. Two women opposed what they regarded as high water and electricity rates which they said primarily affect poor women. The deputy mayor, a woman from the ruling Swapo Party urged residents to negotiate the settling of outstanding bills. She cautioned that the city could not provide quality services unless these debts are settled.

Compared to many of the other meetings observed, the researchers noted the confidence with which women participated and the substantive nature of the debates in the cities of Windhoek and Johannesburg. The fact that more women than men attended the meeting in Johannesburg (suggesting quite a few absentee male councillors, since there are more of them) and that three men were absent from the Windhoek meeting (while all the women came) also suggests a higher level of commitment on the part of the women councillors.

Source: Lowe Morna, Colleen and Tolmay, Susan - At the Coalface, Gender and Local Government in Southern Africa

Easing the burden of the dual roles of women

Institutional culture reflects in many ways: including physical facilities, dress, rules and norms, work place habits, and the nature of communication, formal as well as informal. This section, which draws on the GL Study *Ringing up the Changes*, explores the extent to which these are changing in the decision-making structures of Southern African countries.

Made for men? In the many instances in the region where parliament sits in old buildings built with men in mind, the first practical issue that arises when larger numbers of women join the workplace is providing women with facilities to be able to conduct their work as comfortably and conveniently as men. These include such practical considerations as women's toilets, hairdressers and shopping facilities.[11]

Family friendly work environment

Studies globally show that among the first changes that take place in political decision-making structures and especially in parliament when women gain entry are recommendations for child care centres, family-friendly sitting hours and increased travel for family members.[12]

Child-care: Of all the possible work place innovations, few make a stronger statement about family-friendly practices than having child-care facilities paid for and arranged by the institution. Bringing children to the hallowed halls of power has the symbolic effect of demystifying power as well as driving home the point that in the end decision-making is about a better world for those who come after us. A créche is one of the symbolic early gains made by women in parliament in South Africa.

Sitting times: Traditionally, parliaments and councils have assumed that decision-makers have no family responsibilities and therefore that meetings can start and end late. This continues to be the case in countries like Zambia and Lesotho, where women are still a tiny minority.



A créche at work is an early gain for women. *Photo: Gender Links*

Capacity building

The various regional and international commitments to increasing women's equal and effective participation in decision-making place a strong emphasis on capacity building. Addressing the specific needs of women decision-makers is not something that most decision-making institutions had considered before the clamour for greater representation by women in these structures. It is one of the several changes that women have had to struggle for.

Generic training: There have been several different kinds of approaches to improving the skills of politicians in general and women politicians in particular. Most political parties, parliaments and councils seem to offer some basic orientation on what it means to be a politician and how to function as a legislator/councilor. Sometimes this is done with the help of international organisations like the Inter-Parliamentary Union (IPU), Commonwealth Parliamentary Forum (CPF), International Union of Local Authorities (IULA) or regional organisations like the SADC PF. The difficulty with all generic "one size fits all" training is that it does not always address the particular needs of women, especially where they are in small minorities. This has led to the design of several empowerment programmes focusing on women.

[11] Inter-Parliamentary Union (2000) "Politics: Women's Insight." IPU: p108.
[12] See, for example, Sawer, M. (2000), "Parliamentary Representation of Women: From Discourses of Justice To Strategies of Accountability." International Political Science Review 21(4): p361-380 and Brown, A. (1996) "Women and Politics in Scotland." Parliamentary Affairs 49 (1): p 26-40.

Women specific training at national level: Capacity building programmes focusing specifically on women decision-makers may be at national or regional level.

Training specific to women at regional level: The SADC Gender Unit has developed a *Gender Tool Kit for SADC Decision-Makers* that comprises basic concepts, tools and exercises on mainstreaming gender into legislation. This has been used for training trainers as well as women MPs from around the region. From evaluation reports of training workshops, it is clear that these "additional empowerment" initiatives have played an important role is developing linkages between women MPs across the region and sensitising them to gender issues. However, they have suffered from some drawbacks such as:

- Lack of follow though mechanisms to provide ongoing support or evaluate impact.
- Absence of strategies at national level to ensure that those trained as trainers apply their skills.
- The subject matter so far only covers gender skills and not some of the immediate practical skills that decision-makers need such as communication training (including the Internet, debating, working with the mainstream media etc).



Gender mainstreaming training at the SADC Secretariat. *Photo: Colleen Lowe Morna*

- Although the focus on women MPs is understandable, the disadvantage (especially where there are small numbers of women MPs) is that they then go back into male-dominated institutions that have little sympathy for their ideas.

Gender mainstreaming training at regional level:
In an effort to bring men on board, the SADC/PF gender unit has run a number of workshops for chairs of portfolio committees on mainstreaming gender in their work. Given the male dominance of these committees, the majority of participants at these workshops have been men. The unit focused initially on finance and public accounts, and has since fanned out into other sectors like education and HIV and AIDS. An evaluation of the programme found that there had been general awareness raising on gender among MPs that participated in training like the Lubambo roundtable on gender budgets. But the evaluation stressed that for this to be effective regional processes have to be cascaded to national level.[13] The evaluation added that training should be more tailored towards needs, and link to the Parliamentary Leadership Center that is being planned by the SADC PF.

Regional structures and local government: It is significant that none of the regional bodies have offered gender training at local government level. The SADC PF focuses specifically on parliaments. There is no similar body at local level. However, the SADC GU has a broader brief. Local councils featured in the design of training materials, but they have so far not been targeted as participants in "empowerment strategies."

Mentorship: Mentorship overcomes many of the shortcomings identified in other forms of capacity building. It does not show up politicians as people who might be ignorant. Because it is one-on-one, it is more effective. It is hands-on. Perhaps most important, such training is ongoing.

[13] Meena, Ruth and Machangane Keboitse, "Evaluation of the Endendering SADC Parliaments Project" USAID 2002, p13.

On-the-job training: This has been tried in Tanzania and with the City of Johannesburg. Considered the most effective form of training, such efforts are being studied by activists and trainers.

Making a difference?

Among the significant collaborative research efforts is the groundbreaking study quoted in this paper: *Ringing up the Changes, Gender in Southern African Politics* co-ordinated by GL. The study is the first in the region, and one of the few globally to assess the qualitative difference that gender equality brings to governance. This was achieved through a comparison of countries that have achieved a high level of women in decision-making with those that have not.



Making a difference: Karolina Pieters, a Namibian councillor cares for abandoned children.
Photo: Colleen Lowe Morna

The difference that women make

The tangible difference that women's participation in decision-making, especially in substantial numbers, is seen to make in the study include:

- The marked difference between the style, procedures, norms and discourse in institutions of decision-making in the countries that have a high representation of women compared to those that do not.
- The link between the presence of a substantial proportion of women in decision-making and the extent to which men have engaged with the issue of gender equality and become agents of change.
- The fact that although all the case study countries have undertaken significant gender justice reforms the breadth and depth of such reforms are greater in countries that have achieved higher levels of women in parliament, and especially in those countries with a history of political struggle and progressive constitutions.
- The championing role that women in top decision-making positions have played in ensuring that gender is taken into account in policies and laws in mainstream portfolios like mining and agriculture.
- The support that women decision-makers have given to innovative approaches like the gender budgeting initiatives that have captured the imagination of the region and provide a potentially powerful tool for gender mainstreaming through tracking resource allocations.
- The links made by women MPs between women constituents and parliament, as well as ensuring greater accessibility and responsiveness of service delivery.

Moving beyond numbers

South Africa has the highest level of women's representation in parliament in the region. This is largely due to the ruling ANC's adoption of a 30% quota, upped to 50% in local elections in 2005 and at its national conference in 2008. No other political party in South Africa has adopted a quota; in fact most opposition parties publicly oppose quotas. However, it is important to note here that being preoccupied with numbers does not tell the whole story and it is as important to look at the gender discourse in these countries and begin to go beyond the numbers.



South Africa is a case in point of a country with the highest level of women's representation in all spheres of political decision-making on the one hand and on the other the country is led by a traditionalist whose well-documented polygamous and promiscuous life style has sent out negative messages for gender equality. Equally disturbing is the fact that the leader of the opposition, Helen Zille, appointed an all male cabinet in the province, Western Cape, and staunchly defended her right to do so. Gender discourse in the country with the most progressive constitutional provisions on gender equality is regressing.

The role of the media in elections and gender discourse

The 2010 Gender and Media Progress Study (GMPS) that will shortly be released by Gender Links shows that while the proportion of women sources in the media overall has only increased by 2% (from 17% in 2003 to 19% in 2010) women sources in the political category have increased from 8% to 13%. This is still far too low, but at least there is forward movement.

Media monitoring during elections also shows that generally women's voices are still grossly under represented and that gender does not really feature as a topic in the media, but that there are large variations across countries.

In Malawi for instance, during the election period women only comprised 12% of sources, with 28% of stories being about the elections and a mere 3% being about gender specific issues. On the other hand monitoring done by Media Monitoring Africa (MMA) in South Africa showed that women comprised 24% of media sources in election coverage but that gender as a topic only received 2.4% of media attention.

These numbers do however understate several positive achievements. In Mauritius, for example, while there was only a marginal increase in women's representation in parliament, the director of the GL Francophone office was invited to comment on the elections for the whole day when election results were announced. This is the first time a woman had ever been invited to comment on election results from a gender perspective, which shows a important shift in dialogues and debate, something not even seen



GL Francophone director Loga Virahsawmy talking to the Mauritian media.
Photo: Colleen Lowe Morna

in recent elections in the United Kingdom for example.

Opinion and commentary articles were also picked up in both English and French newspapers showing that gender is being mainstreamed into election and governance discourse. While this may not yield immediate changes, it is a strategic and prominent location for such debates. And despite the limited numerical gains for women in the 2010 elections, a dynamic new minister, Sheila Bappoo has been appointed, and a Ministry of Gender Equality (the first ministry in the region with such a name; most others refer to women, children and several other "disadvantaged" groups) established. Mauritius has also been leading the way in the region with regard to gender budgeting and opposing gender violence in a concerted way.

In the April 2009 elections several newspapers in South Africa ran lengthy profiles of prominent women in politics, including new and emerging leaders in opposition parties. The Sunday Independents' "Hot Seat" did an especially commendable job of running half page, in-depth profiles of women politicians of all hues.

But qualitative monitoring of media continues to yield several examples of blatant gender stereotypes such as the prominent coverage given to South Africa's, DA's Helen Zille admitting that she used Botox. The bill board on Hilary Clinton from the recent US elections is a stark reminder that the world over politics is still a boys club.



NEWS

Sunday

Pictures: TERRY SHEAN, © DA, AMBROSE PET

Zille admits to getting a little help from Botox

How Cape Town's mayor said goodbye to frown lines and hello to a fresh new look

Next steps

Key points arising from this chapter are that:

- ***Decision-making is still a hostile terrain for women:*** Despite the positive rhetoric towards women's increased participation in decision-making, there are still major barriers to be overcome. These are deeply rooted in custom, culture, religion and tradition. The structural barriers explain why there is little correlation between women's level of education and their political participation. Personal empowerment does not translate into political empowerment for women because society is not ready to accept women in these roles. Such change can only come about through concerted effort that begins with a strong political will and leadership, accompanied by deliberate strategies and special measures.

- ***Heads of State have largely failed to keep their promises:*** Governments made a commitment to achieving a minimum 30 percent representation of women in all areas of decision-making by 2005, and went on to raise the bar to 50% as attested to by the backsliding in Namibia and Botswana at the very moment when substantial gains need to be made. The barometer shows that with a few exceptions, this commitment has not and will not be met. While there were some attempts by Heads of State to make good on their promises through appointments to cabinet and parliament, often even these opportunities were missed. Most important, countries with the FPTP system that is least conducive to women's participation made little or no effort to review their electoral systems, or to learn from other such countries (eg Lesotho and Tanzania) as to what special measures might be adopted within such electoral systems to effect increased participation by women. With elections scheduled for late 2010, Tanzania will be next under the spotlight. It is heartening that activists there are actively using the Protocol to drive home the need for substantial progress in the 2010 elections.

- ***Women's access to political decision-making requires special measures:*** The unequivocal lesson from the region is that no target for women in decision-making will be reached in the absence of special measures. There is no easy recipe for ensuring women's access to political decision-making, but the ingredients are well known. They include electoral systems, quotas, gender- aware parties, and democratic environments. The overwhelming evidence from the region is that the Proportional Representation (PR) system, and especially the closed-list PR system applied in South Africa, Mozambique, Angola



Quotas would help women in Malawi to get into office.
Photo: GEMSA

and Namibia is more favourable for ensuring women's entry into politics. However the case of Lesotho shows that quotas can also be implemented in the FPTP system.

- ***Quotas are a necessary and beneficial short-term measure:*** All SADC countries that have come close to, or are likely to achieve the thirty percent target, have done so through either voluntary party quotas (in South Africa and Mozambique) or legislated quotas (in local elections in Namibia) or constitutional quotas in national elections in Tanzania). Quotas are not a panacea, but they are the best short-term method for ensuring that that the quagmire is broken and progress is made. When accompanied by supportive strategies, quotas have delivered rapid and tangible benefits.

- ***Local government needs to be brought centre stage:*** The tendency in some countries to yield way on local government (eg Namibia, South Africa and Lesotho) is welcome but carries the concern that the only reason this is happening is that local government is not regarded as important as other spheres of governance. Gender and local government have, up to now, not formed a significant part of gender and governance discourse, activism or policy measures. It is critical that these now come to the fore. There are local elections coming up in Lesotho, South Africa, Namibia and Malawi in the next year. These need to be put under the spotlight and progress tracked.

- ***New approaches to empowerment should be encouraged:*** So far, training for women in politics has not been preceded by needs assessments. It has tended to be off site, and once off. Such training also needs to be holistic in its approach. In addition to gender analysis skills, it should include an understanding of the nature and exercise of power, confidence and assertiveness skills, leadership training and communication skills, including debating, use of the Internet, accessing the mainstream media and integrating gender issues into political campaigns. While there is a place for empowerment strategies that specifically target women decision-makers, it is also important to design strategies that include the "new" men in politics.

- ***Research, monitoring and evaluation are key:*** Research, advocacy and lobbying by the women's movement have been critical to the achievements made to date. Structures and mechanisms should be found for strengthening collaboration between civil society and women in decision-making.

- ***The media is a key partner:*** Gender, elections and media training shows that the media has a key role to play in changing mindsets and promoting women candidates. The partnerships should be built and extended in all countries having elections, and strengthened where elections have taken place.



"Sarah" *Anushka Virahsawmy*

CHAPTER 3

Education and training

Article 14



Take a girl child to work campaign in South Africa. *Photo: Colleen Lowe Morna*

KEY POINTS

- Many countries have reached gender parity in primary education, but the gender gap continues to widen in higher education, largely because of teenage pregnancy, HIV and AIDS related care work, economic constraints and deeply entrenched gender stereotypes that discourage girls' education.
- School administrations are greatly imbalanced with men dominating all spheres, especially higher management positions.
- Men predominate in faculties of Science and Law, while women predominate in some countries in Arts, Humanities and Health Sciences.
- While gender stereotypes still pervade institutes of learning, many SADC nations are challenging this through education policies and reforming national curricula.
- Sexual and gender-based violence in schools is a serious problem in the region, and greater measures must be taken to combat this trend.



Good gender balance at primary level in most countries. *Photo: Trevor Davies*

Although relatively brief, Article 14 on Gender Equality in Education is a cornerstone provision in the Protocol, covering equal access to all levels of education; challenging gender stereotypes in education and also ensuring that institutions of learning are free from gender violence.

Like most of the articles in the SADC Gender Protocol, education and training provisions closely interlink with other goals and targets. Assessing the region's progress towards commitments to enhance access to quality education for males and females, and remove gender stereotyping in curriculum, career choices and professions, is a telling indicator of the likelihood of other achievements 2015 targets being met.

For example, as the foundation of future employment prospects and opportunities, education forms the basis for gender equal opportunities in economic empowerment. Levels and quality of education significantly determine what kind of work individuals may attain, and how much they may earn. In both formal employment and other occupational settings, education offers the chance to make more of the resources available, whether that is within salaried employment, starting a business, increasing the productivity of land, selling excess produce, or managing the household budget.

Education also links closely to such provisions as 50/50 in decision-making. Although there are exceptions, especially at local level, education is an important part of aspiring to government offices and other such decision-making bodies.

However, for girls, staying in school is not just about good grades. Early marriage and family responsibilities can take girls out of school early, especially given rising HIV and AIDS prevalence. Some families just do not see the value in educating girls. Add to this poor infrastructure, such as lack of water and sanitation facilities. Worse, sexual harassment, by both peers and teachers, can make girl learners unsafe. All of this can mean less education for girls.

A child's first social and cultural influences come from their parents, teachers, peers and others. This is the beginning of the process of learning the languages, norms, gestures, beliefs, and culture of the world in which one is born, as well as the roles one is expected to play in life. Girls learn how to be daughters, sisters, caretakers, wives, and mothers. In addition, they learn about the occupational roles that their society has in store for them. Once the child leaves the home, and enters into their first "public sphere," the schoolroom, they continue to acquire the characteristics of their society as well as the knowledge, ideas and skills that they will bring into their adult life. Addressing gender stereotypes along this path, in accordance with the Protocol, can translate into a greater range of options for girls and boys.

In most SADC countries, boys and girls enter primary education in roughly equal numbers. However, at progressively higher levels of education, the rate of girls' enrolment and retention dramatically decreases. In addition, the segregation of teaching staff into gender stereotypical subject areas reinforces gender divisions within schools.

For example, at the tertiary level the dominance of women in such faculties as Arts and Humanities means that more learners are also shuffled in that direction, regardless of personal aspirations and aptitudes. While there are efforts to revisit educational and curriculum based policy, the struggle still exists, requiring more work in this regard. However, the most dangerous element to learning institutions, far beyond any unhealthy and uneven philosophy about men and women's societal roles, is the presence of physical danger.

In the region sexual and gender violence is rampant in learning institutions. To put it simply, schools are not safe. Most of the violence involves rape or abuse of girls by male teachers or peers. Intimidation, hitting, coercion into sex acts, emotional and verbal abuse are also problems.

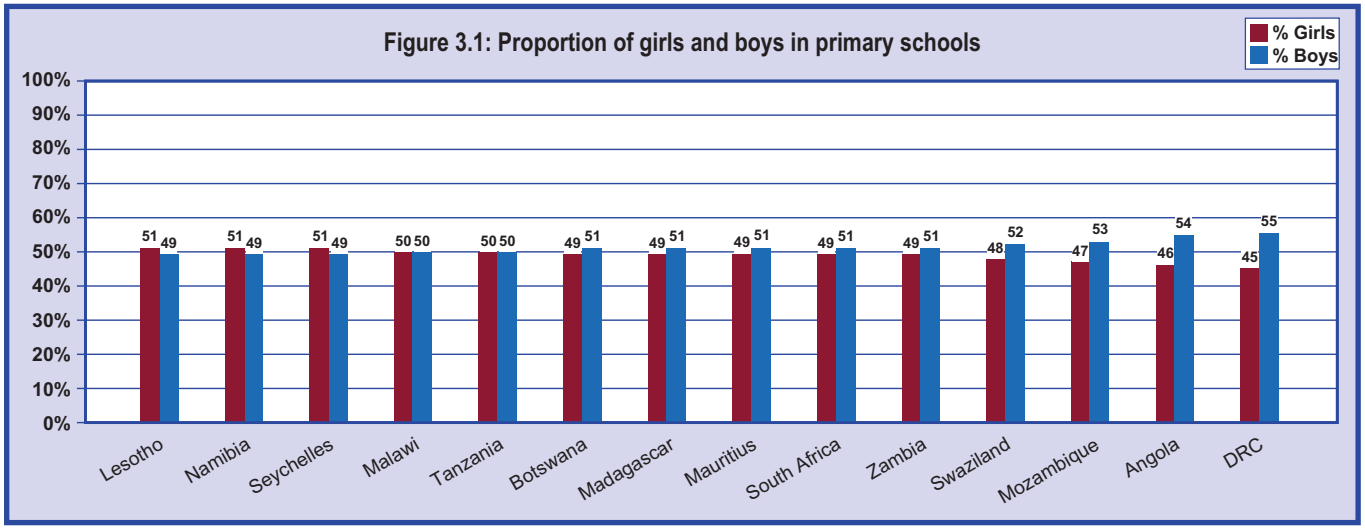
There are policies in place in most SADC countries, but lack enforcement. There is a growing awareness among educators, government ministries, NGOs and civil society organisations about the need to combat this problem.

Enrolment and retention

The Protocol calls upon State Parties to enact laws that promote equal access to and retention in primary, secondary, tertiary, vocational and non-formal education.

Recognising that gender plays a role in enrolment and retention in the education system, the Gender Protocol seeks to highlight factors that get, and keep, girls and boys in school. It also recognises that formal education is not the only type of training that can benefit girls and women. Vocational and non-formal approaches have their place in preparing women and girls for employment and other such opportunities.

Factors related to school presence can be categorised into push and pull factors. The push factors include cost of school requirements, poor teaching, poor learning environment, over-crowded classes, gender-insensitive schools and curriculum, insecurity at and out of school, insensitivity to children with special needs, harassment/corporal punishment, and lack of appropriate sanitation facilities. The pull factors include early marriages and pregnancy, initiation rites requiring girls to be out of school for extended periods, child labour, security concerns, stigma (special needs and ultra-poor children), cultural practices and beliefs that attach low value to education, and poverty. At different levels of schooling, and in various countries, all of these factors affect enrolment and retention in various ways.



Source: Gender Links

Gender parity in primary schools in most but not all countries: In most SADC countries, there are now roughly equal numbers of boys and girls at primary schools. The widest gaps are in Angola and DRC, where girl learners still comprise 46% of primary school-goers in classrooms.

More girls than boys in schools in Lesotho: In some countries, such as Lesotho, there are more girls than boys in primary schools, resulting mainly from families keeping boys back to herd cattle. A March 2005 study drew attention to the need to give herd boys the same opportunity and level of education as girl children. Since 2000, government also put in place free primary education and plans are at an advanced stage to make this mandatory, with the key target group being herd boys and domestic workers.

Not all children in school: Although the narrow gender gap is heartening, an estimated 30% of primary-aged children are not in school. There is also some suggestion that figures underestimate the actual number of children who, though enrolled, are not attending school with any regularity.



Education is key: primary school children in Leribe, Lesotho.
Photo: Colleen Lowe Morna

It is worse during and in post conflict situations: Enrolment in post conflict countries like Angola and the Democratic Republic of Congo is still low. Challenges faced by Angolan school children are crowded classes and poor learning conditions. Many schools have no access to water and sanitation, meaning that girls are often forced to drop out after the onset of menstruation. Less than 60 per cent of primary school-aged boys and girls attend primary school, and many children repeat classes - leading to more overcrowding.[1]

Table 3.1: Access and enrolment in education sector

	Angola		Botswana		DRC		Lesotho		Madagascar		Malawi		Mauritius		Mozambique		Namibia		Seychelles		South Africa		Swaziland		Tanzania		Zambia		Zimbabwe	
%	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M
Literacy	59	84	83	83	54	81	83	80	65	77	65	79	85	90	33	57	87	89	92	91	87	89	78	81	62	78	61	81	88	94
Enrolment																														
Primary school	46	54	49	51	45	55	51	49	49	51	50	50	49	51	47	53	51	49	51	49	49	51	48	52	50	50	49	51	49	51
Secondary school	44	56	52	48	36	64	56	44	48	52	44	56	52	48	44	56	54	46	51	49	52	48	50	50	44	56	45	55	48	52
Tertiary level	40	60	53	47	26	74	44	56	49	51	39	61	54	46	38	62	56	44	57	43	53	47	50	50	32	68	53	47	n/a	n/a
Vocational and technical			39	61	61	39	52	48	27	73	31	69	37	63	31	69	29	71					54	46	45	55			n/a	n/a

Source: Angola: http://www.unicef.org/infobycountry/angola_statistics.html 22/07/09 (access and enrolment only); Botswana : CSO 2003 / 2006 (access and enrolment), CSO 2006 (university faculties); DRC: Annual statistics of primary, secondary, professional and informal education for the school years 2006-2007 and 2007 to 2008; Lesotho: Ministry of Education Statistics Bulletin 2006. National University of Lesotho Student Records for 2008/2009 academic year. The Human Development Report 2007/2008 gives adult literacy of 90.3% for females, and 73.7% for males (access and enrolment), Ministry of Education, 2009 (university faculties); Madagascar: Ministry of National Education, Annuaires statistiques 2006-2007, 2007-2008 (access and enrolment), MEN Statistical Yearbook 2007-2008 (school administration); Malawi: Government of Malawi (2008) Education Management System, Department of Education Planning, Education Management Information System; Mauritius: CSO 2008; Mozambique: NA; Namibia: Ministry of Basic Education, Sports and Culture 2002 /Ministry Education 2008 (access and enrolment), Education stats 2008 (school administration); South Africa: Education Statistics in SA 2007 (access and enrolment), NA (school administration); Seychelles: Ministry of Education, 2009; Swaziland: CSO/EMIS 2007 (access and enrolment), Teaching Service Commission 2009 (school administration); Tanzania: Wizara Ya Fedha na Uchumi, Hali ya Uchumi waTaifa katika mwaka 2008, (219-222) Year June 2009 and Ministry of Education and Vocational Training, Basic Education Statistics in Tanzania (BEST)2004-2008, National Data, June 2008; Zambia: Year Education Statistical Bulletin - 2008, ZDHS 2007. Zimbabwe: EMIS Report Year 2006 and Census report 2002 (Statistics only available in terms of percentages) (access and enrolment), EMIS Year 2006 (school administration) and OSSREA(2000): http://www.ossrea.net/index.php?option=com_content&view=article&id=350. All figures cross checked with UN.

[1] Source: UNICEF (2010), 'In Angola, child-friendly schools bring new life to primary education' - http://www.unicef.org/infobycountry/angola_53656.html

School is not free! The introduction of school and other user fees in many countries at primary level discourages parents from sending children to school. Increasing levels of poverty have also witnessed a growing proportion of boys dropping out of primary school to become hawkers and traders, as their parents find this economically more beneficial in the short term than the long-term investment in an education. Girls may be taken out of school also to work as sellers, but more likely to help in the home, caring for family.

One of the arguments of educationists is that children's education should not be left up to discretion or family finances; rather free and compulsory primary education for all children would guarantee both boys and girls get at least basic literacy and numeracy skills. Most of SADC has free and compulsory education in place. The exception is Zimbabwe, which is neither free nor compulsory, and Namibia, which is free, but not compulsory.

However, it is obvious that free and compulsory is not an answer in itself, as there are still significant numbers of children out of school. The compulsory aspect is rarely enforced. Despite "free" education, many learners still miss out because families cannot afford school uniforms and supplies, or simply need another income earner or carer. In countries like South Africa, private education surpasses the resources of the state "free" education, and this means more privileged learners have better opportunities.

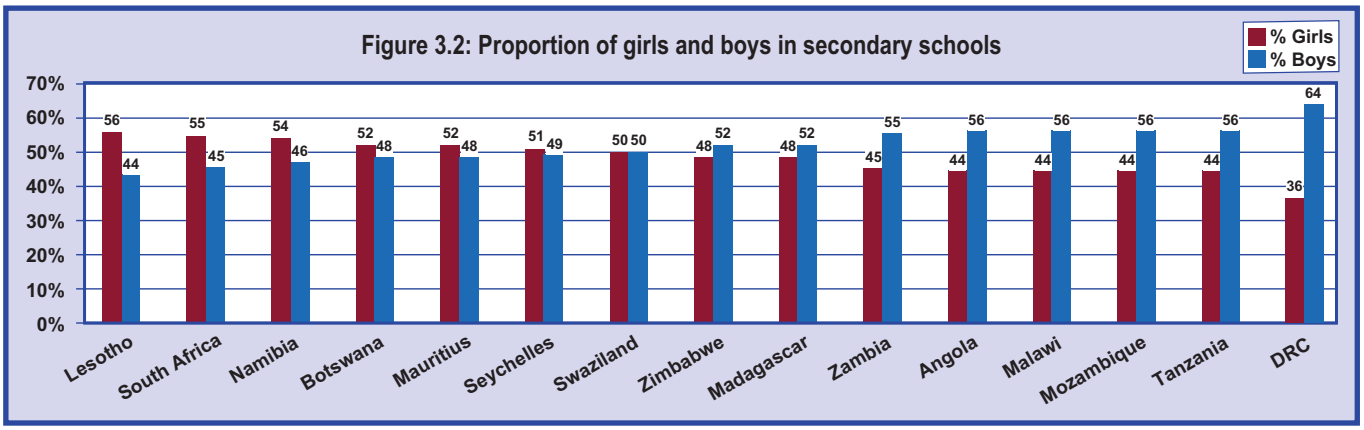
While the region should celebrate the achievement of near gender parity in primary education, there is still need for caution. Where there is a choice because of limited resources, girls are inevitably the first to be withdrawn. Given the currently worldwide economic situation and increasing calls from some corners for such things as user fees to help finance government activities, the tide can quickly change.

Undocumented children in Angola

One of the issues facing access to education in Angola is that the Angolan government does not currently permit education to undocumented children. Many children in Angola are currently undocumented, and fees for birth certificates and identification cards remain prohibitive for impoverished families. Furthermore, although education is free to documented children, families often face significant additional costs such as books, travel and meals. Gender based discrimination occurs frequently in Angola despite the fact that the government has put in place legal provisions concerning discrimination in employment and occupation.

(2008, Human Rights report, Angola, US Department of State)

Secondary school



Source: Gender Links. Compiled from in-country research reports - based on interviews, internet search and Ministries of Education documents. See Table 3.1 for list.

The gender gap at secondary level is narrowing: SADC countries differ from their counterparts in the rest of Africa in that the gender gap at secondary school level is rapidly narrowing. Indeed, as illustrated in Figure 3.2, Lesotho (56% girls) has a considerably higher proportion of girls than boys in secondary school as a result of boys herding cattle. South Africa, Namibia, Botswana, Seychelles and Swaziland have slightly more girls than boys in school, which is consistent with demographics.

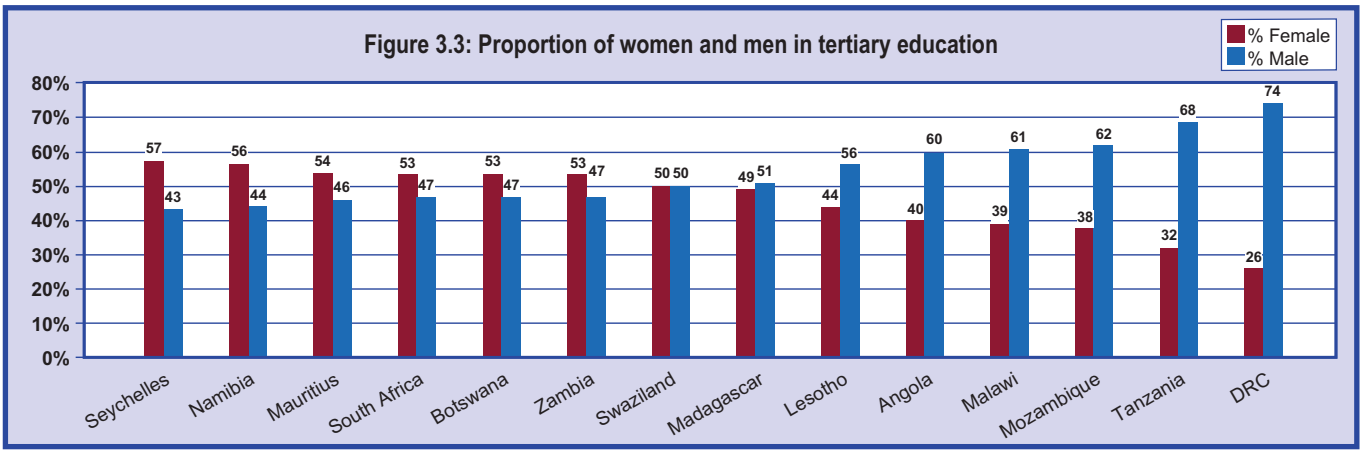
But in some countries, there is still a worrying gender gap in favour of boys: In DRC, only 36% of secondary school learners are girls. In Tanzania, Mozambique, Malawi, and Angola, girls comprise just 44% of learners. In countries like Tanzania and Malawi, 44% at secondary level compares to gender parity at primary level. Questions arise as to why girls are fewer at higher levels of education?

Free education at secondary level is rare: Perhaps a contributing factor is that at secondary level free and compulsory education is much rarer than at primary level. Secondary level education is free in DRC and Seychelles, and not so in Lesotho, Malawi, Mozambique, Swaziland, or Zimbabwe. It is not compulsory in any SADC country. In many countries, there are insufficient secondary school places for both boys and girls, and both sexes drop out at alarming rates.

A gender perspective provides insight as to why this is so: For boys, pressure to earn an income, for girls, family responsibilities and social stereotypes that undervalue girls' education are apparent. Rather, many are encouraged, or forced, to marry early, or if not, care for their parents and siblings.

High rates of teenage pregnancy in the region are also a factor of girls dropping out of school. Roughly one-third of all young women becoming pregnant by the age of sixteen, and the burden of care usually falls on the girl.

Tertiary level

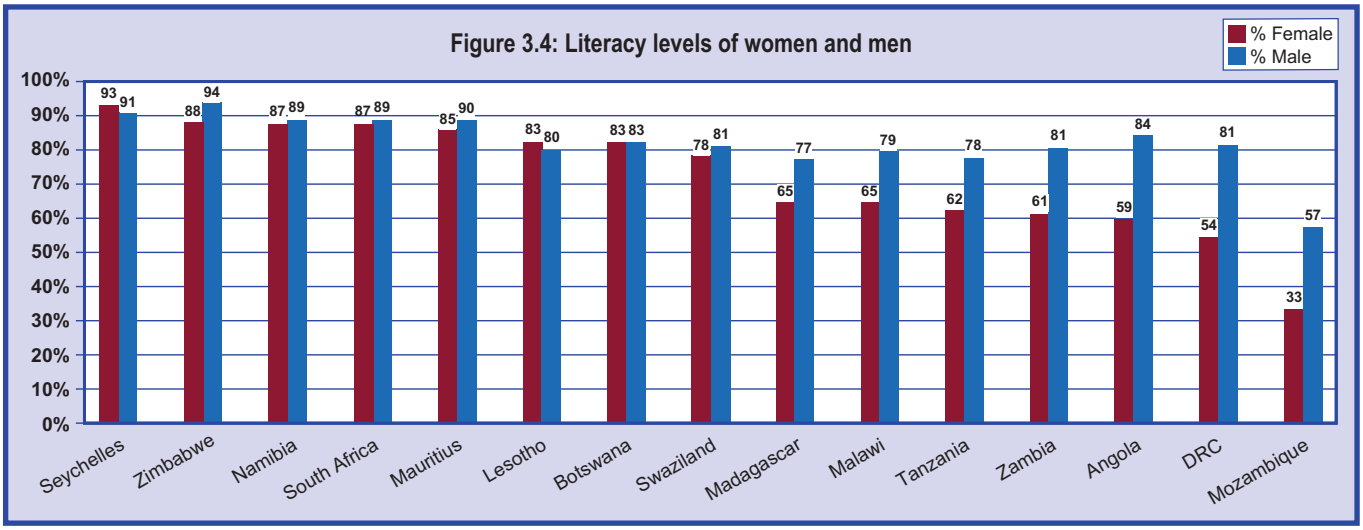


Source: Gender Links. See Table 3.1 for list of sources.

Higher proportions of women at tertiary education in five SADC countries: In almost half of SADC countries, tertiary institutions have equal numbers or more women, than men. Seychelles, Namibia, Mauritius, South Africa and Botswana have higher proportions of women than men at tertiary level.

But large gender gaps in others: However, there are large gender gaps in tertiary institutions in DRC (26%), Tanzania (32%), Mozambique (38%), Malawi (38%), and Angola (40%) show there are still worrisome trends in the region. This is especially important given that university education is the likely path to leadership positions, whether in business, governance, media or any other sector.

Literacy



Source: Gender Links. See Table 3.1 for list of sources.

Lower literacy levels for women in all SADC countries except Seychelles: Although not specifically referred to in the Protocol, basic literacy is a core issue. With the exception of Seychelles, women in Southern Africa have lower literacy levels than men. In some cases, the gap is very worrying, for example in Mozambique, only 33% of women are literate compared to 57% of men. Likewise, DRC, Angola, Zambia, Tanzania, Malawi, and Madagascar all have significant gender literacy gaps. The chart above reflects literacy rates in SADC countries, organised in descending order of literacy rates for women.



Girls often become full time care-givers. *Photo: Gender Links*

Quality of education

The Protocol not only speaks about enrolment and retention, but also specifically refers to ***quality*** education. Culture and tradition dictate that girls do more home chores while their counterparts (boys) are studying and waiting for food. The care work that society bestows on girls, which has increased with HIV and AIDS, means girls spend less time on studies, therefore affecting their performance and attendance. Further-more, girls often become not only care-givers, but also breadwinners for child-headed homes, especially where both parents have died from AIDS related illnesses. This can translate into lower pass rates and girls not benefiting as much as they otherwise would from education.



Girls would benefit more from education. *Photo: Gender Links*

Education sliding backwards in Zimbabwe

Over the years, Zimbabwe has been recognised as one of Africa's education successes. At independence, the country's literacy rate was 63%. In 1983, the government embarked on a programme to promote literacy, and by 1999, Zimbabwe's literacy rate was estimated at 97%, one of the highest on the continent.



Students share a laugh at the University of Zimbabwe. *Photo: Trevor Davies*

The government put in place measures to mainstream gender into the curriculum as well as allow for the retention of female students who fall pregnant in school. Although enrolment of boys and girls in primary and secondary school are nearly equal, in secondary and tertiary levels females become fewer. Universities have introduced affirmative action to facilitate more women entering universities.

Regrettably, the Zimbabwean crisis has not spared the education sector, which suffered serious setbacks because of hyperinflation, brain drain (as teachers fled into the Diaspora), lack of supplies, and massive outward migration.

Though there is a basic right to education, it is practically neither free nor compulsory at any level. Without specific policy measures such as funding to address the gender constraints that limit women and girls access to education and retention, the positive trends risk erosion.

Current education systems in SADC have little adequate means of addressing girls' special needs to remove obstacles to education, or the social pressure put on boys. Yet there are many potential strategies for addressing these imbalances. For the most part, this involves applying a gender perspective, in an attempt to understand how gender affects the region's education progress.

Funding mechanisms

Lack of resources keeps many potential students out of tertiary education. Recognising this, institutions, governments, and civil society organisations have created funding mechanisms to assist learners. To what extent are these equally open to male and female students? Moreover, do they attempt to redress some of the imbalances?

Like quotas in politics, affirmative action in financial assistance for higher education is a debated topic. Some argue that students should win support based on merit, not gender. Others argue that setting targets and quotas will ensure that women enter into the tertiary system, which will in turn mean a greater pool of likely candidates when it comes to leadership positions in the world of work. This argument also proposes that sometimes the multiple roles of girls, especially at secondary level, combined with

biased education systems, means that girls may underperform, a situation that can be corrected with the proper support.

A survey of countries demonstrates mixed approaches.



Angola: The Government of Angola through the Ministry of Higher Education, Science and Technology adopted a Social Action Policy for Higher Education, which is to regulate internal scholarships at this level. These can come in the form of a tuition waiver, accommodation, meals, subsidies or financial. Scholarships are designed to support enrolled Angolan students who are economically disadvantaged, based on their good performance. Internal scholarships are for students attending universities in Angola.



DRC: Study bursaries, when allocated, are the same for women and men, but a few private initiatives encourage women to go further in their studies. For example, the Catholic Faculty of Kinshasa awards bursaries to women for certain subjects (economics and development).

Lesotho: There is education sponsorship mainly by government through the Department of Manpower, which provides bursary loans for higher education/tertiary institutions that is equally accessible to boys and girls.





Malawi: Government and students share costs for higher education. In the University of Malawi, there are two categories of students; residential and non-residential. Residential students (both men and women) can apply for loans; there is no affirmative policy at loan allocation level. The fees go directly to the University, not the individual student. To date all applicants have received a governmental loan.



Mauritius: All funds are accessible to both women and men. There is a variety of Loan Scheme and Scholarships/prizes for students given by the Government of Mauritius, as well as banks, family trusts, private sector, and overseas organisations.

Mozambique: There are scholarships managed by the Institute of Scholarship under the Ministry of Education for people with no resources to pay for their education; they are competitive for both boys and girls. Public and private universities do offer scholarships for students, boys and girls.



The education policy states that girls from low-income families will be granted scholarship and supported to reduce their load of domestic work.

Namibia: The government provides annual bursaries to students who perform well. However, there are particular subjects that the government supports, like science, agriculture, law, geology and ICT. Access to these bursaries is open for both girls and boys, but since girls are not encouraged to take these subjects at primary and secondary levels, they cannot qualify for the bursaries.



Seychelles: Access to higher education happens in two modes. The first mode is after successful completion of post secondary education. Three post secondary institutions offer access solely based on results to higher education to students directly after successful completion of their studies. There is no gender preference; boys and girls have equal opportunity and access. The second mode is through government scholarships given to in-service employees. The policy is again clear that performance is the only criteria for selection and all indications are that this policy is rigorously applied.





South Africa: The legal framework provides for the same opportunities for women and men to benefit from scholarships and other study grants. The Constitution, education laws and the Equality Act prohibit discrimination in the awarding of scholarships and study grants. However, proving and challenging indirect discrimination that often masquerades as merit requirements, especially in research grants for academics, presents a challenge. The Further Education and Training Act, 1998 regulates further education, and addresses the advancement of women in further education as well as in previously male dominated fields.



Swaziland: The Ministry of Education assists needy pupils with bursaries for basic education. The government in 2009 allocated an amount of E130,000,000 (US$18,571,428) for this purpose. Which was an increase of E30,000,000 (US$4,285,714) from 2008 (approximately 23%).



Tanzania: There is a loan board for both men and women and is equally accessed depending on performance.



Zambia: There is bursary scheme for orphans and vulnerable children at secondary level; the grant for girls is 60% compared to 40% for boys. At university level students are sponsored 75% of the cost by government and equally accessible to both men and women.



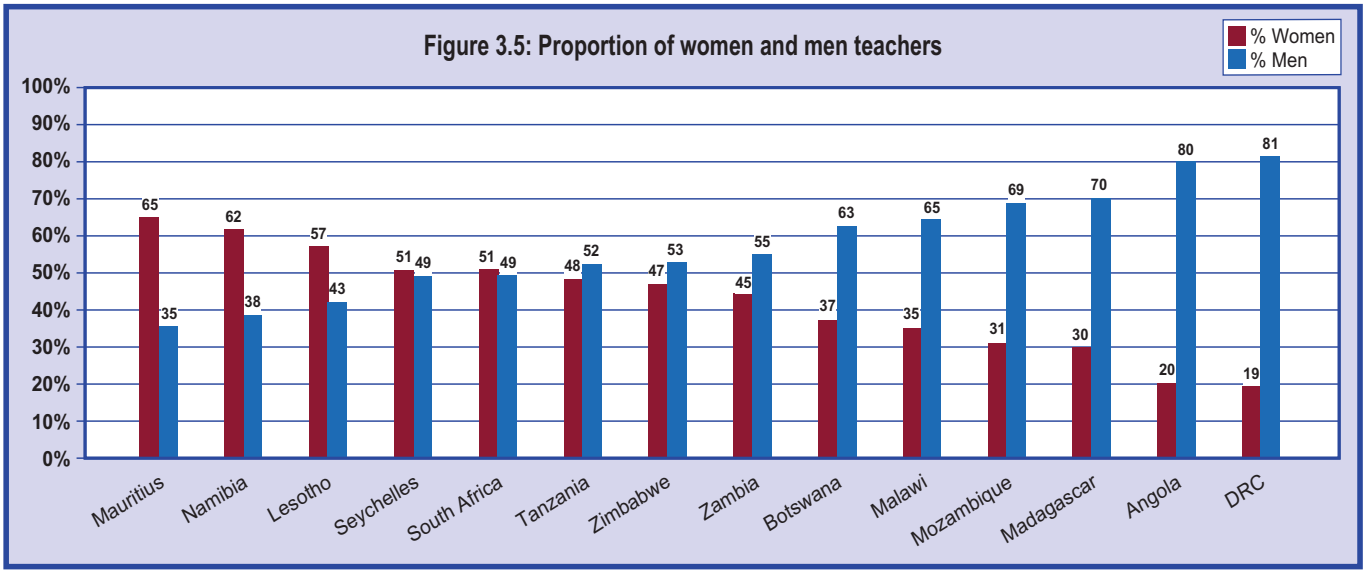
Zimbabwe: Tertiary students receive a government grant under the cadetship scheme; students can apply to upon admission. Tertiary students can also apply for scholarships for studies outside Zimbabwe from the Ministry of Higher Education.

Though most countries provide equal access to bursaries, there is little doubt that multiple roles and social stereotypes affect girls' access to such support in practice. It is then appropriate that the Protocol also addresses the need for addressing such gender stereotypes.

Challenging stereotypes

The Protocol requires that by 2015 state parties adopt and implement gender sensitive educational policies and programmes addressing gender stereotypes in education and gender-based violence.

Big variations in the proportion of male and female teachers: While data on school principals is incomplete, that on the proportion of male and female teachers is comprehensive. Figure 3.5 shows huge variations in the proportion of women and men teachers in the various countries. Seychelles, Mauritius, Namibia and Lesotho all have substantially more women than men in the teaching service. In Seychelles, South Africa, Tanzania and Zambia the proportion of women and men is close to parity. There are substantially more men than women in the teaching services of Botswana, Malawi, Madagascar, Angola and the DRC (19% women compared to 81% men). These figures do, however, require further interrogation:



Source: Angola, Botswana, Mozambique: UN Data. DRC: Annual statistics of primary, secondary and further education and informal education, school year 2006-7. Madagascar: MEN Statistical Yearbook 2007-2008. Malawi: Government of Malawi (2008) Education Management System, Department of Education Planning, Education Management Information System.

Gender balance in school administrations



Mauritius is one among four countries that are exceptions from the norm, where female teachers comprise 65% and male teachers 35%. Yet, when it comes to principals, the balance shifts the other way with 56% being male. Though this is near gender parity, when looked at in relation to the large number of teachers, it raises questions about why women are not moving from teaching to principal positions.

Seychelles: There are more female (51%) than male (49%) teachers but when it comes to principals and vocational school governing bodies the female proportion drops to 37% and 40% respectively. This reflects the absence of women in decision-making positions in schools.



Tanzania has virtually achieved gender balance within the teaching service, with a difference of only 5%. Yet, of the country's for which data could be obtained, Tanzania also has the lowest number of female principals (6%). This is probably related to the fact that Tanzania also has the second lowest number of females in tertiary education (32%), followed only by DRC (26%).



Across the region women are absent from the posts of principals and senior positions: Figure 3.5 shows that in the vast majority of countries there are fewer women than men in principal positions. The lowest numbers of female teachers in the region are in Swaziland (16%), the DRC (19%) and Angola (20%).

Gender imbalances in tertiary subjects

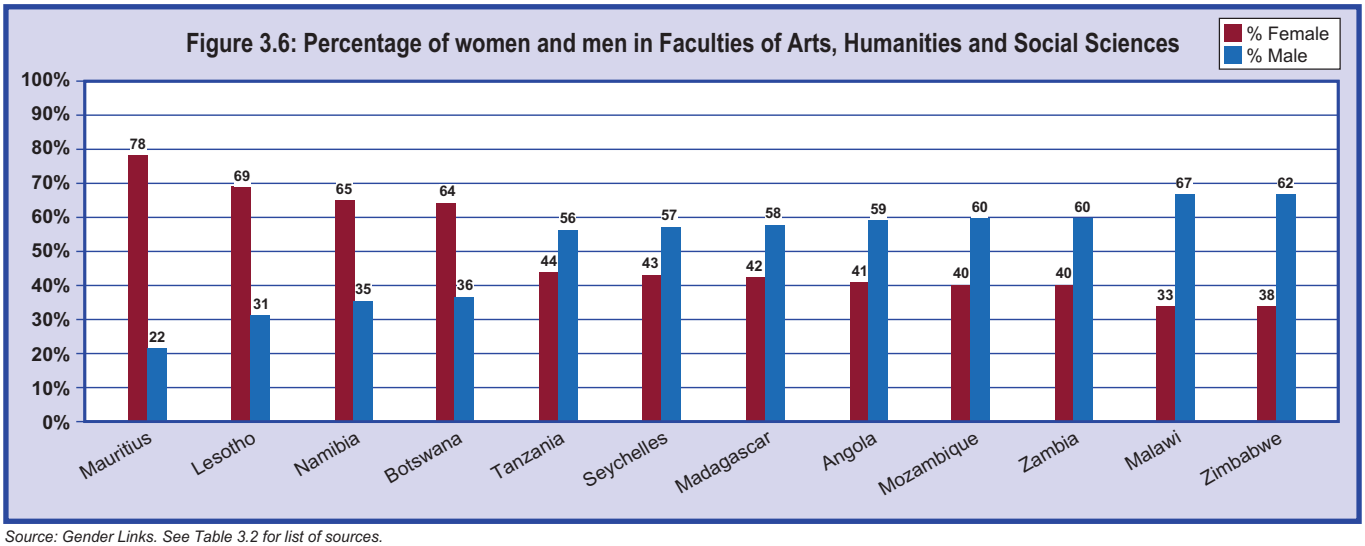
The data shows that women are best represented in the Arts and Humanities and in Health Sciences faculties, where nursing is incorporated. They are less often present within disciplines of Science or Law the world over. Gender stereotypes of this nature are certainly not new. In the region, the statistics are generally analogous. As children,

boys and girls learn that certain subjects are off limits to them. Consequently, as they grow up and pursue higher education and careers, these stereotypes continue. This also influences, if they are teachers, what subjects they may have the authority to speak on. The cycle continues when they, as role models, are living out the very same labels that were presented to them as children.

Table 3.2: Women and men in university faculties

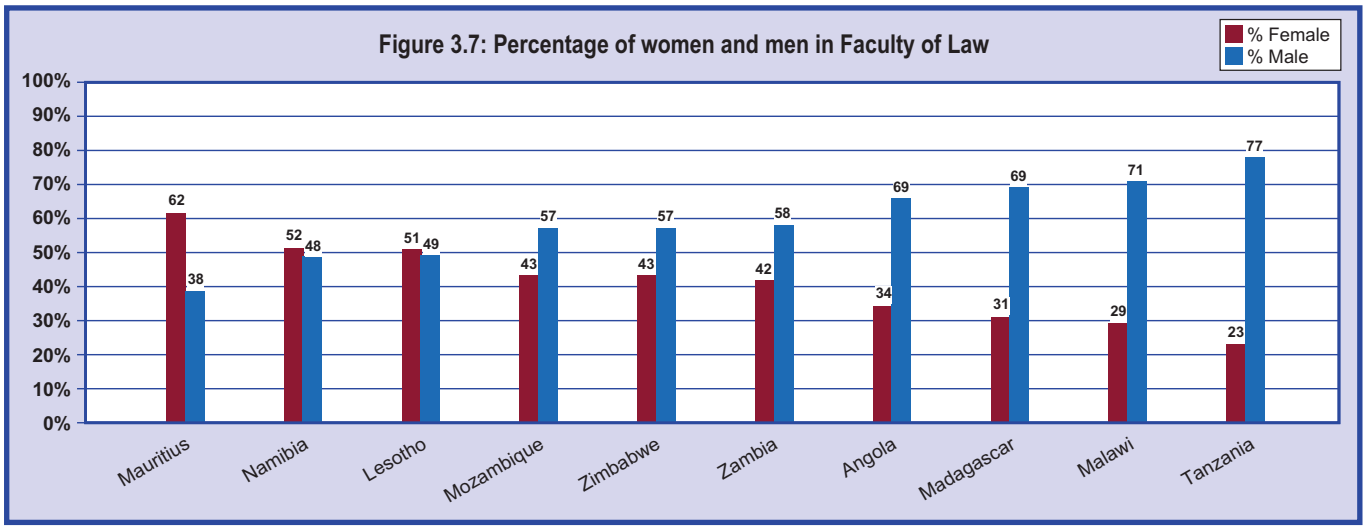
Faculty	Angola		Botswana		DRC		Lesotho		Madagascar		Malawi		Mauritius		Mozambique		Namibia		Seychelles		South Africa		Swaziland		Tanzania		Zambia		Zimbabwe	
%	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M
Year	1997		2006		2007		2008/9		2006/7		2009		2009		2007		2007						2007/8		2008		2008		2002	
Arts & Humanities Social Sciences	41	59	64	36			69	31	42	58	33	67	78	22	40	60	65	35	43	57					44	56	40	60	38	62
Science	40	60	28	72			26	74	33	67	37	63	59	41	23	77	39	61	34	66			27	73	30	70	35	65	76	24
Economic Sciences (& Law for Seychelles)	40	60	59	41			52	48	31	69							55	45	33	67			48	52	30	70			29	71
Law	34	66					51	49	31	69	29	71	62	38	43	57	52	48							23	77	42	58	43	57
Medicine/Health Services			55	45			58	42	31	69			59	41	49	51	77	23	34	66			56	44	33	64	33	67	33	67

Source: Angola, Mozambique: UN Data. Botswana: CSO 2006. DRC: Annual statistics of Higher Education 2006, 2007. Madagascar: Statistical Yearbook MENRS, 2006-2007. Malawi: Academic and Administrative Staff List; Chancellor College 2009. Mauritius: University of Mauritius 2009. Namibia: University of Namibia 2007. Seychelles: Ministry of Education 2009. South Africa: Education Statistics 2007. Swaziland: Report of Vice Chancellor 2007-2008 P116. Tanzania: Wizara Ya Fedha na Uchumi, Hali ya Uchumi waTaifa katika mwaka 2008, Year June 2009. Zimbabwe: Women and Men in Zimbabwe, Year 2002. Zambia: Year Education Statistical Bulletin 2008.



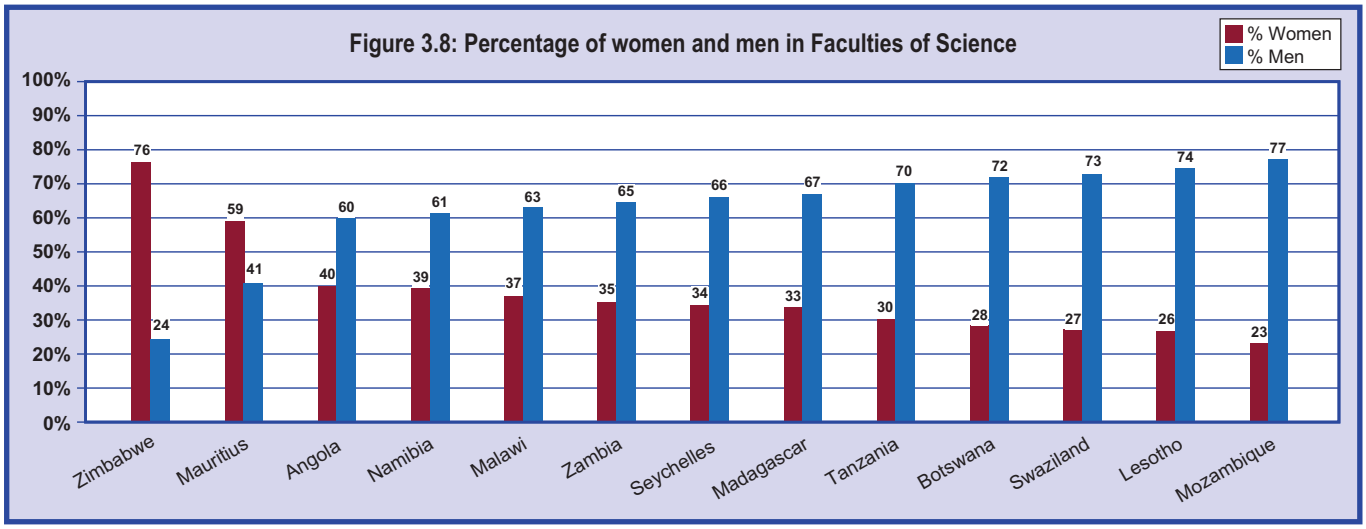
Source: Gender Links. See Table 3.2 for list of sources.

Women dominate in the arts, but not in all countries: In countries for which data could be obtained, and as reflected in the graph, women predominate in the arts, humanities and social sciences in most countries, but this is not universally the case. As demonstrated in the graph, men predominate in these faculties in Angola, Tanzania, Madagascar, Mozambique, Zambia and Zimbabwe.



Source: Gender Links. See Table 3.2 for list of sources.

Law is largely male dominated, but there are notable exceptions: In the majority of countries for which data could be obtained, law is largely male dominated, but there are interesting exceptions, such as Mauritius, Namibia and Lesotho, where there is almost gender parity between female and male enrolment in the Law faculty.

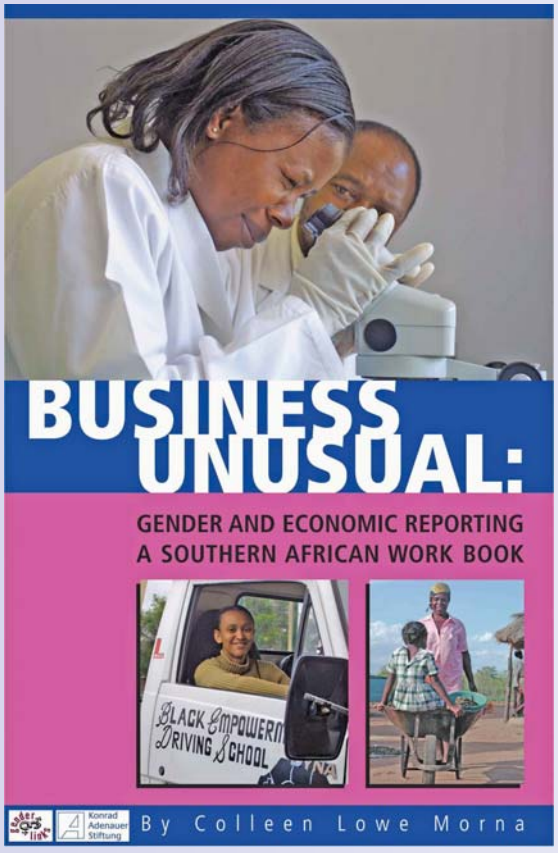


Source: Gender Links. See Table 3.2 for list of sources.

Women are under represented in the sciences, except for one country: The graph reflects the strong domination of men in the sciences, except in Mauritius, where women constitute 58% of those enrolled in the sciences.

Nature or nurture?

Some arguments propose that such compositions reflect the "natural" paths that women and men opt to follow. However, it is important to understand the social context. Even in early grades, girls start to believe that the subjects like maths and science are not for them, but for boys only. As they travel through their school career, such bias follows them, until they decide which professional course to pursue and studies to follow. As a result, they are socialised into choosing courses that they perceive as having a "feminine" identification.



While this gender stereotyping applies to both boys and girls, the affect is more detrimental to girls. The roles that girls are socialised into tend to be the lower end of the scale, usually lesser paid and with fewer available options.

For example, while the Seychelles does not actually have a university as of yet, there is information available about post secondary institutions. According to a senior official at the Ministry of Education, areas such as construction, engineering or maritime studies are considered male-related fields. This stems from societal beliefs. There are very few women doing jobs such as carpentry, masonry, auto-mechanics or working in and around ships. However, fields such as nursing or teaching are considered female-related fields and mainly girls opt for courses in those areas. Hence, the stereotype that women can do some jobs and not others is perpetuated. In addition, most of these stereotypes are based on whether "a woman can climb a ladder with bricks" or "hose down a ship."

In Mauritius at lower secondary level, boys and girls study the same subjects. At upper secondary level, they choose from more or less the same options in the science, economics and humanities streams. The offer of such options largely responds to demands made by students themselves. The exception is the technical stream. Design and Technology is offered in boys' schools whereas girls' schools propose Food Studies and Design and Textiles. However, in some mixed schools, for example, the Mahatma Gandhi Secondary Schools or some private secondary schools, boys and girls are able to study both Communication, Design and Technology and Home Economics, at least during the first two or three years of secondary. While, the same choice is given to both boys and girls in these above mentioned mixed schools, there is a noted tendency towards stereotypes, with only very few boys opting for Food Studies and only very few girls opting for Design and Technology.

Further data reveals that in Madagascar men are 70% of the senior professors and researchers *(Professeurs titulaires and Directeurs de recherche)*. In the Schools of Arts and Humanities and of Medicine, women are beginning to emerge as a majority at lower levels. In the Arts and Humanities, they are 57% of associate professors and researchers, and in the Medical School, women are 55% of senior lecturers, and 50% of assistant lecturers and researchers. It seems that women are currently making up for the previous situation of male/female inequality in education. However, they still seem to be inclined to choose the subjects that are considered "feminine," according to stereotypes.

Education policy

In some countries, it is only recently that official policies have changed to try to take into account gender diversity:



Malawi: Before 1994, Malawi education policies tended to discriminate against girls and to some extent boys. Primary schools, which offered home economics and needlework, denied girls the opportunity to study science. This policy discouraged girl child interest to pursue science related subjects. All such discriminatory policies related to choice of subjects have since been removed, and programmes initiated to improve and increase the number of girls taking science related subjects.



Mauritius: With the New National Curriculum Framework at the primary level in Mauritius, gender diversity is being reinforced. Both boys and girls study the same subjects and are exposed to the same pedagogy. All gender stereotypes have been removed from instructional materials to create a more enabling environment for self-esteem and personal development of both sexes. In the field of sports, activities traditionally reserved for boys are now open to girls through infrastructural facilities. More and more girls are training in traditionally "male" disciplines.

Tanzania: Pro-active initiatives increasing girls university enrolment

The Dar Es Salaam College of Education (DUCE) has a pre-entry science programme for girls, designed to encourage their continued science studies at the university level. Such programmes can mean that girls, who otherwise would have dropped out of the system, have a chance to further their studies, and improve their futures. The beneficiaries of the DUCE programme are those whose grades fall short for university admission under government sponsorship after their advanced secondary schooling.

A similar programme has been going on at the University of Dar es Salaam for several years and has proved successful, not only increasing girls' enrollment in science faculties, but the university as a whole. Though women still only represent just one third of students found on campus, the female percentage at the University of Dar Es salaam has rise from 16% in the 1990's to 26%.

Pupil enrolment ratio in primary school is almost 50/50, but this goes down at the secondary and university level. In many instances, this is because of the pressures of family responsibilities and lack of priority placed on girls' education. Multiple responsibilities often make it more difficult for girls to get the grades needed to proceed to university, which was the catalyst for the programme.
(Ministry of Education 2008)



Mozambique: the education policy recognises that there are significant differences in the participation of girls and boys in primary school. To promote equality and equity in accessing education, the policy states that a gender sensitive environment will be created through:

- identification and definition of organisational modalities of the educational process and changes in the training of teachers;
- developing a district school map to identify the optimum location for educational institutions;
- sensitising society to reduce the domestic work load of girls;
- promoting alternative systems of girls' education of girls; and
- establishing agreements with NGO, churches, and other partners for their involvement in execution of educational programmes for girls.



Tanzania's education policy is not quite as progressive, and on the subject of gender stereotypes, it is neutral. However, at implementation level, there are efforts made by civil society organisations to encourage girls to pursue science. For example, the former Ministry of Higher Education initiated a programme to award girls who perform well in the sciences. However, the country's economic reform has allowed an open market system and has reduced the efforts set up during independence and during the socialist ideology of expanding industrial activities. This has in turn reduced the success rate of the aforementioned programmes.

Curriculum, gender and education studies

Research and surveys can inform policies, programmes, and strategies. To achieve the



Young Malawian women leaners look to the future.
Photo: Frank Windeck

Protocol commitment of removing gender stereotypes in education, there first needs to be an understanding of where those stereotypes are. Just as important as the gender make-up of the teaching staff is the gender content and approaches to curriculum. Countries exhibit various degrees of progress when it comes to assessing their curriculum, which is really at the heart of ensuring a gender friendly education system.



Swaziland: There have been no studies conducted on gender and curriculum. However, the national curriculum centre introduced the continuous assessment programme in the early 1990's and the slogan for this programme was "Every Child is a Successful Learner." During the implementation of this programme the NCC staff was trained by UNICEF and partners to incorporate the Girl Child training programme.



Zambia: There are no known studies conducted in relation to the curriculum. However, the Standards and Curriculum Directorate recently held a symposium and some of the issues that arose during the symposium intend to address concerns in the curriculum development, especially the removal of stereotypes in the textbooks. Another issue is mainstreaming of gender in the curriculum to take gender to the level where it will be appreciated as a cross cutting issue.



Malawi: There have been a number of studies done by the Ministry of Education on gender and education. One such study was "Knowledge and Policy Formulation: Reducing Gender Inequalities in Education In Sub-Saharan Africa, Malawi case study.[2]" The study recommended the need to evaluate subject selection policy and curriculum and to enhance the capacity of girls to pursue science related projects.



Lesotho: No studies have been undertaken on curriculum on gender and education.



Mozambique: The National Institute for Development of Education (INDE) is the government institution responsible for developing curriculum and other studies concerning education in Mozambique, in particular for primary and secondary levels. At the time of writing this report, we did not have access to a copy of one, but were assured that a study was conducted.



Seychelles: Several studies have been carried out to understand the situation regarding gender in the education sector and these have been used to inform policy making:

- Directors and Heads of Units in Education followed a course in Gender Planning and Management organised by the Ministry of Administration and Manpower in December 1996, to allow them to integrate gender into planning processes. This had some positive results. Recent policy documents are gender responsive and recognise the differing needs of girls and boys. National Examination results and education statistics are now more systematically gender disaggregated so that the progress of both genders in education can be monitored and all disparities highlighted. Gender has been successfully integrated into the new Ministry of Education's Strategic Plan (ESP), initial teacher training programmes and major projects such as the school improvement programme.

(ICPD Report 2003)

[2] Center for educational research and training Esme Kadzamira (1998) Department of International Development

Example of gender stereotypes in educational materials, Zambia

The following is an excerpt of an old grade one English school reader book.

This is Jelita, Jelita is a girl. She is cooking nshima. Look at Mulenga, Mulenga is a boy. He is kicking the ball.

- The new Personal and Social Education (PSE) Programme, which is compulsory for all students, discusses family responsibilities and relationships in gender sensitive ways, not limited by traditional roles and tasks.

National curriculum offices and gender mainstreaming

It seems throughout the region, the first place change is taking place is within the books and education materials produced for schools. Changing the written discourse around gender is just the beginning. Hopefully, with continued efforts, these tools will create greater changes throughout the region.



Lesotho: The national curriculum office is working with UNICEF, UNFPA and UNESCO to mainstream gender into curriculum. This is meant to ensure gender is included under compulsory learning in social, personal, spiritual, and life skills education in formal and non-formal education in primary and secondary schools. The focus is on gender stereotyping, as well as gender laws and policies. A course offered relates to gender, sexual, and reproductive human rights, as well as interpersonal relationships. A Technical Education Sector Review meeting in Lesotho in March 2008 identified gender as an issue.



Malawi: The Primary Curriculum Assessment Reform (PCAR) process introduced subjects such as life skills, social studies and general studies. Gender is part of a module in social studies, and another module discusses promotion and respect for human rights. Civil society and human rights institutions are encouraged to work in schools to augment these courses.

Madagascar: The national policy expresses leaders' will to eliminate gender stereotypes. PANEF has set, among other operational objectives, translating gender non-discrimination into the curricula and textbooks. In addition, according to policies, teachers and school administration must observe the principles of equity and equal opportunities, and establish such relations with their students based on honesty and objectiveness.





Mauritius: Implementation of the Programme Based Budget is geared towards developing gender sensitive indicators to monitor gender gaps in learning achievement and developing appropriate strategies for gender differentiated pedagogy. Pending the finalisation of the National Curriculum Framework for secondary schools and the development of instructional materials, Pupils' Textbooks and Teachers' Resource Books for upper primary are being written where gender equality will be a high watermark.



Mozambique: Gender is being mainstreamed in the curriculum and in most school books gender is integrated.



Namibia: The institute for educational development is responsible for textbook development, review and syllabus to ensure that gender mainstreaming is built in.



South Africa: In 2010, 15 years after the official demise of apartheid, government estimates it needs at least 35 billion U.S. dollars just to fit all schools with the basics - classrooms, water, toilets and electricity. According to a report in Inter Press Service, teachers feel that when you teach pupils sitting on the floor with enrolment of over 60 pupils in one class, gender takes a back seat. Some school administrations do not even know how to deal with teenage girls getting pregnant; there is absolutely no sensitivity - let alone mainstream

Missing fences in Madagascar:

The results of a study conducted in a few educational districts in Madagascar show that some of the schools are rather old and dilapidated. Overall, they have problems with security of the students, because of the lack of fences, walls or hedges. Anybody can have access to the school grounds, and as the students are inside the classrooms during classes, those who happen to be outside face risks of different forms of external attacks, such as threats from shepherds or meeting with drunks. The situation is still more dangerous for girls when there are public paths across or around the school grounds. Passers-by may try to seduce girl students and/or make unpleasant remarks to them during sports.

(UNIVCEF/MENRS/FOCUS 2008)

gender equality in the curriculum[3]. However teachers in some secondary schools contend that curricula are becoming more advanced in promoting gender equality. There are many examples of text books and other resource materials that challenge stereotypes.

Swaziland: When developing new textbooks on the curriculum, a panel of experts assists with the audit of the new book. Gender sensitivity is one of the indicators that the panel must check for, as well as topical issues of abuse, disability and life skills.



Gender violence in schools

The Protocol earmarks addressing gender violence as part of implementing gender sensitive policies in education, with good reason. Gender violence is a huge issue within the SADC region. The reasons for this are many, and the extent to which it is recognised and addressed by government agencies varies.

The forms of violence vary, but generally revolve around rape or sexual abuse. The problem stems from gender inequalities between women and men, which then transfer onto girls and boys. Some other forms of abuse involve hitting, intimidation, verbal abuse and coercion to have sexual relationships with teachers. Bullying of girls by boys is a common phenomenon in schools and sexual abuse of girl children by teachers and other civil servants is extensive. Psychological abuse is another large problem, which unlike physical or sexual violence receives little attention. The violence touches everyone, including female teachers, workers, girl children and boy children. The following are some specific findings from the research:

GBV in schools is a major problem in most countries: Thirteen out of the fifteen countries report large-scale problems with gender based violence and sexual abuse in education facilities. Nations that have bypassed this trend are the Seychelles and Mauritius. In some cases, lack of adequate fencing around schools is cited as a leading cause of violence. For the rest, it is a far more complex problem, needing more than physical barriers to uproot.

About half of the SADC countries have conducted studies on the issue of gender violence in schools that could help the education sector understand and address the issue. The situation in different countries is as follows:

Botswana: No studies have been undertaken to investigate the extend of gender based violence in schools.



DRC: A study was conducted on gender dimensions of formal and informal education. This showed gender is not integrated into local associations and that reform must concentrate on thinking of a national policy that targets men and women.



Lesotho: No specific studies, but in some cases the issue is studied along other educational issues. The De Wet study reveals that sexual violence is a serious problem in Lesotho schools. The problem manifests gender inequalities and violence. Boys are the perpetrators and girls the victims of physical and sexual violence with about 11% of the respondents saying that pupils in their school had raped someone. 41% of pupils and 8% of teachers carry a weapon to school at least once a month.



[3] Inter Press Service: (2010): http://ipsnews.net/news.asp?idnews=50633



Madagascar: Violence in schools seems to be a main preoccupation among students in general, girls in particular. It is a deterring factor for going to school, and fosters relations of domination of boys over girls. *(UNICEF/MENRS/FOCUS 2008)*



Malawi: Safe School Programme (SSP) has assessed the prevalence of school-based gender violence and piloted intervention programmes in selected schools across the country. The study revealed inter alia that there is insufficient curricula and training related to prevention of gender violence; lack of institutional response; and lack of awareness, prevention and reporting by community members and parents; and lack of support services for survivors. USAID research focusing on school related gender based violence in Malawi reveals that gender violence is prevalent in most learning institutions. Such violence takes place in the school, on the school grounds, and when students are going to and from school or in school dormitories. Teachers, pupils or community members perpetrate such gender violence, and both girls and boys report such abuses. Most students reported verbal sexual abuse, pregnancy from relationships with teachers or male peers, as well as intimidation, threats, and coercion to have sexual relationships with teachers, along with outright rape.



Mauritius: A study carried out on discipline problems in schools related to both sexes addressed the problem of violence in schools and did not relate solely to gender based violence. Some factors contributing to discipline problems included:

- Lack of communication among family members or a lack of parental control over their children.
- Peer influence.
- Socio-economic factors.
- An absence of a guiding policy from the concerned Ministry.
- The psychological development of adolescents.
- A lack of awareness of existing laws.

Mozambique: A report revealed that sexual abuse in schools is among the social problems affecting Mozambican society, and that this is the main cause of HIV and AIDS infections among girls. It reveals that 6.6% of the girls interviewed reported forced sexual relations. According to this report, the prevalence of forced intercourse among girls in secondary schools is 8.7% and 7.3% in primary schools.





Seychelles: As of yet gender based violence in schools has not been the basis of any in-depth enquiry. This may be because gender based violence in schools has not been recorded on a frequent basis.

South Africa: There have been several studies. One, the Human Rights Watch report *"Scared at School"* highlighted girls' vulnerability to rape from teachers and classmates as well as in dating relationships. The report criticised schools in particular as perpetuating the insidious cycle of domestic violence. In 2006, the Centre for the Study of Violence and Reconciliation Gender based Violence Programme conducted a study with adolescent girls between the ages 13-17 that suggested that efforts to address violence against adolescent girls in South Africa are not a priority. Findings from 17 focus group discussions with adolescent girls at nine Gauteng schools suggest that minimal to no intervention efforts are underway at schools or in communities.



Swaziland: In 2003, the Ministry of Education conducted a study revealing that sexual abuse was high, but not reported. The perpetrators were mostly male uncles and teachers. The report found that this type of abuse was not reported because other teachers feared upsetting relationships and friendships within the staff room. Further, the study found that physical abuse was reported, as the



wounds were visible which eliminated the aspect of privacy.



Tanzania: A study was conducted by USAID/ Health Policy Initiative in November 2008, but was inconclusive.

Many schools in Southern African are fertile breeding grounds for potentially damaging gender practices that remain with pupils into adult life. Girls learn to accept the battery and assault, while boys, by contrast receive tacit permission to continue with the violent behaviour, because their violence is not condemned or interrupted. Across the region, institutions of learning are far from safe.

Children are at risk while at school, after school with teachers, in school dormitories or on their way to and from school. Within the confines of the school grounds, classmates or teachers may abuse them. In some settings where fences or walls are not in place, they are at risk from outside trespassers. Children are also often victims of rape or assault on their way in or out of school.

There is often a disconnection between the views of officials on the subject, and the situation experienced by children, families and teachers. Botswana is a nation that aspires to be "compassionate, just and caring" and "moral and tolerant" as declared in Vision 2016, yet has wide-scale physical abuse of children by teachers. In Lesotho, where educational officials have claimed that learning institutions are generally safe, research suggests that sexual violence is not only taking place, but is a serious problem that needs to be addressed. Often, even if officials acknowledge that gender violence is occurring, there is a lack of data.

Is safety an island of its own?



On a positive note, institutions of learning in the ***Seychelles*** are safe. Legally, the Education Act and school policies protect students. Most of these policies focus on issues of gender equity and gender sensitivity in instruction. Physically, there are systems and rules in place that ensure that children are watched over at all times. Additionally, schools are fenced and gated and are provided with security personnel. There have been a few cases of violence in schools over the last decade but these are rare and considered exceptional. They have been dealt with promptly and swiftly when they do occur.



Mauritius also takes gender violence in schools seriously, addressing the problem on a social, institutional and legal level. While there are a few intermittent cases of violence, overall the country is doing well. In Mauritius, it is believed that the very essence of education is to further equal opportunities for all and avoid non-discriminatory measures. Sensitisation campaigns on gender violence and violence against children occur on a regular basis in schools. The responsibilities, involvement and collaborative efforts of the school personnel, students and families also act as a stimulus in maintaining a safe school environment for both sexes. This is as much an externally imposed policy as an internal administrative affair.

There are problems of enforcement in all the SADC countries: All SADC counties have some form of protections for learners, and only two, Lesotho and Swaziland, do not have any specific provisions to eliminate gender violence in schools. However, the problem usually lies with enforcement. Across the region, while there are relevant policies and legal protections against gender violence, action against the perpetrator is rare, even when reported.



DRC: In theory, safety is guaranteed but in practice, this is not the case. The law forbids sexual harassment, but there are still teachers and education professionals who abuse their power to exploit students. In some remote areas, girls undertake cleaning jobs for their teachers, and their presence in personal spaces makes them vulnerable to exploitation.



Namibia: Sexual relations between teachers and learners are prohibited and any teacher who breaches this faces losing their jobs. Teachers found guilty cannot teach for eight years, after which if they want to return, they need to reapply. However, there is evidence of some parents protecting teachers found to be having sexual relations with learners because they see them as a source of income. There are also cases where learners do not reveal the identity of the father to protect him from losing his job.



Lesotho: Perpetrators of GBV are generally dealt with under the Sexual Offenses Act of 2003. Teachers and principals are disciplined in line with the provisions of the Code of Conduct of Teachers (Lesotho Education Act No. 10 of 1995, Article 48[g]) which states that a teacher commits: "... a breach of discipline and is liable to disciplinary proceedings and punishment' if he/she '... conducts himself [sic] improperly in his [sic] duties as a teacher." The Codes cited above address the issue of teachers molesting students; however, interviews reveal enforcement is poor.



Mozambique: There is no standard treatment. Some perpetrators are transferred to other schools, some are brought to justice, and in other cases, action is taken. There is the issue of proof to indict the perpetrator. The law is clear on the treatment for such cases, but the handling of the process does not always follows the normal procedures. Maputo and Beira, according to the study, are the two cities that registered less cases of sexual abuse in schools, while in other provinces the rate is higher. This may be due to less law enforcement in the other provinces.



Malawi: Government employees are regulated under the Malawi Public Service Regulations (MPSR) and in cases where they are found guilty of malpractice they are subjected to interdiction and dismissal. The MPSR regulates disciplinary conduct of government-employed teachers but this does not extend to private schools, which appear unregulated. Government has come up with a code of conduct for teachers but there is a lack of awareness and enforcement. A study by Leach, Kadzamira and Lemani (2003) in Malawi provided evidence of teachers engaging in sexual misconduct with pupils in the three schools involved in the study. Little disciplinary action was taken by the authorities. Many cases go unreported and are condoned by school personnel, sometimes with the consent of the girl and her family. However, the greatest daily threat of gender violence to girls came from older boys in the school, who often engaged in aggressive behaviour and sexual harassment. Girls were also accosted by older men (sugar daddies) around the school and in the community, seeking sex in exchange for money or gifts.



Seychelles: All students are to be treated equally and fairly. Any violence against children, be it gender based or otherwise is punishable by law. There are clear policies regarding molesting any student, male or female. A teacher found guilty of such an offence, faces dismissal or court proceedings, depending on the findings of an enquiry.



Tanzania: SOSPA is binding to every perpetrator.



South Africa: The Employment of Educators Act states that it is a dismissible disciplinary offence for an educator to engage in sexual relations with or sexually assault a learner. While the government has progressive policies to address violence in schools and

gender based violence in the educational system, the problem remains one of enforcement and the creation of a human rights culture in the education system specifically and in society broadly.



Madagascar: Teachers are liable to punishment under the Penal Code, depending on the nature and seriousness of the violence committed. Possible forms of punishment include forced labour, imprisonment, loss of civil rights, fines, etc. Moreover, such teachers are liable to professional punishment, including salary suspension, demotion or even dismissal from the civil service.



Swaziland: When the Ministry of Education investigation office receives a report, they dispatch officers to the school to investigate. These officers are trained in gathering evidence required for successful disciplinary purposes by the Teaching Service Commission (TSC). If a teacher is found guilty they are dismissed from service. The TSC report of 2006 confirms this, reporting with concern the increase in the number of dismissals due to being found guilty of having intimate relationships with students.

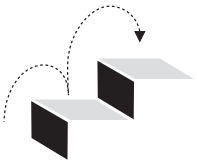


Botswana: In 2005, the Botswana Girl/Boy Education Movement (G-BEM) was formally launched to coincide with the end of the 16 Days of Activism Against Gender based Violence. G-BEM advocates for a child-friendly, gender-sensitive rights-based environment for children in - and out - of school. This initiative is a collaborative effort of the Ministry of Education, the Women's Affairs Division, UNICEF and the Girl/Boy Child Network, a conglomerate of civil society organisations concerned with issues of the girl and boy child.

Zimbabwe: The Ministry of Education has come up with a statutory Instrument SI 1/2000 that seeks to regulate the con-duct of teachers in relation to gender based violence in schools. According to this, all



intimate relationships with schoolchildren by teachers are improper associations, even if the child in question is over the age of consent. Where allegations arise, teachers face disciplinary action from the Ministry. In addition, where the child in question is below the age of consent, the Ministry will lodge a criminal offence. Once found guilty, a teacher may face discharge. However, one of the biggest challenges is with parents who consent to marriages between the teacher and their child, which results in the charges being dropped or not being pursued.



Next steps

Although the gender gap in education is closing, any gap has far-reaching impact on gender equality. Educated girls are less likely to be exploited, fall victim to trafficking and to become infected with HIV. Girls' education creates a positive cycle. Educated mothers are more likely to raise educated children *(Plan 2008)*.

According to a report published by Plan International, "investment in girls' education will deliver real returns, not just for individuals but for the whole of society" *(Plan 2008).*

Primary education

This calls for key, targeted policy measures including:

- Reviewing policies on school fees and, where feasible, making education free and compulsory (Tanzania, for example, has reverted to a policy of free and compulsory education);
- Ensuring all learners have access to learner support materials and that these costs do not prejudice access to education by boys and girls;
- Special funds and scholarships, with specific gender targets appropriate to the particular country, to assist learners from disadvantaged backgrounds;
- Monitoring enrolment and retention to ensure gender balance; and
- Engaging with parents on the benefits of educating boys and girls.

Secondary education

This raises a number of issues:

- ***Sex education in schools:*** Although schools are now introducing sex education in some countries, this is confined to the classroom, without involving parents. Some teachers believe they are being asked to assume parental responsibilities. The issue is controversial, especially in conservative communities. It needs far more integration into the whole school development approach.
- ***Reproductive health facilities*** *for boys and girls:* Adequate reproductive health facilities do not accompany sex education in urban, let alone rural areas. This issue needs addressing, together with those responsible for health facilities.
- ***Blaming girls:*** The issue of teenage pregnancies in schools is discriminatory. Young girls usually bear the entire consequences, without the boys who father the children called on to take responsibility or share the burden. While it may not be practical or economically desirable for both young parents to drop out of school, the school has a responsibility to a) take a stand against the stigmatisation of girls who fall pregnant b) emphasise the responsibility of young men who father children c) provide psychological and practical support to the young parents.
- ***Girls who fall pregnant while at school resuming their studies:*** Although theoretically in most SADC countries girls who become pregnant at school are free to continue and/or return to school, in practice they are stigmatised or expelled, and seldom complete their education. Schools have a responsibility to ensure that the girls who become pregnant while at school receive the practical and psychological support they need to return to school and complete their studies. In Botswana, for example, one school provided childcare facilities for young mothers wishing to continue their education. Evidence suggests that the physical presence of this facility at the school, and the burden of parenting while completing ones studies, deters the number of learner pregnancies at the school.

Tertiary education: Narrowing the gap requires some concerted strategies, including:

- Targets and timeframes for achieving gender parity in vocational and higher education;
- Supporting measures, such as affirmative point systems, scholarships and special funds for girls;
- Gender sensitive career guidance; and
- Special incentives for girls to enter non-traditional areas of training including partnerships with the private sector and parastatals.

Literacy

There is need to increase literacy drives for both men and women with targeted approaches to adult basic education to bridge the gender gap. Such literacy initiatives need to take into account the responsibilities that women and girls continue to shoulder in the home, especially related to approaches to learning, scheduling of classes and relevance of teaching material.

This calls for:

- Increased awareness raising campaigns, specifically targeting rural women and girls;
- Equal access of girls in institutions of learning, and additional resources such as books; and
- Eradicating gender stereotypes.

Gender violence in schools

There is a need to launch a campaign against sexual, physical and emotional abuse in schools. This should comprise a holistic approach with implementation of prevention, reporting and response activities to school violence and development of community action plans. Clearer links between education policy and the national legal and regulatory framework must be established. More awareness is required especially of the parents and guardians not to compromise at home, and to follow up with these tracking processes.

More in-depth studies should be undertaken at all levels of the educational system, to determine the causes of gender violence in schools: perpetrators, victims, etc. The results should be used to identify and decide on measures to be taken in future efforts.



"Ntkozo" *Anushka Virahsawmy*

CHAPTER 4

Economic Justice

Articles 15-19

KEY POINTS

- Women constitute 23% of economic decision-makers in SADC member states, up from 18% in 2009. In some countries this is considerably lower, for example in Mauritius there are no women in economic decision-making. There is only one women finance minister (in Namibia) in the SADC region.



Women working at a construction site in South Africa. *Photo: Gender Links*

- Time use studies have only been conducted in four out of the 15 SADC countries.
- Trade policies are mostly gender blind. Only a few procurement policies make specific reference to women.
- Business women in South Africa are using the gender protocol to benchmark progress in achieving gender parity in the private sector.
- Women still struggle to access credit although most SADC countries now have programmes of one kind or the other to assist women in accessing credit.
- Women continue to predominate in the informal sector.
- Figures on land ownership are patchy, but range from 11% to 46% (in Botswana). However the land holdings of women are much smaller than those of men.
- The Zambian Ministry of Lands is setting a good example with gender disaggregated data on land distribution aimed at ensuring that at least one third of all new land holdings are allocated to women.
- There are huge gaps in the per capita income of women and men. For example in South Africa the per capita income of women is 45% that of men.
- All SADC countries have maternity leave but only 40% have paternity leave.
- A regional gender budgeting network led by the Zimbabwe Women's Resource Centre and Network (ZWRCN) that coordinates the Alliance economic cluster aims to ensure that women and men benefit equally from government expenditure.
- GL and the ZWRCN have been training journalists in the region on the economic provisions of the Protocol. Stories produced to date have a strong focus on how these provisions relate to major events like the 2010 Soccer World Cup just undertaken.

"Women are one of Africa's greatest assets. To many of us, this is self evident. But they are an asset too often taken for granted. This is not only unjust, but deeply damaging for the continent's prospects. For Africa's political, social and economic health and progress depends above all upon the empowerment of her women."
- Graca Machel.

SADC is an economic regional grouping. It is therefore no surprise that some of the most far-reaching provisions of the Protocol relate to productive resources and employment.

Despite widespread acknowledgement of the links between economic development and gender equality, and the number of international and regional commitments that governments in SADC have made towards equality, many challenges persist. Few countries consider gender dimensions in economic policies, budgets, trade, work and business, and few policy and decision-makers understand the extent that gender inequalities harm development.



Traditional economic perspectives are very narrow. Conventional macro-economic policies and perspectives are gender blind, failing to recognise that:

- Women's potential contribution to economic development is systematically discouraged, adversely affecting the economic health of the region;
- Women's contribution to the economy is systematically underestimated;
- There is an informal and hidden economy made up mostly of women;
- There is an unpaid care economy in which women do most of the work of maintaining the labour force and keeping the social fabric in good order, maintaining social cohesion, civic responsibility and good neighbourliness; and
- Non-market processes contribute to the "healthy functioning" of the economy.

The lack of recognition of women's work leads to lack of public investment in the areas where women are concentrated, such as the informal sector employment, rural subsistence production, domestic "reproductive" work or the care economy and voluntary community work. Gender insensitive policy choices marginalise women, reinforce poverty and result in the failure to exploit this powerful human resource. Economic empowerment for women is not just about spending power. Economic empowerment means more opportunities. It can mean keeping children in school, getting health care, and even the option to leave unhealthy or violent relationships.

In SADC, ensuring women's access to productive resources, employment and economic empower-ment requires specific and focused attention to reviewing current economic approaches, and allocating budgetary resources for education, training, skills and the entrepreneurial development of women. These are necessary to improve the lives of aspirant business women and to promote the overall economic empowerment of women. In order for this to occur in a measurable and sustainable manner, a strategic rethinking of frameworks of fiscal policy, public finance, debt sustainability, trade reform and access to credit and land is critical.

Increasingly, fiscal, mone-tary and empowerment policies are no longer the sole preserve of SADC policy makers but are becoming interlinked with multilateral trading system, global finance and global macro-economic arrangements.

Unequal access to, and control over productive resources and social services such as health and education; skewed distribution of remunerated and unremunerated work; and inadequate support for women's productive activities and entrepreneurship are some of the major causes of the number of women living in poverty. Women often struggle to access property and resources, especially where customary practices prevail on their rights and liberties. Gender budgeting initiatives have yet to fully take root in the region.

The Protocol contains a number of important articles relevant to economic justice and empowerment. It provides that State Parties shall by 2015:

- Ensure equal participation by women and men in policy formulation and implementation of economic policies;
- Ensure gender responsive budgeting at the micro and macro levels including tracking; monitoring and evaluation;
- Conduct time use studies and adopt policy measures to ease the burden of the multiple roles played by women;
- Adopt policies and enact laws which ensure equal access, benefits and opportunities for women and men in trade and entrepreneurship, taking into account the contribution of women in the formal and informal sectors;
- Review national trade and entrepreneurship policies, to make them gender responsive; Introduce affirmative action measures to ensure that women benefit equally from economic opportunities, including those created through public procurement processes;
- Review all policies and laws that determine access to, control of, and benefit from, productive resources by women; and
- Review, amend and enact laws and policies that ensure women and men have equal access to wage employment in all sectors of the economy. It also provides for equal pay for equal work; eradication of occupational segregation; maternity and paternity benefits.



Women often do not own the land they work. *Photo: Trevor Davies*

Women and men in economic decision-making

The Protocol provides that state parties shall, by 2015, ensure equal participation by women and men in policy formulation and implementation of economic policies.

Politics and the economy are closely intertwined. Governments determine economic policies and practices, and economics gives power to those in leadership positions. There are quantitative arguments for gender balance in representation in decision-making. Women have a "right" to representation. But there are also qualitative arguments for balance. Although women are not all the same, there are certain issues that they feel more strongly about than men because of their lived experiences. It is governments that plan for development, and allocate the needed resources to make these plans happen. Economic justice starts with ensuring that these resources and strategies adequately serve these needs.



Gender benders in Madagascar... a business woman puts her feet up. *Photo: Colleen Lowe Morna*

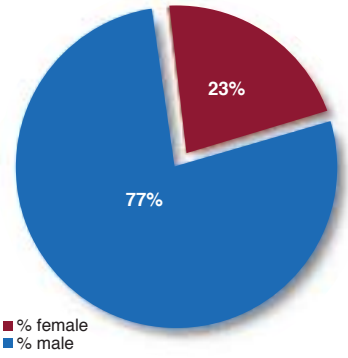
Table 4.1: Women and men in economic decision-making

	Angola		Botswana		DRC		Lesotho		Madagascar		Malawi		Mauritius		Mozambique		Namibia		Seychelles		South Africa		Swaziland		Tanzania		Zambia		Zimbabwe		Total F	Total M	% F	% M
	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M				
			2009				2009		2008				2009		2009		2009		2009		2009				2009				2009							
Minister of finance		1		1		1		1		1		1		1		1	1			1		1		1		1		1		1	1	14	6%	94%
Deputy minister of finance	1	2		1		1	n/a	n/a		1		1	n/a	n/a		1		1	n/a	n/a		1				1	1				2	10	17%	83%
Permanent secretary/DG						1		1	1			1		1		1		1		1		1		1		1		1		1	1	12	0%	100%
Minister of Economic Planning	1					1				1		1		1		1				1		1		1						1	1	9	10%	90%
Deputy Minister of Economic Planning		1										1	n/a	n/a		1			n/a	n/a											0	4	0%	100%
Permanent secretary/DG			1									1	n/a	n/a	1					1				1		1				1	2	6	29%	71%
Minister of Trade and Industry	1	1		1		1		1		1	1			1		1		1		1		1	1		1			1		1	5	12	29%	71%
Deputy Minister of Trade and Industry		2		1				1		1		1	n/a	n/a	n/a	n/a	1		n/a	n/a	n/a					1		1			1	9	10%	90%
Permanent secretary/DG								1				1		1	1			1	n/a	n/a		1		1	1			1	1		3	8	25%	75%
Governor of the central or reserve bank		1	1			1		1		1		1		1		1		1		1		1		1		1		1		1	1	14	8%	92%
Deputy Govenor of the reserve bank							1			1	1		n/a	n/a	n/a	n/a		1	1			1	1			1		1	1	2	5	7	42%	58%
Other key persons in decision-making	1[1]	5[2]	2[3]	1[4]	1[5]		2[6]	5[7]	2[8]	8[9]				4[10]			1[11]	3[12]	1[13]	2[14]	3[15]	2[16]	2[17]		1[18]	4[19]	2[20]	3[21]	4[22]	12[23]	22	49	32%	68%
TOTAL	4	13	4	5	1	6	3	11	3	16	2	9	0	10	2	6	3	9	4	9	3	10	4	6	3	11	3	10	6	20	45	151	23%	77%
PERCENTAGE	24	76	44	56	14	86	21	79	16	84	18	82	0	100	25	75	25	75	31	69	23	77	40	60	21	79	23	77	23	77				

1 Minister of Planning
2 Minister of Public Administration, Employment and Social Security; Deputy Minister of Public Administration, Employment and Social Security; Minister of Commerce; Minister of Geology and Mines; Minister of Petroleum
3 CEO Botswana Tourism Board, CEO BEDIA
4 Minister Of Labour and Home Affairs
5 Portfolio Minister
6 Economic Advisor-Cabinet; Cabinet Sub-Committee
7 Ibid.
8 General Managers within the Ministry of Economy, Industry and Trade
9 General Managers within the Ministry of Finance (7); General Managers within the Ministry of Economy, Industry and Trade (1)
10 Minister of Foreign Affairs, Regional Integration and International Trade; Secretary for Foreign Affairs; Minister of Business, Enterprise and Co-operatives; Minister of Labour, Industrial Relations and Employment
11 Permanent Secretary/DG
12 Minister of Mines and Energy; Deputy Minister of Mines and Energy; Permanent secretary/DG
13 CEO - Seychelles Investment Bureau
14 Minister of Environment and Natural Resources; CEO - Seychelles International Business Authority
15 Minister of Public Enterprises; Minister of Mining; Deputy Minister of Economic Development
16 Deputy Minister of Public Enterprises; Minister of National Planning Commission
17 Swaziland Investment Promotion Authority – CEO; Federation of Swaziland – CEO
18 Minister of Natural Resources and Tourism
19 Deputy Secretary Minister of Finance; Deputy Minister of Natural Resources and Tourism; Minister of for Agriculture, Food Security and Co-operatives; Deputy Minister
20 Citizen Economic Empowerment (CEEC) DG; Permanent Secretary of Health
21 Citizens Economic Empowerment Commission (CEEC) Chairperson; Ministry of Health; Deputy Minster of Health
22 Minister & Permanent Secretary for Small to Medium Enterprises, Minister Regional Integration and International Co-operation, Minister of Labour and Social Welfare,
23 Permanent Secretary Regional integration, Permanent Secretary labour and Social Welfare, Minister & Deputy & Permanent Secretary of Mines, Min and Perm Secretary of Agriculture, Min & Perm Secretary of Tourism,

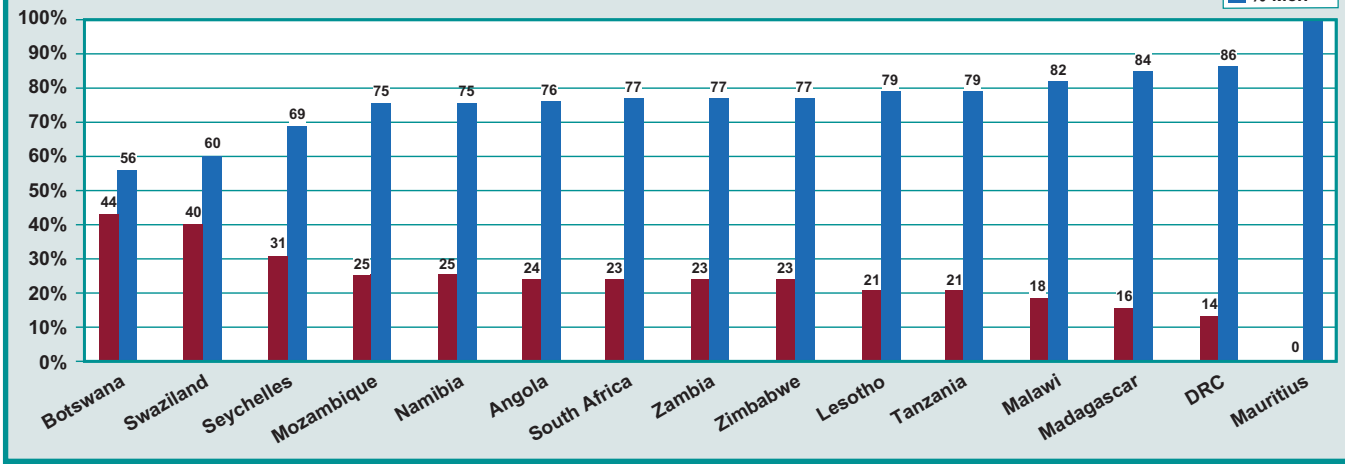
There has been an increase in women in economic decision-making: Table 4.1 shows that overall women compromise 23% of all economic decision-makers in governments compared to 18% in the 2009 Baseline Barometer (defined as minister and deputy minister of finance, permanent secretary/DG; minister and deputy minister of economic planning; permanent secretary/ DG; Minister and deputy minister of Trade and Industry; Permanent Secretary/DG; Governor and deputy governor of the reserve bank and other key persons). If women do not sit at economic decision-making tables, it is unlikely that they will feature strongly in economic policies. Although women's representation still falls short of the parity target, this forward movement in the year under review is commendable. Recognising women's current and prospective role in economic decision-making, or lack thereof, is the first step in creating real and sustainable change.

Figure 4.1: Proportion of female and male economic decision-makers in Southern Africa



Source: Gender Links. See Table 4 for list of resources.

Figure 4.2: Percentage of women and men in economic decision-making by country



Source: Gender Links. See table 4.1 for list of sources.

The graph shows that topping the list with the highest proportion of women in economic decision-making positions in the public sector are Botswana (44%) and Swaziland (40%). Seychelles (31%), Mozambique (25%) and Namibia (25%), are faring better than most, but still fall far short of gender parity. The rest of the region has a gross underrepresentation of women in economic decision-making. For example, Mauritius has no women at all in these positions.

Women in the private and parastatal sector are also under-represented. Available data shows that across the region, the top level of management in the private sector is male dominated. The following are some examples:



Seychelles: In the Seychelles the male dominance of large profitable companies covers all types of businesses: agriculture, construction, education, manufacturing, health and hotel industries.



DRC: In the DRC, there are just 23.6% of women at the head of businesses in the private sector, and 17% in the parastatal sector; three women as Board President and four as Director Generals.

(2008 Directory of The Congo Federation of Business)

Using the SADC Gender Protocol to benchmark progress in the private sector



The Business Women in ***South Africa*** *Women in Leadership Census 2010* quotes the SADC Protocol on Gender and Development as a benchmarking tool in its latest survey showing progress, but also significant gender gaps in the private sector. The report (http://www.bwasa.co.za/Portals/4/docs/BWACensus2010Report.pdf) begins by noting that the African Union has declared 2010-2020 the African Women's Decade. This is further reflected in the Southern African Development Community (SADC) members' commitment to ensuring greater equality for women in the region by 2015, as evidenced by the SADC Protocol on Gender and Development.



The report recognises the significance of the Protocol provisions calling on equal participation, of women and men, in policy formulation and implementation of economic policies and the need to adopt policies and enact laws which ensure equal access, benefit and opportunities for women and men in trade and entrepreneurship as a way of building sustainable development.

Against these targets, President Elect Kunyalala Maphisa notes that: "in 2004, 59.9% of the country's corporations had no female Board representation and, where women were included, they made up only 7.1% of the board members. This differs significantly today where 21.5% of the country's company boards have no female representation and 16.4% of directors are women. However, only 10.4% of CEOs and board chairs are female and women executive managers make up 19.3%. At present rates, South African women will only achieve 50% representation on boards in 2031 and at executive management level in 2050."

Key findings of the report include:

- While women make up 51.6% of the adult population in South Africa, only 44.6% of working South Africans are women. Even more telling is that women constitute only 19.3% of all executive managers and as low as 16.6% of all directors in the country. Although there is an ongoing trend of increasing numbers of women in leadership positions, the pace is slow and women remain significantly under-represented in top corporate positions.
- The percent of women on boards of JSE-listed companies has increased by 2.4 percentage points from 13.2 to 15.6 year on year.
- Women's representation has decreased marginally on the boards of State Owned Enterprises (SOEs) from 39.9% in 2009 to 36.6%. However, women are still far more represented on the boards of SOEs than those of the JSE-listed companies.
- Women hold 19.3% executive manager positions in South Africa compared to 16.9% in Canada; 13.5% in the United States of America and 10.7% in Australia.
- Of the 2 827 women executive managers in South Africa, 62% are white women. This is a drop of 4.2 percentage points. Black women, who constitute 46% of the population, account for 25.7% of women executive managers.
- Women executives are best represented in the Consumer Services and Financial categories. The most significant increases in the number of women executives is in the Technology and Industrials categories.
- In 2010, JSE-listed companies had ten women CEOs compared to eight in 2009; seven in 2008 and four in 2007. This shows that while corporations are making progress, this is still slow.

Moving beyond numbers the report notes that research on the "financial implications of gender diversity at the top" by Catalyst showed that Fortune 500 companies with the largest representation of women on boards and as corporate officers achieve higher financial performance.

The report concludes that "enhancing gender diversity at the board level raises the quality of discussion around the table. This has the potential to yield real improvements in the overall quality of governance which, in turn, will be reflected in company performance. Yet, despite this compelling business case for more women on boards, the pace of change is frustratingly slow." It advocates that additional measures must be put in place if we wish to achieve significant progress in the development of women in business.

Source: The BWA South African Women in Leadership Census 2010



Namibia: Of twelve parastatal organisations surveyed in 2002 in Namibia, only one of the CEOs was a woman; out of 64 senior managers, only seven were women; and at middle management, women constituted 42 out of the 269 managers.



Of 50 parastatals studied in ***Malawi*** with 423 employees, 86 (20.8%) were women. Of the 50 CEOs, four are women (8% managers). *(SADC 2002)*



Tanzania: At the level of top management in Tanzania, there is still low, even decreasing, representation of women. Privatisation has led to a loss of jobs for women.

There is a lack of adequate policies: Few countries have policies that encourage equal participation of women in economic policy-making and implementation. Exceptions are Malawi, Mauritius, South Africa and Zambia.

Examples of progressive policies



Zambia: The Zambian National Gender Policy recognises the need to promote equal gender representation at all levels of decision-making through affirmative action and empowerment. It talks about the empowerment and improvement of women's social, economic and political status. The policy states that the ruling Movement for Multi Party Democracy (MMD) took affirmative action as a way of appointing more women to senior management positions in various government institutions. The Fifth National Development Plan (FNDP) is another government document that seeks to ensure equal participation of women in policy formulation processes and the implementation of economic policies. The plan identifies the SADC Protocol on Gender and Development, a national gender policy, re-entry policy for girls who fall pregnant, free basic education, scholarships for vulnerable people and girls as some ways to empower women and girls. The plan further spells out measures to train women in entrepreneurship skills so they are able to engage in business and the economy. Other documents are the Education, Our Future policy and the Vision 2030 plan, which recognise that less access to education means women's participation in the economy has largely been restricted to petty trading, such as street vending and cross-border trading. Despite measures to involve women in economic and other decision-making positions, much needs to be done.



Shaking hands for equality in Zambia. *Photo: Frank Windeck*



Malawi: The gender policy makes provision for women to occupy at least 30% of policy and decision-making positions in the public and the private sector. *(The Gender Policy 2000-2008)*



South Africa: Several policies seek to ensure equal participation of women in policy formulation processes and the implementation of economic policies. For example, the White Paper on Affirmative Action in the Public Service says there should be 50% representation of women at all levels in Senior Management Services in the Public Service by March 2009. This figure has not yet been reached.

Gender budgeting

The Protocol provides that State Parties shall ensure gender responsive budgeting at the micro and macro levels including tracking; monitoring and evaluation.

Budgets are a government's most important policy instrument. They outline how much will be spent on health care, military or education, what taxes may be introduced, increased or decreased, strategies for increasing employment or access to housing, and every other activity of the government. Although budgets may appear to be gender-neutral policy instruments, expenditures and revenue collection can have different impacts on women and men.

Innovative gender-responsive budget analysis happening in many countries provides an approach to explore and highlight how these resource collections and allocations may differently affect both genders. It looks not only at funding levels for the various ministries, but also at spending priorities within ministries. This helps governments develop wise policies that contribute to the development of all of its citizens, helps ensure adequate funds are available for programmes they are developing, and acts as a marker for commitments to gender equality. A gender budget analysis, for example, might find that cuts in spending on agriculture fall most heavily on poor women farmers. Restoring the agriculture budget could increase household incomes, raise agricultural production and improve the quality of life of all villagers. By permitting better-targeted and more efficient use of government resources, advocates argue, gender budgeting benefits men and women alike. Since its introduction in Australia in the mid 1990s, gender budgeting has grown to become a well-recognised tool for strengthening accountability for gender equality and women's empowerment. It provides strategic entry points for bringing a gender equality perspective to economic policy making, national planning, budgeting and programming.

Gender budgeting initiatives are still rare but some governments are taking first steps: Although gender budgeting is still not wide spread, several countries reported the start of such initiatives. Some examples of initiatives led by governments include:



Tanzania is a pioneer of Gender Budgeting Initiatives (GBI) in Africa. The first phase, from 1997-2000, focused primarily on information collection, research and dissemination, and capacity building. The second phase of this process, starting in the year 2001, focused on influencing macro-economic policies and frameworks to adopt gender, while continuing its investment in data collection and capacity building of various budgeting actors. Additionally, gender budget training has been conducted with Members of Parliament (MPs).

The government has integrated components of transparency in its budgetary process and boards at local levels now display budgets. Furthermore, the process reached a point of influencing review of the local level budgetary procedures and timing by correlating it with the national budget timeframe. The budgetary process now begins at the local level by communities, women and men and youths executing the planning of their needs, budgeting for activities, setting priorities and then sending to local government for approval. One of the greatest impacts has been the recognition of the gender concerns in different sectors and the allocation of additional resources. *(URT Integrated Labour Force Survey (ILFS))*



Mauritius: The Ministry of Gender Equality, Child Development and Family Welfare (MGECDFW) and the Ministry of Finance and Economic Empowerment are collaborating in a pilot exercise to engender the Programme-Based Budget from 2010-2011. Eleven programmes and eight Ministries have been selected. The Budget Call Circular No 18 of 2008 requested ministries to provide clear information on the strategy, outputs, outcomes, indicators, targets and time frames for gender budgeting. At this stage, four of the ministries, MGECDFW, Education and Human Resources, Youth and Sports, Labour, Industrial Relations and Employment have already developed their sector gender policy as part of the Gender Equality and Women's Empowerment Programme of MGECDFW, supported by UNDP.



Malawi: The Ministry of Gender and Child Development (MoGCD) in 2005 initiated the gender budgeting initiative in the planning sector of priority ministries of Finance, Agriculture and Food Security, Health, Economic Planning and Development and Education. The programme is being facilitated with support from the Canadian International Development Agency (CIDA) and there are plans to extend its scope to cover all the government ministries and departments. The programme also targeted selected members of parliament that also trained on gender budgeting.

In other countries, civil society is leading gender budgeting initiatives: In some countries, gender budgeting initiatives are led by civil society as part of demanding greater accountability. This enhances the watchdog role of gender advocacy groups. However, there is need for greater ownership of these processes by governments. Some examples include:



Swaziland: For the last two years, the Gender Consortium has conducted gender budgeting workshops for its membership, which comprises of about fifteen organisations, some of which have never managed to attend. Similarly, in Swaziland, despite exposure of the Parliament and the Women's Parliamentary Caucus to SADC Parliamentary forum workshops on the concept of gender budgeting, the government's programme of Action for 2008 to 2013 is not framed in a gender responsive manner.



Zambia: Some civil society organisations are involved in gender screening of the national budget to see how much is allocated to specific ministries on gender issues every year, how it is spent, who are the beneficiaries and whether the money makes an impact on gender issues. The findings are that in certain instances, money meant for gender activities is usually diverted to other issues considered to be more important or pressing.

Partnerships between civil society and government work well: An ideal scenario is for governments and civil society to work together on gender budget initiatives, as is happening in Zimbabwe.



Zimbabwe: Over the last few years the Zimbabwe Women's Resource Centre and Network (ZWRCN) , in partnership with the Ministry of Finance and the Ministry of Women Affairs, Gender, and Community Development, has introduced a gender budgeting programme. To date it has provided training on gender budgeting.

Regrettably, the programme has not yet begun paying off, as it has not been applied in practical terms in the actual drawing up of budgets. The other challenge is that the people who have been trained on the gender budgeting initiative are not necessarily the high-level management involved in decision-making. Hence, this limits the impact that the initiative can have.

(Interview: Manyan A., Deputy Director, Gender Focal Person, Ministry of Finance)

A regional network has been formed: In June 2009, UNIFEM hosted a regional meeting led by the ZWRCN, which coordinates the economic justice cluster of the Alliance, to establish a regional (Southern Africa) Gender Responsive Budgeting Network.

Protocol @ work

The Alliance Economic Justice Cluster prioritises gender budgeting

By Naome Chimbetete*



The ZWRCN is the lead organisation of the Economic Justice Cluster of the Alliance and coordinates implementation of the key economic provisions of the SADC Gender Protocol. The organisation works at national and regional levels. ZWRCN has applied the Gender Protocol together with other regional and international instruments in promoting gender equality and equity in the economic sector.

In order to reduce gender inequalities and promote gender sensitive development policies for poverty reduction and improvement of the welfare women, men, girls and boys, ZWRCN's main focus is on gender budgeting. This is in recognition of the fact that budgets are not merely economic tools of government but reflect the prioritisation of sectors and the means through which policies and commitments, including the SADC Gender Protocol, are realised. Gender Budgeting involves all levels of government, national, regional and local (ACBF, 2009 p1). ZWRCN has thus focused its GRB programme to address equitable resource allocation at local, national and regional levels.

Zimbabwe has prioritised three Millennium Development Goals: MDG1, MDG2 and MDG3. Focusing on the budget in a country like Zimbabwe with most of the local authorities facing revenue challenges may seem far-fetched. However, this is also an opportune time as there is need to prioritise the use of the limited resources in order for the citizens to benefit and their living conditions to improve. This will also be critical in reducing corruption and serious leakages of funds to non-priority uses such as buying of expensive and luxury cars. The project will also assist local authorities to explore new ways of raising revenue and will encourage citizen to appreciate and participate in the building of their cities through payment of rates.

Local government: The ZWRCN is currently focusing on six local authorities, five urban councils and one rural council (Mutoko, Bulawayo, Masvingo, Gweru, Kwekwe and Kadoma). The programme seeks to contribute to equality between women, men, girls and boys and improved livelihoods through gender sensitive budgets that are responsive to the priorities and different needs of women, men, girls and boys, those with disabilities and the elderly. This is guided by the CAR framework that is used by UKAID (DFiD) being three principles of capability, accountability, and responsiveness.

The targets for the programme are policy makers (councilors, the council management, community groups that include the residence associations, the consumer council clubs and the informal traders associations). This programme will result in Local Authorities that are able to prioritise their budget in order to address critical issues based on gender needs and priorities and a provide a platform for interaction between Local Authorities and their citizens. The project involves peer review and scoring each other's efforts and actual change in service provision, policy frameworks, budgeting processes and actual budgets.

A Zimbabwe Gender Budgeting Network has been creating a critical mass for lobbying for gender budgeting and improved service delivery throughout the country. The network has provincial chapters and is gaining membership.

National level: Gender budgeting at a national level was introduced by the ZWRCN in 1999 through gender budget analysis and advocacy. With the support of the African Capacity Building Foundation (ACBF), the Gender Budgeting and Women's Empowerment Programme sought to identify and advocate for the redress of critical gender gaps in national resource allocation. These gaps are evident, despite government efforts to adopting a results-based approach to budgeting. The focus of the programme is on capacity building, raising awareness, and gathering support through advocacy, networking and coalition building. The programme is pro-active in engaging government as a key partner in gender budgeting. ZWRCN also formed a partnership and signed a Memorandum of Understanding with the Ministry of Women Affairs, Gender and Community Development (MWAGCD) to collaborate on programme implementation.

The programme included human capacity building; research and publications; advocacy, networking and coalition building; and institutional strengthening. So far the programme has created a strong gender budgeting support base, particularly inside government by attaining the political will and buy-in of government stakeholders (political leaders, government officials and technocrats). This was strategic in that all other gender budgeting interventions such as research, lobbying and advocacy, would receive adequate attention by policy makers and budget officials that have understanding and capacity in gender budgeting to appreciate its relevance in the economy's development. The programme succeeded in getting Results-Based Budgeting integrated into the Government of Zimbabwe of Results Based Management system in 2005. RBB opened the door for gender budgeting, as the two have the shared goal of fair allocation of resources.

Regional level: The Southern African Gender Budgeting Network formed in June 2009 aims to build strategic alliances between governments and civil society to:

- Promote regional sharing of experiences.
- Engender budgets at the national, regional and local levels.
- Strengthen existing GRB initiatives.
- Identify needs of member states.
- Build the capacity and expertise in GB among members.
- Sustain resource mobilisation for GRB.



Carolyn Matizha (left) director in the women's ministry, at a gender training workshop with Councillor Pat Ndlovu from Beit Bridge.
Photo: Colleen Lowe Morna

Achievements of the Gender Budgeting Programme include:

- ***Strengthened capacity in gender-responsive budgeting*** within both government and civil society. Within government, Permanent Secretaries, Directors of Finance, Heads of Departments and Gender Focal Persons in government ministries were trained over the three-year period. In addition, budget officers in the Ministry of Finance and Members of Parliament also received gender budgeting training and sensitisation. Outside government, members of policy oriented and advocacy organisations in various sectors such as health, education and agriculture, among others were also capacitated to navigate economic and social injustice issues through policy and budget analysis and advocacy.
- ***Institutionalisation of gender budgeting in government:*** The initiative has been accepted politically and technically in the national development processes in Zimbabwe. Gender budgeting has been referred to in speeches by the president and finance minister. Examples include the 2007, 2008 and 2009 Budget Call Circular issued by the Ministry of Finance, instructing ministries to "mainstream gender issues into public

service delivery programmes and estimates of expenditure." An Inter-Ministerial Gender Budgeting Watch team comprising Directors from the Ministries of Foreign Affairs, SMEs, Justice, Finance, Women Affairs Gender & Community Development, Labour and Social Amenities and Economic Planning strengthens oversight within government.

- ***Strengthened civil society support:*** The programme has had the support of several organisations and the general public, as well as opinion leaders. ZWRCN worked with the Poverty Reduction Trust and the National Association of Non-Governmental Organizations (NANGO) in conducting pre-budget workshops which brought together grassroots and government (Ministries of Finance and Women Affairs).
- ***Strengthened Alliances and Networks:*** ZWRCN has built alliances around GRB through the formation of the Zimbabwe Gender Budgeting Network (ZGBN) in 2007, and the Southern African Regional Gender Budgeting Network in 2009. The former has brought about changes in community and institutional relationships through budget consultations, presenting common messages, pursuing common goals to enforcing policy change.
- ***Strengthened organisational capacity:*** Organisational capacity has been improved through a better skills set, staffing and leadership, improved organizational structure and systems, finances, and strategic planning. Interaction with other organisations implementing gender budgeting, such as the Forum for Women in Democracy (FOWODE) in Uganda, and the Tanzanian Gender Networking Programme (TGNP), has strengthened ZWRCN to effectively undertake advocacy and policy work. Development of these core capacities has been critical to the organization's capacity.

*(*Naome Chimbetete is the director of the ZWRCN)*

Multiple roles of women

The Protocol requires countries to conduct time-use studies and adopt policy measures to ease the burden of the multiple roles played by women.



Women fetching water in Zimbabwe.
Photo: Trevor Davies

Very few time use studies conducted: These studies establish the invisible work of women not recorded in national accounts. Not all countries have conducted time use studies. Examples of countries that have done so are as follows:

Malawi: The Integrated Household Survey (IHS) conducted by the NSO in 2005 reported that, among persons aged 15 or more years, 90% of women undertake domestic tasks compared to 24% of men.[24] Women spent 7.7 hours every day on household chores compared to 1.2 hours for men, and these figures exclude time spent on childcare. It can be inferred that women do not have the time to engage in many paid or other out-of-homestead economic activities. These population averages conceal the even higher proportion of hours spent on domestic tasks by women who are in the 25-45 year age group. Women in this age group do most of the reproductive and productive work, with heavy responsibilities for child care, family care and for providing sustenance to their families. Although they are in most need of the chance to engage in economic activities, they have least the time to do so.



[24] IHS 2004-5 p60.

Another study completed recently in 2010, as part of coming up with the Gender Development Index (GDI) confirmed findings of the 2005 studies that women spend more time in domestic care than men. It went further to include volunteer activities as well. Rather men spend more time at the "market" (commercial activities). The GDI however is not explicit sufficiently in detailing the justifications for the greater number of hours that women spend on the triple roles. An outcome is that the National Gender Machinery and other stakeholders should dedicate more resources to time studies in a systematic way.

Madagascar: The National Statistics Institute (INSTAT) conducted a study on men and women's time use in 2001. The results of the study were taken up in the National Human Development Report in 2003 whose topic was gender, human development and poverty. Relief from household chores for women was one the objectives set in an action plan that defined a five-year budget to establish collective economic infrastructures such as washhouses, access ways, electricity, safe water supply, child nurseries, etc.). This plan also sought to assess women's needs; identify technologies that are appropriate for women; organise sessions to disseminate bio-gas, low-consumption wood or charcoal stove; and to facilitate women's access to equipment, etc. *(INSTAT 2003)*



"Analysis of the time use survey: the case of Mauritius" published by the Central Statistics Office in 2005

The major findings of the survey are as follows:

- Women continue to be concentrated in low-skilled and low paid jobs;
- Only paid employment and the exchange of commodities for money is registered as part of the GDP in national accounting systems. The contribution of women to the national economy is therefore underestimated;
- Policies aiming to raise the female labour force participation rate could contribute to reduce the gender gap;
- The average man earns Rs48.92 ($1.7) per hour and the average woman ($1.2) implying a gap pay of 36%;
- The relative gender pay gap is uneven across different occupations ranging from 13% for clerks through 25% for legislators, senior officials and managers to 100% for plant and machine operators;
- The average man earns 13% less than the average woman in the public sector while the average man earns 50% more than the average women in the private sector. There is a need to address the gender pay gap the private sector;
- Women are academically more qualified than men but still earn less in the labour market;
- The relative gender pay is 44% in rural regions while only 28% in urban regions;
- The average male worker spends 6.9 hours while the average female worker spends 5.9 hours. This shows the Mauritian household as dual earner model;
- Reproductive practices tend to impede more on women in their career than on men;
- The average woman spends 314 minutes per day on unpaid work, almost 4 times the average of 80 minutes for the average man;
- Non-working mothers spend 484 minutes per day on household duties compared to 279 minutes for working mothers. Adding the 334 minutes spent at work per day gives a total of 613 minutes for working mothers;
- Men contribute less to household tasks. Mothers are spending 4 to 5 times more time than fathers on household work;
- Working mother spends 61 minutes compared to working father at 27 minutes on care work of household members.

Few, if any, policies ease women's multiple roles: In the DRC, the Fund for the Promotion of Women, set up by the Ministry of Gender, Family and Children does not yet have the means to implement its policy. In Malawi, the gender policy provides that one of its objectives is to promote the recognition and value of women's multiple roles and responsibilities, their contribution towards national development and as beneficiaries of the development process. While there are no specific policies in Tanzania, the government is making efforts that might have similar effects. The Ministry of Health is now encouraging men to take part in childcare. For the most part however the work of women remains unrecognised and unrewarded.

The unseen sector

The "care" economy is the hidden and unaccounted for work that happens, usually by women, in the home and in the community. Though rarely accounted for in any economic statistics, the economy would crumble without this supportive work. A study has estimated that this amounts to a possible US$11 trillion worth of work that Gross Domestic Products do not account for, and that women do not receive any payment for. Society simply does not value or recognise this work.

This lack of recognition results in part from the lack of understanding of the value of women's work in the economy. Aside from the emerging roles that women are playing in mainstream productive activities, the value of the home-based work in keeping economies running smoothly is completely ignored. For instance, women are involved in production for home use items that in principle they could market, such as food, clothing, soft furnishings, pottery and housing. One of the ways of measuring this value is time use studies that assess how men and women spend their day.

Women's unpaid care work is essential for keeping the social fabric in good repair and for maintaining and reproducing the labour force. This includes home-based chores such as looking after the household, cooking, cleaning and providing personal care to family members, friends and neighbours. Women are also actively involved in voluntary community work, such as all kinds of civic associations, both secular and church based. This includes self-help groups, home based care for people living with HIV and AIDS, neighbourhood safety and civic responsibility. One of the mechanisms put in place by the Gender Protocol would be for all states to conduct time use studies by 2015. This would provide a better understanding of this multiple role and pave the way for Protocol requirements to adopt policy measures to ease the burden of the multiple roles played by women.

One of the problems with unpaid care work is the strain that it puts on time and resources. For example, in rural areas women's household duties may include fetching water, gathering firewood, cooking, etc. If there is a family member who is ill, this significantly adds to the burden of care. This leaves very little time for engaging in productive, income-earning work. Moreover, this unpaid care work frees the time of other members of the household to engage in paid work. While arguments are made that this creates "balance" in society, in reality it means that women are largely dependent on male income earners, and cannot expect to share in the family earnings as a matter of course.

Ironically, women who do engage in waged employment often find that this does not reduce their contribution to the care economy. Rather, they find themselves balancing their waged employment with care and domestic work. While this is slowly changing, with many families developing ways to share the unpaid work that keeps things running smoothly, the care economy is still overwhelmingly female.

Exploring this side of the economy, looking at how women and men are engaging in care work, provides a unique perspective on economics. Developing stories about how this is being balanced, and providing the public with analysis on the how care work fits into national economies helps to bring this issue into the public domain and also reflects the everyday lives of women and men.

Source: *GEMSA care work research* 2009

Economic empowerment

The Protocol provides that state parties shall by 2015 adopt policies and enact laws which ensure equal access, benefits and opportunities for women and men in trade and entrepreneurship, taking into account the contribution of women in the formal and informal sectors; Review national trade and entrepreneurship policies, to make them gender responsive; Introduce affirmative action measures to ensure that women benefit equally from economic opportunities, including those created through public procurement processes.

Women marginalised in trade and entrepreneurship: Women have less access to education, credit, land, market information and technology in comparison to men, thus in the entrepreneurship and trade arenas, women remain marginalised. The removal of protectionist trade policies can have a negative effect on the participation of women in trade, as local female producers are challenged to compete with foreign products sold at lower rates. As women's access to markets is restricted and they are largely represented in the informal sector, this impedes women's economic participation.

Governments are just beginning to be more proactive: Most SADC trade policies are gender blind; there is no mention of the differential impact of trade policies on women and men.



Mauritius has put in place an Empowerment Programme to address difficulties individuals face with retrenchment in the context of international financial difficulties and structural changes at the national level. The National Women Entrepreneur Council (NWEC) has been set up by the NWEC Act of 1999 to promote the development of women entrepreneurship. The Small Entrepreneur and Handicraft Development Authority (SEHDA) have also been instrumental in developing policies and programmes for women in Small and Medium Enterprises. Women are encouraged to start their own business. A dedicated cell caters for project preparation in dialogue with women's groups. The availability and other family constraints of women are considered when either developing their projects or trying to find them work. This has led to the development of a project on interim services where a person can take up work as per the slots that one is available during a week. Capacity building support is also tailor-made to each person, and where required, in the case of women with low educational achievement, basic literacy and life skills training is provided. Women are also encouraged to follow formal business related training in order to enhance their entrepreneurship aptitudes.



Tanzania: The National Micro-Finance Policy (2000) provides guidelines to achieve gender equity in accessing financial services in order to empower women economically. Furthermore, the Agricultural Development Strategy (2001), the Rural Development Strategy (2001), Small and Medium Enterprise Development Strategy (2003) and the Trade Policy (2003), all include a gender perspective. Women in small and medium enterprises have been empowered economically by facilitating their access to financial facilities in the form of credit, training in entrepreneurship, business management, and accessing markets. Efforts are being made to assist women to acquire standard certification of their products and to access internal and external markets. Various credit facilities targeting women have been established. Among others is the Women Development Fund (WDF), or (Credit Resource for Empowerment of Women (CREW Tanzania)started under CIDA Fund and supported by the government through the National Gender Machinery and complimented by the local councils. The fund provides credit to women in all the 114 Local Councils of mainland Tanzania. A similar Fund operates in Zanzibar.



South Africa: South Africa has policies to increase women's access to credit to ensure that women are empowered economically. In addressing the needs of the poor for housing and shelter, the Rural Housing Loan Fund now provides loans through intermediaries to low income households for incremental housing purposes. Through the Department of Social Development, there are a number of projects throughout the country to facilitate economic empowerment and sustainable development. Local Government, the drivers of local economic development includes finding ways to help entrepreneurs diversify and grow their businesses in a way that simultaneously helps the local municipality address its economic needs.



Zambia: The draft Trade and Industrial policy recognises that women remain marginalised in the professional workplace and in private enterprise and suggests continuous education and training of the domestic labour force in order to promote gender equality and to ensure that local personnel are kept updated with international best practices. The policy further identifies the challenges to increase representation of women at all levels, from the boardroom to the shop floor as well as actively promoting more women entrepreneurs. One of the objectives of the policy is to promote gender equality in the productive sectors of the economy. The policy prescription on gender is for Government to encourage skills development and entrepreneurship for women and also encourage the teaching of various vocational, technological and applied skills at the country's tertiary institutions to cater for everyone including women.

Informal trade

The informal sector refers to labour activities that fall outside the formal economy, mostly unregulated by government. The informal economy consists of a range of informal enterprises and informal jobs. It may include self-employment in informal enterprises, for example workers in small unregistered or unincorporated businesses. It may also include waged employment in informal jobs, such as workers without worker benefits or social protection who work for formal or informal firms, for households or with no fixed employer, including employees of informal enterprises, casual or day labourers, domestic workers, unregistered or undeclared workers, and some temporary or part-time workers.



Informal sector in Namibia. *Photo: Trevor Davies*

International Labour Relations (ILO)

Estimates are that the size of the informal economy as a percentage of gross national income (GNI) ranges from under 30% in South Africa, the continent's largest economy, to almost 60% in Tanzania and Zimbabwe. The average in sub-Saharan Africa is 42.3%. According to the ILO, the sector amounts to 72% of employment in sub-Saharan Africa. Statistics suggest that 93% of new jobs created in Africa during the 1990s were in the informal sector, reflecting the impact of globalisation, economic reforms and competitive pressures on the labour market in recent years (Verick 2006). Unfortunately, despite the sheer breadth of the informal economy, the majority of informal sector workers remain poor, unprotected by labour laws, uncovered by social security schemes, and underserved by formal education systems. They have little job security or savings, and even a brief illness or injury can mean no financial means to survive.



The informal sector provides jobs for women in SADC. *Photo: Derrick Sinjela*

Despite the fact that informal trade is a huge sector in its own right, there is little disaggregated data to tell how many women and men are in the trade. In many nations, this informal sector is the fastest growing sector.



Botswana: The CSO Informal Sector Survey of 2007 shows that the number of informal sector businesses in Botswana is estimated at 40421, which is an increase of 72.3% compared to the survey of 1999. 67.6% of the informal businesses are run by women, compared to 32.4% by men. Most of the businesses can be found in the Wholesale & Retail Trade industry (40.5%), followed by Real Estate (20.3%) and Manufacturing (12.2%). Interestingly, female ownership dominated in nearly all categories, except for Construction and Health & Social Services. The survey found that as most informal businesses are likely to be run by persons without or with little education, the level of education contributes to the choice of operating in the informal sector. *(CSO 2007)*



South Africa: GTZ (the German technical assistance arm) has conducted extensive research on South Africa's informal sector and the impact vocational skills training has on the lives of those working in the second economy. According to the organisation's findings, 3.5 million South Africans are informally employed whereas about 9.6 million people work in the first economy. In South Africa, various skills training initiatives exist. The Joint Initiative on Priority Skills Acquisition (JIPSA) is one of them. Informal entrepreneurs who receive some form of training are more likely to see an increase in their profit, turnover and the size of their customer base, and make moves to formalise their businesses, such as opening a separate bank account or registering their companies.

Building the capacity of this mostly female force is one way for women to gain economic justice. By highlighting the need to enact laws that promote equal access to and retention in not only primary, secondary, and tertiary education, but also vocational and non-formal education (in accordance with the Protocol on Education and Training and the Millennium Development Goals), the Gender Protocol could help to encourage such training programmes.

Affirmative action and procurement

Women are still excluded from government contracts: The provision for affirmative action in procurement is potentially one of the most far reaching of the Protocol's provisions. Again, the research suggests that this is an area where there will need to be considerable work before 2015. However, there are some promising building blocks:



Mauritius: The Public Procurement Act was passed in 2006 and Article 22 of the Act highlights "Community and end-user participation – where the participation of the procurement end-user or beneficiary community may result in enhancing the economy, quality or sustainability of the service to be procured, or the very objective of the project is to create employment and involvement of the beneficiary community, such end-user or community may participate in the delivery of services in accordance with such procedure as may be prescribed." This clause of the Procurement Act facilitates bids by women. *(Public Procurement Act 2006)*



South Africa: South Africa has the Preferential Procurement Policy Framework Policy Act, No 5 of 2000. The Act seeks to provide a framework for preferential treatment of women of all races, black people and persons with disabilities in procurement transactions as a means of addressing historical imbalances, to accelerate de facto equality. The Act includes a preference point system that must be followed on race, gender or disability. The procurement at local government comes with weights for various categories such as women, but these points are not sufficient to make a contractor lose a contract as the main determinant cost. *(Preferential Procurement Policy Framework Policy Act 5, 2000)*



Madagascar: A new public procurement system was adopted in 2004 in Madagascar (Act 2004-009 on 26 July 2004) and has been gradually implemented since 2005 through the adoption of administrative and procedural regulations. The new system aims at "ensuring efficiency in public procurements and sound use of public funds" (Article 4, Act 2004-009 on 26 July 2004). In principle, the system applies to procurements by the Government, public institutions, decentralised collectives and their public institutions, any public or private entity whose resources come from public funds, and any company in which the State is a majority shareholder. Public procurement is subject to a bidding process starting at certain thresholds. *(Act 2004-2009, Public Procurement System)*



Property and resources

The SADC Protocol provides that by 2015 state parties shall review all policies and laws that determine access to, control of, and benefit from, productive resources by women.

There are several factors hindering women from accessing credit and productive resources in the region including poverty, powerlessness in decision-making, limited access to land, capital credit or cash, fertiliser or manure, technological training, and non-farm labour markets etc. Customary structures and institutionalised discrimination result in land exchanging between male hands. Women's lack of access to productive resources not only perpetuates the feminisation of poverty, but also negatively impacts on regional development as a whole. Often women are hindered from accessing credit and productive resources across the region by laws that require that married couples are in community of property. In many cases, through policy or practice, this places the husband as the administrator of the joint estate. Therefore, it is only at the husband's approval that credit can be given.

In cases where banks and other financial credit institutions are not supposed to demand consent of their husbands, they tend not to have the necessary collateral due to generally lower economic means coupled with malpractices around registration of assets to protect their interests. Furthermore, some assets such as livestock are dealt with by customary law which aligns property with a male head of households, even if it is not his as such, rendering access complicated for the actual owner. It is only single women and those married out of community of property, that is with an ante-nuptial contract,

who are almost on equal footing with their male counterparts. Theoretically, they can access credit and productive resources without a husband's overt or covert approval. However, even these women are at an inherent disadvantage, due to lower economic muscle.

Credit and productive resources

Specific initiatives are being taken: In some countries, relevant laws do exist, though women tend to lack knowledge of their existence. The same goes for programmes and financial allocations. Some in country successes include the following.



Lesotho: Important legislative changes include:

- Amendment of the Land Act with the Land Amendment Act of 2008 which makes provision for inheritance of immovable property by the widow, joint titling of immovable property of couples married in com-munity of property and how the immovable property is to be disposed or burdened and this requires the written consent of the spouses. This protects women's economic rights and gives security of tenure on immovable property.
- The amendment of the Companies Act to repeal a provision that refused women the right to be directors of companies without the consent of the husband. Consent is no longer required, they are free to engage in business in their own right.
- The amendment of the Lesotho Savings and Development Order which made reference to women's minority status as a limitation to accessing credit.



Mozambique: There are programmes that exclusively target women (CMN, Kukula, Project Hope and Hunger Project) accounting for 9035 clients who benefit from micro-finance provision in Mozambique, according to a study conducted by the Mozambique Microfinance Facility (MMF).



Mauritius: In his budget 2007/2008, the Minister of Finance allocated Rs.125,000 million for Tourist Villages and Rs.100,000 million for SME schemes. The Budget 2008/2009 makes provision for the creation of a new micro-credit scheme for the 100% financing of projects implemented by women, and loans up to Rs.100,000 without any collateral to women entrepreneurs through the Manufacturing Adjustment and SME Development fund.



South Africa: The following measures and frameworks in the Department of Land Affairs help to drive the government's agenda on equitable redistribution of land: the Restitution Programme, Settlement implementation Business Process; Settlement Implementation Strategy; Land and Agrarian Reform Programme; and Women in Agriculture and Rural Development (WARD). The commitment to gender



Lining up to register, new enterprises in South Africa. *Photo: Moses Mlangeni*

Women's Bank on the cards
The Deputy Prime Minister (of Zimbabwe) was in Bangladesh (beginning of May 2010) where she met Government representatives, central bank management and Grameen Bank in her quest to establish a women's bank It is envisaged that the women's bank would lend money to women with no stringent conditions attached like requiring of collateral security.

Requirement of collateral has in the past years been a stumbling block in Government's efforts to empower the marginalised, as many financial institutions have demanded collateral as a pre-condition to lend loans.

Source: http://allafrica.com/stories/201005060154.html, accessed 30 July 2010.

equality in the allocation of land is reflected in all policies, and Acts make specific references to meeting the needs of women as beneficiaries, for example, through the Communal Land Rights Act,2004.*(Act 11 of 2004).*

The White Paper on South African Land Policy provides measures that seek to enable women to access financial and support services. For instance the Home Loan and Mortgage Disclosure Act, 2000 extends credit to women and other historically disadvantaged groups. It encourages financial institutions to provide them with credit to acquire housing.



Malawi: The Ministry of Trade has initiated several programmes to promote women's access to credit and enable them to benefit from economic activities. A notable programme being implemented to provide grants with a bias toward women is funded by the International Finance Corporation and implemented by the NBS Bank Malawi.



Swaziland: The draft Land Policy is quite instrumental in recognising the resource needs of women on an equitable scale with men. However, it has remained a draft for over a decade after it was crafted. It recognises the need for equitable gender allocation of land. This sentiment is also carried by Section 211 of the national constitution (2) save as may be required by the exigencies of any particular situation, a citizen of Swaziland, without regard to gender, shall have equal access to land for normal domestic purposes. The Marriage Bill of 2006 also addresses hindrance on women's access to credit through abolition of marital power.



Zambia: Due to advocacy and lobbying of traditional leaders, financial institutions, banks and women themselves, quite a number of women especially in urban areas are gaining access to credit and productive resources. For example, banks and financial institutions no longer require a woman to have permission from her husband to access credit and other productive resources. However, there remains a challenge of collateral, as most women still do not own property. In order to evade this requirement, leading institution advise women to form or belong to forums, co-operatives, associations and other such associations in order to have easier access to credit and productive resources. In summary, most measures that exist support men more than women in accessing credit and resources. The government put in place the Citizen Economic Empowerment Commission (CEEC) in 2007, which gives loans to men, women and youths, especially those that are vulnerable.



Zimbabwe: In spite of all the economic difficulties the country is facing, the Deputy Prime Minister, Thokozani Khupe has indicated intentions to open a Women's Bank that would make available credit to women without stringent requirements for collateral which go a long way to alleviate the challenges that women face in trying to set up businesses.

Land ownership



Women's ownership of land is low except in Botswana: In Southern Africa, women provide 70-80% of all agricultural labour and 90% of all labour involving food production in the region. Yet they own only a fraction of land. While data on land ownership is patchy, the figures ranged from 11% in Seychelles to 25% in the Democratic Republic of Congo and 25% Tanzania. *(UN Data)* In Lesotho the Household Budget Survey of 2002/03 found that 27.5% of male headed households owned fields (farm land) compared to a lower figure of 13.4%

Botswana
The National Policy on Gender and Development of 2008 recognises that despite the positive changes in legislation, women still have limited access to and control over productive resources. The National Population Policy Review of 2007 documented that almost 50% of households are female headed, and that the majority of poor people and poor households are female headed (Ministry of Labour and Home Affairs 2008). There are no special policies in place for women to access credit.

by female-headed households. However, ***Botswana*** has 404.706 landowners of whom 186.699 (46.13%) are women. In most countries there is hardly gender disaggregated data available or this has to be obtained through household or other forms of surveys.

Table 4.2: Allocation of land in Zambia

	OFFERS ISSUED			
	2006	2007	2008	2009
Total number of offers issued	7,253	5,867	6,654	6880
Number of offers issues to women	1,612	1,001	1,035	1,135
% of offers issued to women	22.2%	17.1%	15.6%	16.5%

Source: Ministry of Lands in Zambia, June 2010



Zambia's Ministry of Lands is making a concerted effort: The Ministry's policy is that at least 30% of all land be allocated to women. Table 4.2 compares the number of offers issued to women for various uses from 2006 to 2009. While offers to women declined from 22.2% to 16.5% in 2009, the increase from 15.6% to 16.5% in 2009 is encouraging.



In ***Seychelles*** a geo-database for all land registered at the Land Registrar Office to be completed by the end of 2011 should help to establish the level of women's land ownership.

Women's plots are generally smaller: Where women hold land, their plots are generally smaller than those held by men. This limited access to natural resources is caused by both legal and socio-cultural factors. Legal obstacles relate both to family and succession law and to natural resource law. *(BIPPA 2009)*

Customary practices undermine ownership: The main dilemma in creating laws and government ministries to facilitate more gender parity in land ownership is that land allocation does not reside within one entity. Often there are conflicting authorities in the form of traditional tribunals and legal structures, and these sit in stark opposition to one another. Even in countries that claim to have ownership laws which are "gender neutral" legally speaking, women are subject to customary laws that in turn, prevent them from acquiring land.

In Tanzania, where women hold land, their plots are generally smaller than those held by men. For instance, the average size of women's landholdings is 0.53 hectares (compared to 0.73 for men). Recently, campaigns have been organised by civil society to demand a role for women in the production of food crops (Uhakika wa Chakula Marjorie Mbilinyi 2001). At present, government's concern with food security has prompted a national initiative to make sure there is enough food production, by giving subsidies to regions that are traditionally cultivation based.



In ***Zimbabwe*** communal lands are owned by Chiefs. Women who live on communal land can only have access but not ownership. Women and Land in Zimbabwe (2009) undertook an audit of land ownership in A1 Communal scheme and A2 schemes. The research found 64% of the respondents who were married women had land registered in their husband's names. Single women who constituted 11% had land registered in their own names and four percent of divorced women had no land but had access through their fathers or brothers. 63% of widows had changed names of ownership after the death of their spouses.

But governments are making legislative provisions for women's land ownership: There are,however, various examples of provisions that are being made for women's ownership of land.



Tanzania: The constitutional right for women to own land is embodied in the Law of Marriage Act and the Land Acts. Part II Section 3(2) of the Land Act states "the right of every woman to acquire, hold, use and deal with land shall, to the same extent and subject to the same restrictions, be treated as the right of any man." The act states that occupancy cannot be surrendered in order to undermine the rights of a spouse. The Village Land Act invalidates customary laws that discriminate against women, and recognises a wife's rights to land on the death of a spouse or on divorce. It provides that "any rule of customary law or any such

The National Land Policy of Tanzania states: "In order to enhance and guarantee women's access to land and security of tenure, women will be entitled to acquire land in their own right not only through purchase but also through allocation. However, inheritance of clan or family land will continue to be governed by custom and tradition, provided they are not contrary to the constitution and the principles of natural justice."

decision in respect of land held under customary tenure shall be void and inoperative and shall not be given effect to by any authority, to the extent to which it denies women, children or persons with a disability lawful access to ownership, occupation or use of any such land." The act also provides for allocation to women of a certain number of places on the Village Adjudication Committees and Village Land Councils, which have decision-making responsibilities concerning occupancy rights and land disputes. By law, both spouses must be registered and mortgages can only be issued with the consent of the spouse or spouses, who are entitled to a copy of the mortgage agreement.



Malawi: The land policy recommends gender sensitive access to land and calls for changes in inheritance laws to allow the remaining spouse, children and especially orphans to inherit the property of their parents, even when the deceased parent or parents die without a will[25] and that gender access should always be considered in policy planning and implementation strategies. The policy however does not address how women's land ownership is to be attained.



Lesotho: Customarily land is communally owned and used for purposes other than residential and agricultural (Lettuce et al, 1997). That which is allocated for housing sites is usually allocated to the head of the household, who is usually a man. Although this still pertains in the rural areas, the Land Act of 1979, which currently regulates land matters, is gender neutral.

In the case of resettlement land, the Land Act of 1979 is gender neutral in its provisions and has given equal opportunity for urban men and women to own land except those married in community of property, until the recent passing of the Legal Capacity of Married Persons (LCMP) law. The Act of 2003 abolishes the minority status of married women and gives them the right to apply for and register land in their own names. In this regard, interviews with the Chief Lands Officer at LSPP show some men have allowed their spouses to register land in their (wives) names.

Information from interviewing the Marketing Manager of another source of residential land, the Lesotho Housing and Land Development Corporation (LHLDC) based on her sample from a high-income land development project of 126 plots revealed that plot ownership is "almost 50/50." Sixty-two or 49.4% women owned residential land compared to 64 or 50.8% men. Yet on another sample of a smaller high-income housing project, the female figure is even lower. Out of 20 plots, 16 (80%) participants are male and only 4 (20%) are female.



Mozambique: The Land Act 19/97 states in its Art.10 that men, women as well as local communities have the right to the use of land. In Mozambique land cannot be sold, the property of land is exclusive to the State.

Seychelles: According to the country's laws, land can be owned by males and females equally with no restrictions related to gender. In any case, the authority concerned on land ownership could provide little information, the information they hold is not gender-disaggregated. There is no gender provision in the country's land policy. Land provided by the state for farming is 600 hectares of the country's surface and already 320 hectares have been allocated. There are 361 tenants and 39 of them are women (11%). The Agri-



[25] Malawi Land Policy (2002) Ministry of Lands and Housing p10.

cultural Agency supports all farmers in getting access to financial or credit facilities and there are no gender preferences or implications. Nonetheless there has been some sort of recognition of women's role in food production and a seminar/workshop was conducted in 2008 focusing on the issue.



South Africa: The government has been planning and implementing several land reform policies that seek to enable individual or group land rights to be registered and protected.

The Communal Land Rights Act (2005) recognises women's rights to land. The Department of Land Affairs has put in place a gender policy, which seeks to ensure that gender equality is addressed within all aspects of land reform.

However, only 13.3% of the total number of households that benefited from the Land Redistribution and Tenure Reform Programmes during the period 1994 to December 2007 were female-headed households. This is because land restitution primarily restores land ownership to previous owners (mostly men).

(South Africa CEDAW Report 2009)



Namibia: In accordance with Article 95 (a) of the Constitution, women are accorded the same status as men with regard to all forms of land rights, either as individuals or as members of family land ownership trusts. Every widow (or widower) is entitled to maintain the land rights she (or he) enjoyed during the spouse's lifetime. Other provisions include:

- Women will be entitled to receive land allocations and to bequeath and inherit land;
- Government will actively promote the reform of civil society and customary law which impede women's ability to exercise rights over land;
- Policy will promote practices and systems that take into account women's domestic, productive and community roles, especially in regard to housing and urban development, agricultural development and natural resource management.



Zimbabwe: The Traditional Leaders Act as read with the Communal Lands Act gives traditional leaders the right to allocate communal land, and to consider customary law in the allocation of land. As a result, few women have been able to own communal land in their own right. In the same vein s15 of the Deeds Registries Act [Chapter 20:05] requires a married woman to be assisted by her husband in the execution of a deed when she seeks to having title to freehold land. In reality, most women have not been able to secure ownership of this land due to collateral required by financial institutions for mortgages. S23 (3) (a) of the Constitution provides that women and men shall be treated equally in the allocation of land. This amendment was introduced as part of the 17th amendment to the Constitution well after the land reform programme had been undertaken.



Malawi: "The National Gender Policy and the National Gender Programme, stipulates that equality and equity must be promoted in all food security initiatives to ensure improved nutritional status and health for women. Efforts shall be devoted to improving women's social status relative to that of women in all aspects of food security." The policy provides for increased access to credit by male and female farmers[26] and the promotion of equitable distribution of income especially for women through the improvement of their knowledge of the market functions.[27]

Programmes in food production usually target vulnerable groups, meaning that women feature as beneficiaries of such programmes. For example the two most notable are the free fertilizer Starter Pack programme (Targeted Input Programme (2001-2004) and the Fertilizer Subsidy programme (2005 - 2007). In the earlier programmes, access by gender was reported by evaluative studies.

[26] Ibid paragraph 3.1.6 at p11.
[27] Ibid Paragraph 4.1.2.3 p14.

The IHS report indicates that for the years 2001 - 2004, the corres-ponding proportions of agricultural households that received starter pack were 35.4%, 41.7%, 46.3% and 41.7%. In each of the years, (2001 - 2004) there were about 7% more female-headed households getting the Starter Pack. This could be explained by the fact that the scheme targeted poorer households and female-headed households were more likely to be poor.

Food Production Initiative run by women, Mauritius

There is policy that encourages women to undertake food production thereby contributing to improving food self sufficiency. The National Woman Council under the aegis of the Ministry of Women, Family Welfare and Child Development is responsible for implementing this initiative with the collaboration of the Ministry of Agro Industry, Food Production and Security. The facilities of the latter Ministry are made available to woman entrepreneurs for training and mentoring. The preference has been towards agro processing of horticultural produce and for production of vegetables under protected production systems.

There is another initiative under the Empowerment Programme for promoting women to undertake food production activities. The focus is on retrenched woman workers who have lost their jobs. Through this initiative, they receive training and other facilities to start a small joint enterprise. So far, this category of woman force has so far engaged itself in fruit production, goat farming, duck farming and agro processing.

Food Security Policy (2006). Ministry of Agriculture and Food Security - Government of Malawi

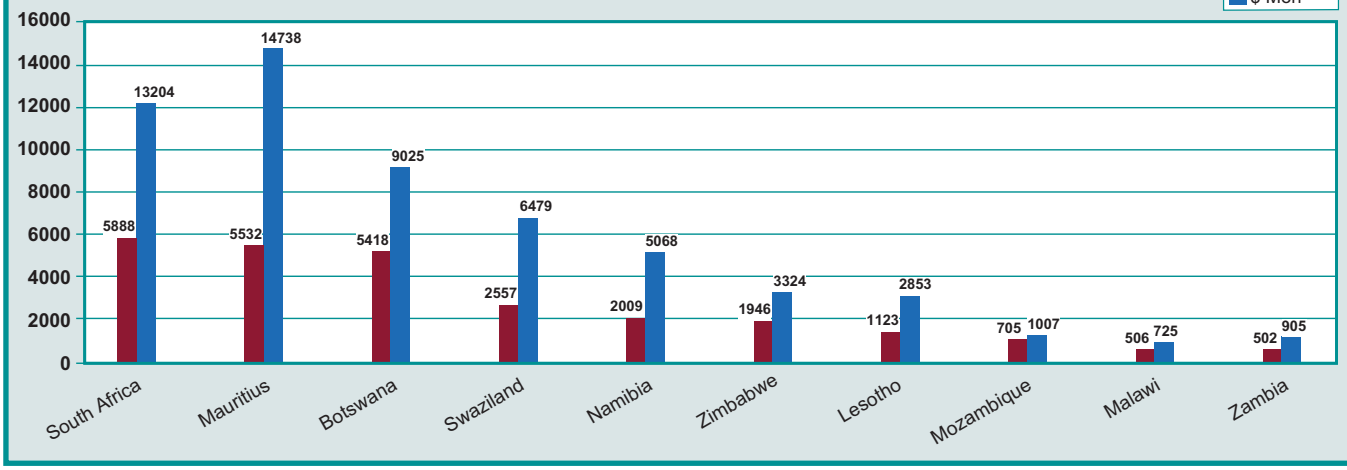


Women can support themselves by producing food. *Photo: Gender Links*

Conditions of employment

The Protocol provides that by 2015, state parties shall review, amend and enact laws and policies that ensure women and men have equal access to wage employment in all sectors of the economy. It also provides for equal pay for equal work; eradication of occupational segregation; maternity and paternity benefits.

Figure 4.3: Comparison between per capita income of women and men



Source: Gender Links, UNDP, Human Development Report, 2002.

Large gender gaps in the per capita income of women and men: The table and graph show that for countries in which gender disaggregated data could be obtained, men have a higher per capita income than women in all SADC countries. South Africa, Mauritius and Botswana have the highest per capita income for women and men. However, these countries also have the largest gaps between the per capita income of women and that of men. The per capita income of women in South Africa is less than half of men (45%) and 38% in Mauritius. Although the per capita income in Mozambique, Malawi and Zambia is low, the difference between women and men is not as high as in the richer countries.

Table 4.3: Gender gaps in per capita income

Country	HDI rank	GDP per capita	Female income	Male income	Female as % male
Angola	161	2187	-	-	
Botswana	126	7184	5418	9025	60%
Comoros	137	1588	1136	2038	56%
Lesotho	132	2031	1223	2853	43%
Madagascar	-	-	-	-	-
Malawi	163	943	506	726	70%
Mauritius	67	10017	5332	14736	36%
Mozambique	170	854	705	1007	70%
Namibia	122	6431	2019	5068	40%
South Africa	107	9401	5888	13024	45%
Swaziland	125	4492	2557	6479	39%
Seychelles	47	12508	-	-	
Zambia	153	780	562	995	56%
Zimbabwe	128	2635	1946	3324	59%

Source: UNDP Human Development Report, 2002: 150-1; 222-225

Conditions of employment

All SADC countries provide for maternity leave but only six have paternity leave: Across the region, all of the SADC countries provide some variation of maternity leave. The most common is for a period of 12 weeks, 4 weeks before and 6 weeks after birth. Some countries, such as Mauritius make provisions for miscarriages and Zambia makes provisions for breast feeding. The DRC, Madagascar and Tanzania have accommodated all of the provisions in the table, with varying forms of maternity and paternity leave, equal retirement age, and a sexual harassment clause. Only six of the 15 countries have paternity leave. Ten of the 15 countries have equal retirement age benefits, with the others usually different on average 5 years between women and men, predominantly with women at 60 and men 65 years of age. Nine of the 15 countries have measures in place to address the issue of sexual harassment in the workplace.

Skills development policies and programmes: Throughout the region there are various skills development policies and programmes to increase women's access to employment.



Skills development. *Photo: Gender Links*



DRC: The DRC has a policy and a programme for skills development in both the public and private sectors. The government plans to create skills development programmes across various sectors such as education, development and economics. In the private sector, employers initiate such programmes for their staff. In the public sector, these programmes do not consider gender but they do in the private sector. It is within these structures that the specific needs of women can be monitored. In the private sector, employers are organising services to facilitate women's access to credit and there is entrepreneurial

Table 4.4: Conditions of

Country	Maternity leave	Paternity
Angola[28]	**Yes.** 3 months paid[29]	**No.**
Botswana[30]	**Yes.** 12 weeks, 6 before, 6 after. During maternity leave a maternity allowance of not less than 25% of the employee's basic pay or 50 for each day of absence.	**No.**
DRC	**Yes.** Labor code.	**Yes.** Labor code.
Lesotho[31]	**Yes.** 2 weeks after 1 year employment in public sector. 6 weeks private sector. Public Service Regulations 1969 grant 90 days paid maternity leave to permanently employed female public servants.	**No.** There is a proposal for a Paternity Leave Bill to grant fathers a month's leave.
Madagascar	**Yes.** 6 weeks before, 6 weeks after for private sector. 2 months in the public sector.	**Yes.** The Labour Act grants 3 days of paternity leave for the private sector. 15 days for the public sector.
Malawi	**Yes.** Every 3 years, 8 weeks paid leave. In the event of illness arising out of pregnancy, affecting the employee or her child, the employer shall grant the employee additional leave as the employer may deem fit.	**No.**
Mauritius[32]	**Yes**[33]. After one year of employment, 12 weeks, The Employment Rights Act (ERA) 2008.	**Yes.** A male worker shall be entitled to 5 continuous working days.
Mozambique[34]	**Yes.** 60 days, after which she can take up to an hour a day for breast feeding, for one year unless otherwise prescribed by a clinician.	**Yes.** This consists of a two days consecutive or alternate leave during the thirty day from the date of birth of the child, every two years.
Namibia[35]	**Yes.** After one year, 3 months of unpaid maternity leave, 4 before, 8 after. The Social Security Commission will pay 80% of her normal pay for the maternity leave period.	**No.**
Seychelles[36]	**Yes.** 12 weeks paid leave , 4 before, 10 after. A female worker is not allowed to return to work before her paid leave is over.	**No.**
South Africa	**Yes.** 4 months. 4 weeks before, 6 after. The Act also entitles a woman undergoing miscarriage in the third trimester period of pregnancy, or bearing a still born child to maternity leave.	**Yes.** 3 days
Swaziland	**Yes.** 12 weeks.	
Tanzania	**Yes.** 84 days paid maternity leave.	**Yes.** At least 3 days
Zambia	**Yes.** *Employment and Industrial Relation Act:* After 2 years of employment a woman is entitled to 90 days. However, there is a campaign to increase the number of days to about 180 days to encourage breastfeeding.	**No legal provision.** However, some organisations allow a man to be on leave for a few days after the birth of a child. This is normally provided for in a collective agreement.
Zimbabwe	**Yes.** S18 of the Labour Act provides for maternity leave of 98days and s39 of the Public Service Regulations SI1/2000 provides for 90 days maternity leave.	**No.**

[28] 2009.
[29] However, there is no data on how many women benefit or know about this provision.
[30] 2009.
[31] Source: Labour Code 1992, Public Service Regulations 1969, Labour Code Wage (Amendment) Order 2007 and Interviews 2009.
[32] 2008.
[33] For a miscarriage, 2 weeks leave on full pay. For a still-born child, a maximum of 12 weeks leave. A worker who is nursing is entitled every day at a time convenient to her at least two breaks of half-hour or one hour for a period of 6 months.

employment

Retirement age and benefits for women and men	Sexual harassment
No. Women at 55, men at 60. In civil service, women can retire after 30 years and men after 35 years of service	**No.** While not illegal, some cases can be prosecuted under assault or defamation statutes.
Yes. Same for women and men.	**Some.** It is recognised in the Public Service Act covering the public sector, but very few ministries are making mention of this in their respective policies. Some institutions have incorporated sexual harassment policies.
Yes. Social Security Law.	**Yes.** Labor code and the Sexual Violence Law.
Yes. Most employment sectors including the public sector are gender neutral on these issues.	**Yes.**
Yes, public service. No, private sector. 60 years for both sexes in public service. 55 for women and 60 for men in private sector.	**Yes.** In general, the Labour Act guarantees respect for human dignity in all labour relations. Article 23 forbids sexual harassment.
Yes. Anti-discrimination Act.	**No.** Not specific.
No. *First Schedule of the Employment Rights Act* up to the age of 65 years. A female officer recognising five years service may retire on ground of marriage irrespective of age.	**Yes.** Sexual Harassment is provided in Part IV of the Discrimination Act 2002
No. 65 for men and 60 for women.	**NA**
Yes. Not specific, but for both male and female 55 early retirement, 60 full retirement.	**Yes.** A clause in the Labour Act, while difficult to define, condones sexual harassment.
Yes. 63 years and a monthly pension of Seychelles Rupees 2,100.	**Yes.**
No. 65 for men and 60 for women.[37]	**Yes.** The South African law prohibits sexual and other forms of harassment under the Employment Equity Act 1998 and the Equity Act. A code of Good Practice on Sexual Harassment amended in 2005 has been issued.
	No.
Yes. The Employment and Labour Relations Act of 2004 states: Every employer shall ensure that he promotes an equal opportunity in employment and strives to eliminate discrimination.	**Yes.** The Employment and Labour Relations Act of 2004 states: Harassment of an employee shall be a form of discrimination and shall be prohibited
Yes. Both men and women retire at the age of 55.	**No.** Some organisations have in-house policies on sexual harassment. However, such cases if reported would be dealt with under the Penal code.
No. The age of retirement in the private sector is provided for in the Collective Bargaining Agreements for each sector in the private sector. In the Public Sector the retirement is 6O years in terms of s17 of the Public Service Regulations.	**Yes.** S8 of the Labour Act provides for the prohibition of sexual harassment as an unfair labour practice.

[34] 2009.
[35] Labour Act/Reviewed 2007/8 (2007).
[36] Source: Employment Act, 1991 revised 1995.
[37] A case was brought by one gentleman who argued that the differentiation in terms of retirement age was discriminatory towards men.

training for specific groups of women and exchanges of experience from partners of the same field.



Lesotho: Lesotho does not have a skills development policy. However, skills development is dealt with within programmes of various organisations. Unfortunately gender disaggregated data on beneficiaries of skills development programmes was not readily available. Women are said to be benefitting as participants, as well as being empowered to break into traditionally male areas of employment and being able to widen their space for employment opportunities.

Absence of paternity leave

In Lesotho, without paternity leave, women continue to be burdened with having to balance employment and domestic responsibilities. If proposals for granting of paternity leave go through Lesotho will have broken through tradition in involving men to support family responsibilities.

Mozambique: The National Institute of Professional Training carries out skills development programmes. This institution is under the Ministry of Labour, and most of these programmes apply to small industry and services. Gender disaggregated data is not available.





Mauritius: The country has a skills development policy as well as skills development programmes given by several bodies. Some of these bodies are:

- The Industrial and Vocational Training Board.
- The Agricultural Research and Extension Unit.
- Ministry of co-operatives.
- National Women and Entrepreneur Council.

The policies and programmes put in place apply to several sectors of the economy but are mainly used with the Small Entrepreneur and Handicraft Development Authority (SEHDA). Following the 2006/2007 Budget Speech, the Government launched the empowerment Programme (EP). One component of the EP is a special programme for unemployed women which aims at mobilising unem-ployed women and those retrenched for industrial restructuring, especially in the textile and sugar sectors. Nearly all of the women who have received training are self-employed and are able to put their products on stands given free to them in strategic places in the country. There are also five craft markets in strategic places well visited by tourists.

A Project Management Unit (PMU) was set up to accompany groups of women to facilitate access to employment and to assist them start small businesses. To date, the Women Empowerment Programme (WEP) has trained more than 500 women, facilitated the creation of 18 small businesses and has placed about 60 women in varied jobs.

Through its National Empowerment Foundation, government provides, among a wide range of measures, training for retrenched textile workers in other business sectors, such as agriculture, fishing as well as information and communication technologies. And as a gesture of solidarity with the unemployed and the poor, government announced it will reduce the salaries of the president and ministers.



Malawi: Technical and vocational development is regulated under the Technical, Entrepreneurial and Vocational Education and Training Authority (TEVETA) which is a regulatory body established in July 1999 by an Act of Parliament with the mandate to create an integrated TEVET System



Apprentices are an important part of TEVETA.

Photo: Frank Windcheck

in Malawi that is demand-driven, competency based, modular, comprehensive, accessible and flexible and consolidated enough to service both rural and urban Malawian population. TEVET has a number of programmes including an apprenticeship scheme, private sector training programme, skills development initiative, small enterprise development, and on-the-job training.

The TEVETA programme also aims at achieving the aspirations set out in the gender policy by specifi-cally designing their programmes to increase the number of women. All levels of the TEVET system support the specific TEVET Gender Policy, these activities form a cross-cutting theme including the development of specific gender sensitisation materials for TEVET staff at all levels, career guidance material and training to increase TEVET access for young girls, gender neutral curriculum and the targeted recruitment of women into all Project Working groups and training events. Despite these efforts, the number of women being trained in vocational skills is lower than the 30% policy for women's participation advocated by the TEVET.

To complement the work of TEVET, independent vocational schools have been established in the country such as the Mikolongwe vocational training school and the Malawi Council for the Handicapped vocational school, among others.



Seychelles: The Seychelles has a number of skills development programmes that cover most sectors of activity. In 1994 a Centre for Skills Development was set up within the Ministry of Employment and Social Affairs but its activities have since been passed on to other agencies/organisations and it no longer exists as a separate centre. The Department of Employment still has the Skills Acquisition Programme (SAP), which caters for participants of all ages and education levels - across a wide range of activities. So far the majority of the participants are women.

New programmes have recently been launched, for example, within the Seychelles Tourism Academy and the Seychelles Institute of Technology that have a view of re-training individuals who have taken either voluntary departure or who have been made redundant during the recent economic reforms. A large number of individuals attending these programmes are women.

South Africa: South Africa has a Skills Development Act. Under the terms of the Skills Development Act, 1998, and the Skills Development Levies Act, 1999, from 1 April 2001 onwards, every employer in South Africa who is registered with SARS for PAYE; and has an annual payroll in excess of R250 000, must register with SARS to pay the Skills Development Levy, 1% of the total amount of remuneration paid to employees. The money is used to fund skills development programmes for the employees of the company.

The Skills Development Strategy of 1998 stipulates that a specific target of 54% for women should be in learnerships.

The Skills Development Act also makes provision for the establishment of Sector Education and Training Authorities (SETAs). SETAs are the agencies responsible for co-ordinating the implementation of the skills legislation. Each sector has its own SETA – for example there is the Local Government Seta and others.



Madagascar: Capacity building is an essential component of several national policies and programmes. A 2004-2008 programme on the improvement of the economic efficiency of women, includes specific actions aimed at empowering them in the economic field. The 2006-2012 plan provides *'support for the on-the-job training programmes job and vocational training at the Chamber of Commerce and Industries as well as in public institutions'* (RM/MAP 2006, 87).

The National Programme for Employment Support *'targets in priority the disadvantaged populations in the labour market, including de facto (...) women (...)'*, it establishes among its strategic focuses the 'local development of skills' (PNSE 2006,17). One of the immediate related objectives focuses on *'enhancing the employability of vulnerable groups'* through training and the adequacy of the qualifications with the labour market needs. These commitments are reflected in the country programme developed with the ILO. Strengthening the skills of women is specified in the country programme, women being the group most affected by unemployment and underemployment. (RM/ILO 2008).

Popularising the economic provisions of the Protocol

By Sikhozile Ndlovu*



Since the signing of SADC Protocol on Gender and Development, the GL Media department and ZWRCN have worked together on sensitising journalists in the region to the economic provisions of the Protocol, with the support of the Swedish NGO Diakonia. The training forms part of GL's Business Unusual- Gender, Economy and the Media series that has included training of journalists in 11 SADC countries. Following the success of pilot workshops which resulted in the formation of a network of regional economic reporters, GL is working on strengthening this network as well as linking it to the economic justice cluster.

The first BU/gender protocol workshop took place in the Democratic Republic of Congo parallel to the Heads of State Summit in August 2009. A follow up workshop in Johannesburg in December aimed to train journalist in applying the provisions of the Protocol to coverage of the gender dimensions of the World Cup. GL and the ZWRCN are again collaborating in a workshop for media students in Namibia in August 2010 that will include the production of a supplement with the Namibian newspaper for the Heads of State summit.

A total of 42 journalists participated in the two workshops held in the period under review. The major outputs from these workshops were stories written by journalists during training. More stories have been written post training. Some of the stories written during the workshops have been published in the Gender and Media Diversity Journal under the theme Gender, Media and Sports.

Between 2006-2009 Gender Links has trained 217 regional journalists in covering gender and the economy. The economy is an area in which gender consciousness is especially weak. Despite the enormous role that women play in the economies of all Southern African countries, this contribution remains undervalued and invisible. The workshops covered the whole spectrum of gender and economic concerns, including gender and the macroeconomic environment, development; planning budgets; work; trade; enterprise and globalisation.

The Protocol related BU workshops aim to:

- Publicise the economic justice provisions of the Protocol and demonstrate its application using the 2010 example as part of the broader advocacy campaign.
- Enhance the work of the economic justice cluster of the Gender Protocol Alliance by linking it to the network of regional economic reporters.
- Strengthen the network of BU reporters.
- Provide backstopping for follow up reporting and development of best practices for the 2010 Gender and Media Summit.

The programme consists of:

- Exposure to the key provisions of the SADC protocol.
- Gender and the economy theoretical framework. Local experts in the field were

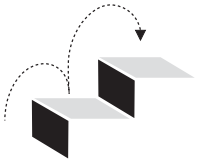


Naome Chimbetete, Director of the ZWRCN making her presentation.
Photo: Sikhonzile Ndlovu

invited and shared their experiences. In the DRC, it was however not possible to find local panelists as the dates for the workshop were only confirmed at the last minute.
- Field work on the third day where participants went out into the field to search for stories and take relevant photographs.
- Story writing.

The workshops are creating a cadre of journalists who are able to link the economic provisions of the protocol with major events such as 2010. They are building strong links between the media and protocol alliance, as well as improving the quality of gender and economic reporting.

*(*Sikhonzile Ndovhu is GL's Media Training Manager)*



Next steps

The current global economic downturn has had a significant impact on businesses around the world. The crisis presents not only challenges to business and government, but also the opportunity to draw on the full skills and talents of their human resources. Women represent half of the working population but less than a quarter of the business decision-makers. This opportunity gap must be addressed in order to bring in new ideas, diversity and innovation into the workplace.

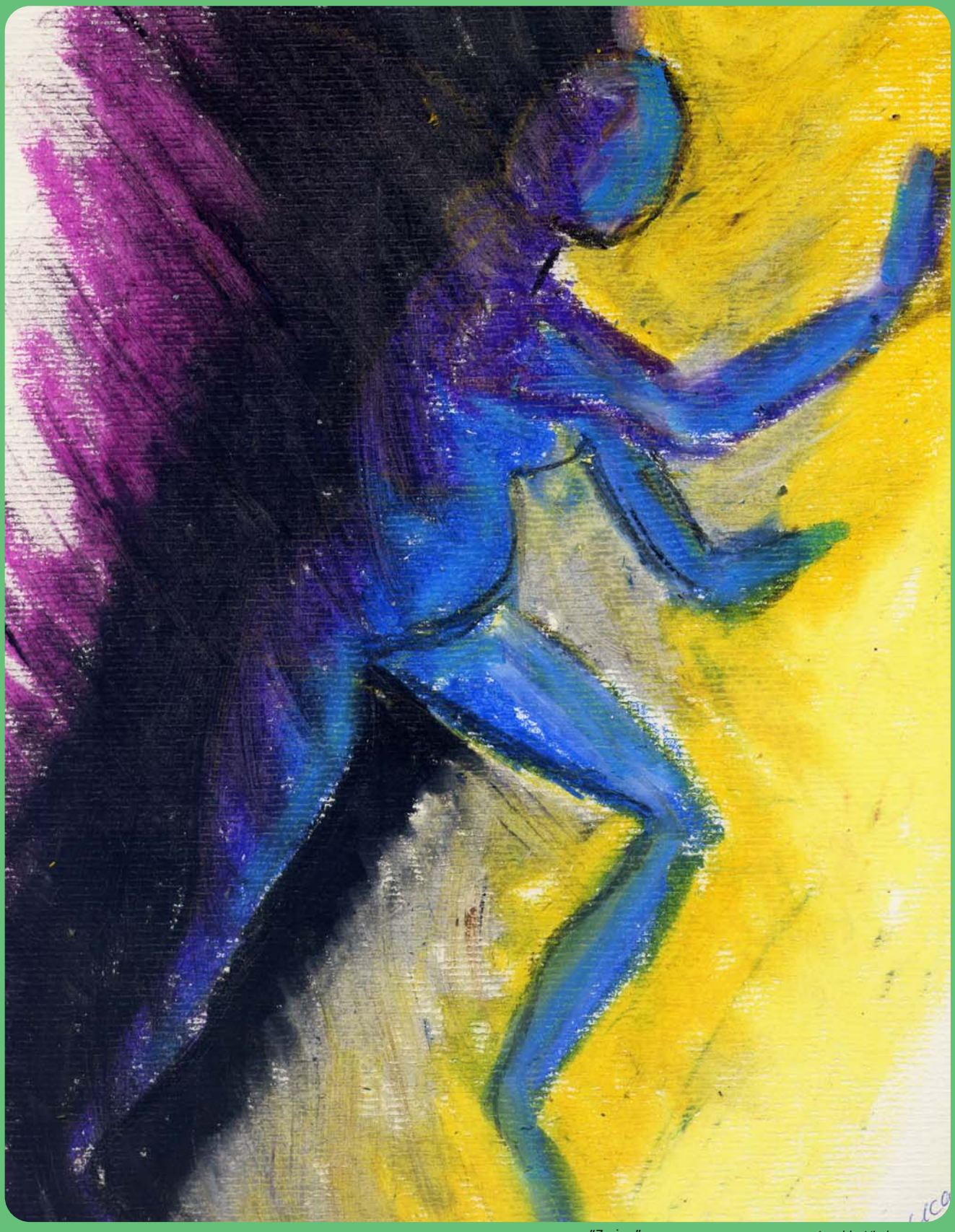
In Africa, women share the largest burden of poverty through entrenched and endemic gender inequalities perpetrated through the economic exploitation of resources and power. Due to the current opportunities brought about by the proliferation of building and construction projects, and the generation of subsequent spin-off industries throughout the African continent, popular movements in the sector have a pivotal role to prioritise women's involvement and participation in decision-making structures. The following are some strategies for change.

At the national level

- Economic literacy training; on how the economy works as well as a manual developed;
- Target division of labour and highlight unpaid work to make social reproduction visible and show how is subsidizes paid work;
- Ensuring that all SADC countries ratify and sign the Convention on socio-economic rights as well as making more visible the African Charter which has strong clauses on women's economic equality;
- Demand that social reproduction be given priority in policies and budget allocation this could be done by targeting social issues like water or HIV/AIDS as a target for the national budget to increase these budgets and disaggregate their distribution to benefit women. This could be done in all SADC countries particularly because a number of them announce budgets around the same time; women's hearings about the national budget could also be held;
- Link the issues to human development targets in the MDG's.

At regional level

- Develop a commonly adaptable economic literacy manual;
- Use processes such as ´ Women's Eyes on the Budget ´ to engage in public finance and expenditure and taxation, and to demystify the budget process;
- To pressure all SADC countries to sign and ratify the convention on socio-economic rights and place the African Charter in more prominence as it has a number of progressive clauses on women and the economy;
- Women are locked into lowest paying jobs through downward harmonisation of wages. How can the Alliance catalyse action and connect with existing strategies?
- Draw linkages between access to assets and income;
- Explain that ongoing trade negotiations could remove BEE , Affirmative Action and other corrective policies;
- Make links between women's economic empowerment and statutory and legal instruments.



"Zarina"

Anushka Virahsawmy

CHAPTER 5

Gender Based Violence

Articles 20-25



Lulu Bayi saying "no" to gender violence at a "Take Back the Night" march.
Photo: Colleen Lowe Morna

KEY POINTS

- Nine of the SADC countries currently have legislation on domestic violence.
- Seven SADC countries currently have specific legislation that relates to sexual offences.
- Only one country, South Africa, has specific provisions for Post Exposure Prophylaxis (PEP).
- Six SADC countries have legis-lation to prevent human trafficking: Mauritius, Madagascar and Mozambique, Swaziland, Tanzania and Zambia.
- Ten SADC countries have some form of legislation to address sexual harassment; most of this is in labour or employment legislation.
- There is no legal aid for survivors of gender violence in at least five SADC countries; in all SADC countries NGOs carry the major burden of providing advisory services.
- There are no places of safety in four SADC countries; in all SADC countries these facilities have little or no state support.
- There is now a concerted move to stretch Sixteen Day of Activism campaigns to year-long campaigns to end violence that are better monitored and evaluated.
- Thanks to collaboration between civil society and governments, all SADC countries now have in place multi-sector action plans to end gender violence. Specific targets and indicators need to be strengthened. More resources and effort needs to go towards prevention.
- The unreliable and sporadic data on the extent of all forms of GBV points to the need to escalate the pilot project for developing GBV indicators started in South Africa, Botswana and Mauritius.

> *"If it were between countries, we'd call it a war. If it were a disease, we'd call it an epidemic. If it were an oil spill, we'd call it a disaster. But it is happening to women, and it's just an everyday affair. It is violence against women. It is sexual harassment at work and sexual abuse of the young. It is the beating or the blow that millions of women suffer each and every day. It is rape at home or on a date. It is murder."*
> Michael Kaufman, Director of the International White Ribbon Campaign



Police support the Sixteen Days of Activism Campaign in South Africa. *Photo: Colleen Lowe Morna*

Gender based violence (GBV) is one of the most widespread violations of human rights that exists, both throughout the SADC region and internationally. GBV can include physical, sexual, economic or psychological abuse and shows no discrimination to boundaries of age, race, religion, wealth or geography. It can manifest itself as the universally prevalent forms of domestic and sexual violence and as harmful practices such as female genital mutilation and honour killings. Nowhere is safe from GBV, it can take place in the home, on the streets, in schools, the workplace, in farm fields, refugee camps, during conflicts and crises and in peacetime.

Globally, it is estimated that one in every three women faces some form of violence during her lifetime (Report of the UN Secretary General 2008) and one in every five women will become a victim of rape or attempted rape in her lifetime (State of the World's Population, UWFPA 2005). Although GBV statistics in Southern Africa and globally are notoriously unreliable, the situation in this region is no different and may even be worse than in other countries.

GBV has far-reaching consequences, harming families and communities. It not only violates human rights, but also hampers productivity, reduces human capital and undermines economic growth. As a result of GBV, women may suffer poor health, isolation, inability to work, loss of wages, lack of participation in regular activities, and limited ability to care for themselves and their children.

The provisions on gender violence in the SADC Protocol on Gender and Development are among the most comprehensive and extensive. Most countries are moving from campaign mode to a more programmatic approach by developing multi-sector National Action Plans or National Strategies to end GBV. The action plans are at various stages of adoption and implementation.

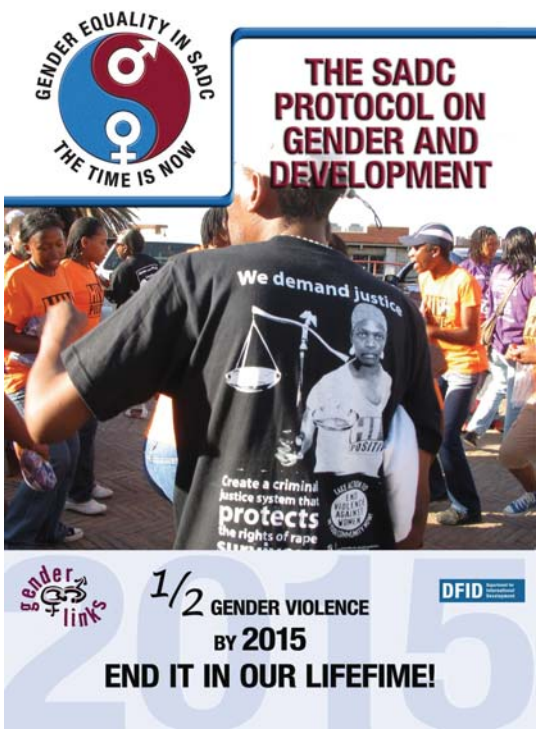
In spite of all these advances gender violence levels remain unacceptably high even where there is legislation and programmes in place. Challenges range from lack of resources to lack of political and individual will at service-delivery level. Even though some countries have adopted multi-sector action plans, there is still a fragmented approach in addressing gender violence in the region. Much more emphasis and focus needs to be placed on strengthening coordinating mechanisms between sectors to ensure delivery.

The GBV provisions in the SADC Gender Protocol compel member states by 2015 to:

- Enact and enforce legislation prohibiting all forms of GBV;
- Ensure that laws on GBV provide for the comprehensive testing, treatment and care of survivors of sexual assault;
- Review and reform their criminal laws and procedures applicable to cases of sexual offences and GBV;

- Enact and adopt specific legislative provisions to prevent human trafficking and provide holistic services to the victims with the aim of reintegrating them into society;
- Enact legislative provisions and adopt and implement policies, strategies and programmes which define and prohibit sexual harassment in all spheres;
- Provide deterrent sanctions for perpetrators of sexual harassment.

The overall target is to halve GBV by 2015. This is an ambitious target. One of the problems it poses is how to measure if this target has been met, considering the difficulties of measuring the incidence of gender violence. This has prompted a key pilot project to develop indicators for measuring GBV (see integrated approaches section). Progress towards achieving the process targets set in the Protocol is summarised in the table and discussed in subsequent sections.



Legal

The Protocol requires that State parties shall by 2015, enact and enforce legislation prohibiting all forms of GBV. Linked to this is the obligation that all laws on GBV provide for the comprehensive testing, treatment and care of survivors of sexual offences which shall include: emergency contraception, ready access to post exposure prophylaxis at all health facilities to reduce the risk of contracting HIV and preventing the onset of sexually transmitted infections.

In recent years member states have passed legislation but often these pieces of legislation have not been holistic in approach to cater for all forms of GBV including new emerging forms of violence like trafficking. Laws do not cater for the link between gender violence and HIV and AIDS.

Nine of the SADC countries currently have legislation on domestic violence: This will increase soon as Angola and Lesotho are currently in the process of passing domestic violence legislation.

Only seven SADC countries currently have specific legislation that relates to sexual offences: In these countries sexual offences legislation has expanded the definition of rape and sexual assault. In South Africa for example, the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 now includes anal penetration and a provision that a man can be raped by another man and a woman by another woman therefore eliminating gender bias.

Marital rape is not widely recognised: While the South African law recognises marital rape,

this has been a contentious issue in SADC. The Protocol does not call for the recognition of marital rape and most country laws do not recognise marital rape. Because of the duality of many SADC legal systems with conflicting formal and customary law, it is difficult for many women to get access to or even be aware of legislation that can protect them from domestic violence.

Sexual violence is playing a significant part in the propagation of HIV and AIDS: It is the same patriarchal behaviours and discriminatory attitudes that result in GBV and women's increased vulnerability to HIV exposure. Sexual violence also results in physical conditions which can increase women's susceptibility to the virus. Thus, it is imperative that addressing this issue must be a priority for governments to attain the targets of the Protocol by 2015. Doing so would lessen the HIV and AIDS burden upon women of the region.

Only South Africa and Mozambique have legislated provisions for PEP: Currently ten SADC countries; Botswana, DRC, Lesotho, Mauritius, Malawi, Namibia, Swaziland, Tanzania, Zambia and Zimbabwe do not have legislation that gives automatic access to post-exposure prophylaxis and medical attention to prevent sexually transmitted infections to survivors of GBV. Botswana, Mauritius, Namibia, Swaziland, Madagascar, Tanzania and Zambia have provisions in policies or guidelines, but not law, which makes this less enforceable.

Even when there is PEP provided for by law, it is not always accessible to all GBV survivors: To be effective PEP has to be administered within approximately 48 hours after exposure to be effective. In rural areas, with limited access to medical treatment this becomes a problem.

The Protocol calls on States by 2015, to review and reform criminal laws and procedures applicable to cases of sexual offences and GBV to eliminate gender bias; and ensure justice and fairness are accorded to survivors of GBV in a manner that ensures dignity, protection and respect.

Efforts are underway to make criminal laws and procedures gender-sensitive but their effectiveness may be in question: Ten out of the 14 SADC countries reported making some effort towards this end with only Lesotho, Madagascar, Mozambique and Seychelles saying that they had not. However, as illustrated in the case of Botswana below, what is said on paper may not alwayscorrespond to the reality on the ground.

Botswana interoggates police service delivery

The ***Botswana*** Police Report of 2008 states that due to the patriarchal nature of the criminal justice system and its agents, most women would find it difficult to report domestic violence in the first place and examines some of the issues women face in reporting GBV. The Botswana Police Service found that police officers need more specific training in handling of GBV cases. Even though the Domestic Violence Act was passed in 2008, domestic violence is still not considered to be a serious crime and the response of the legal system to GBV is still inadequate. *(BPS, 2008)*

A survey by the Botswana Police Service on the handling of GBV also noted that, of the 15 police stations they identified in 2008, there was a total of 1820 police officers employed, and only 24% were female. This means that when a women wants to report a violence-related case, there is a high possibility that there will be no female officer available to attend to her, as is legally required *(BPS, 2008)*. The Botswana Police Service recognised in its report the need for more inter-sectoral collaboration between the legal, medical social and psychological service providers, to provide legal and medical support to survivors of GBV and encourage success to post-exposure prophylaxis.

Human trafficking



GL Programme Coordinator Saeanna Chingamuka during the launch of radio spots, "Together we can end human trafficking" during the 2010 Socccer World Cup tournament.
Photo: Albert Ngosa

By 2015 all states are also expected to: enact and adopt specific legislative provisions to prevent human trafficking and provide holistic services to survivors, with the aim of re-integrating them into society; put in place mechanisms by which all relevant law enforcement authorities and institutions may eradicate national, regional and international human trafficking networks; put in place harmonised data collection mechanisms to improve data collection and reporting on the types and modes of trafficking to ensure effective programming and monitoring; establish bilateral and multilateral agreements to run joint actions against human trafficking among countries of origin, transit and destination countries; and ensure capacity building, awareness raising and sensitisation campaigns on human trafficking are put in place for law enforcement officials.

Provisions on prevention criticised: Applying the '3P test' - Prevention, Protection and Prosecution - to the Gender Protocol provisions a human trafficking specialist highlighted that the Protocol is weak on Prevention[1]. The Protocol calls on States to: enact and adopt specific legislative provisions (Prosecution) to prevent HT and provide holistic services (Protection) to survivors, with the aim of reintegrating (Protection) them into society. The other Article 20 which encompasses trafficking provisions is also weak on prevention.

Data is unreliable: There is a continuous debate about whether data on trafficking is the "tip of the iceberg" or "overinflated". Many forms of trafficking are not researched. The principle adopted by the Red Light campaign co-ordinated by WLSA is to stop the numbers game and adopt the notion that "one person trafficked is one too many".

Twelve Southern African countries have signed the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children commonly known as the Palermo Protocol: Mozambique was the last to ratify in 2006 but the first to pass legislation so there is still time for countries to pass the necessary laws if both state and non-state actors work together as demonstrated by Mozambique.

Two more countries have enacted legislation over the last year; but some laws are weak: Mauritius and Swaziland have joined Madagascar, Mozambique, Tanzania and Zambia to bring to six the number of SADC countries that now have legislation to prevent human trafficking. In the case of South Africa, Tanzania and Zimbabwe trafficking is mentioned in Sexual Offences Acts. South Africa has drafted a bill that is before parliament at the moment. Malawi and Zambia are receiving technical support from the IOM to draft legislation.



In ***Swaziland*** the trafficking law is weak because it was rushed. It is therefore imperative that good laws are passed that are consistent with the UN Protocol (deemed most adequate) and the SADC Gender Protocol.



Research conducted in ***Mozambique*** by the International Migration Organisation found that girls as young as fourteen were being trafficked from Mozambique after being promised jobs in South Africa. Many of these girls ended up in the sex industry and the research indicated that at least 1, 000 Mozambican victims are recruited,

[1] Paper presented by Kayte Fairfax, a Human Trafficking specialist, at a meeting of the Southern African Gender Protocol Alliance in February 2010.

transported and exploited in this way every year. In response to this, Mozambique led the way forward for the region by passing legislation to deal specifically with trafficking. The process began in 2005, when USAID began facilitating the passage of anti-trafficking legislation. The Ministry of Justice and a local NGO network led the outreach and advocacy efforts in support of its passage. *(Mozambique Report, (2004) IOM).* In April 2008, the National Assembly unanimously passed legislation to punish traffickers and protect victims and witnesses of human trafficking. The collaborative drafting process ensured broad support and paved the way for smoother implementation.[2]



2010 World Cup rallied governments and civil society around trafficking; but SADC governments' response was slow: The just ended 2010 Soccer World Cup rallied governments and civil society to campaign against the real threat of increased human trafficking during that period. It is difficult to say how many women, men or children were affected because of the nature of the trade. It happens underground.

While law makers took their time over passing the Anti Human Trafficking law in South Africa, media reports showed that human trafficking is alive and well. For example South Africa is reported to have made its first conviction for human trafficking for the purposes of sexual exploitation according to the National Prosecuting Authority (NPA) in May 2010. The state used racketeering laws related to sexual exploitation to convict a couple, South African Basheer Sayed and Thai national, Somcharee Chuchumporn, in the Durban Regional Court. Police also reportedly bust a human trafficking ring involving 21 women in Kempton Park, Johannesburg. Earlier on in March 2010 nine Nigerian men were arrested for alleged human trafficking and appeared in the Ermelo Magistrate's Court in Mpumalanga about 300km from Johannesburg.

Protocol @ work

Red Light 2010 - Working together to end human trafficking

By Loveness Jambaya Nyakujarah and Saeanna Chengamuka

The Women in Law Southern Africa (WLSA) and Southern Africa Network against Trafficking and Abuse of Children (SANTAC) launched the Red Light Campaign in 2008 to guard against the potential impact of the FIFA 2010 Soccer World Cup on vulnerable women and children in Southern Africa. The campaign connects organisations already working on human, women and children's rights, human trafficking, gender based violence, HIV and AIDS to realise a common purpose. While initially focusing on the World Cup as an opportunity to highlight issues relating to trafficking and sexual exploitation of women and children, the campaign will continue past the event to keep this important issue on the regional agenda initially up to 2011.

Launched in ten SADC countries between 2008 and early 2010, the campaign included a concerted strategic communications campaign. Working with media, particularly community media, is one example of the communication strategies used to raise awareness on



Selaelo Chuene interviewing Rose Thamae, Director of Lets Grow at the launch of the Radio Spots, Orange Farm Johannesburg.
Photo: Albert Ngosa

[2] http://www.usaid.gov/our_work/cross-cutting_programs/wid/trafficking/cs_law.html

human trafficking using key provisions of the SADC Protocol on Gender and Development as the main framework. The Red Light 2010 Campaign worked in partnership with Gender Links, Community Media for Development (CMFD) Productions and the National Community Radio Forum (NCRF), with support from Oxfam GB to produce radio spots.

The radio spots titled "Together We Can End Human Trafficking" were aimed at:

- Raising awareness in communities around recognising, preventing, and reporting human trafficking especially during the World Soccer Cup and beyond.
- Providing community radio stations with content to promote the coverage of human trafficking.
- Expanding partnerships and bringing the voices and views of communities and people most affected by the consequences of human trafficking into the discussion and strategic interventions.

The radio spots had an accompanying presenter's guide designed to be relevant even after the World Cup. Three two-minute spots addressed various aspects of human trafficking in English, Zulu, Sesotho, Afrikaans, and SiSwati for South African audiences. These were further translated into Portuguese, French, Shangaan, Nyanja, Chichewa, Setswana, and Shona and are being distributed to stations across Southern Africa.

In one spot, a young woman's dream job in the big city becomes a nightmare when she is forced into sex work. In another, a taxi driver realises he did nothing to prevent a young woman from being trafficked, and vows to never let it happen again. In the third, two young women recognise a human trafficker in their midst, thanks to information provided to them through community outreach. To listen to the spots online, please visit http://www.genderlinks.org.za/ and click on Radio spots: Say No to Human Trafficking.



Other examples of partner initiatives include a campaign launched by Gender Links coordinator of the Alliance titled "*Score a goal for gender equality: Halve gender violence by 2015*". The campaign that kicked off during the 2009 Sixteen Days Campaign aimed at putting gender on the Soccer 2010 World Cup.

The media did not always play their role in profiling women and their participation in the World Cup positively. For example there were very few stories that show that women play soccer and are even football fans even with the Women's World Cup that took place in Germany shortly after the men's July tournament. Women are vendors and small business owners. They can transform their houses into guest houses, their cars into taxis, and offer their services as tour guides[3]. They are artisans and craft makers. They fight for change and democracy. They spearhead development projects and are community organisers. There were numerous stories that the media could tell rather than perpetuating stereotypes and solely pronouncing activities such as sex work.

GL foregrounded the Gender Protocol provisions on violence, particularly around human trafficking, and the overall target of halving gender violence by 2015. The organisation also worked with media to highlight the economic opportunities created by the World Cup for women and who stood to benefit from the tournament.

[3] Glory Mushinge, (2009) "Media lacks content on World Cup 2010's economic potential to women", *The Gender and Media Diversity Journal: Issue 7.* Gender Links, Johannesburg.

Sexual harassment

The Protocol calls upon State Parties to ensure that by 2015 they enact legislative provisions, adopt and implement policies, strategies and programmes which define and prohibit sexual harassment in all spheres, and provide deterrent sanctions to perpetrators.



Ten SADC countries have some form of legislation: For the most part sexual harassment is mentioned in labour or employment legislation; in the case of Tanzania this is mentioned in the Penal Code. In Mauritius, sexual harassment is covered in the Sex Discrimination Act. The Act refers to "'any unwelcome or unbecoming gesture or act of one sex to the other." In South Africa, the Labour Relations Act currently deals with sexual harassment in the work place and the act shows some sensitivity towards gender in that the person documenting the case has to be of the same sex as the complainant.

However, these efforts are insufficient: Sexual harassment is an obstacle that women across the SADC region face on a daily basis. It can prevent women from seeking the employment they want and discourage them from trying to progress in their careers. SADC governments must enact legislation to protect women from sexual harassment and provide deterrent sanctions for perpetrators.

Support services

The Protocol calls upon states to put in place mechanisms for the social and psychological rehabilitation of perpetrators of GBV and establish special counselling services, legal and police units to provide dedicated and sensitive services to survivors of GBV. The Protocol says states shall: provide accessible information on services available to survivors of GBV; ensure accessible, effective and responsive police, prosecutorial, health, social welfare and other services to redress cases of GBV; provide accessible, affordable and specialised legal services, including legal aid, to survivors of GBV; provide specialised facilities, including support mechanisms for survivors of GBV; provide effective rehabilitation and re-integration programmes for perpetrators of GBV.

Various specialised facilities: There are specialised facilities in police stations or in courts in Mauritius, Mozambique, Namibia, Swaziland, South Africa, Zambia and Zimbabwe called "Victim Support Units." South Africa has developed a model called Thuthuzela Centres that have become a subject of study by many states in the region. These are One Stop Centres that provide all services required by a victim or survivor of sexual violence under one roof. Services include trained police to take statements, medical facilities, counselling services, legal aid and a place of safety. At least 12 are in place and the aim is to roll out 80 centres throughout the country by the year 2010. The One Stop Centres build on facilities that are already in place.

No legal aid in at least five SADC countries: Botswana, Madagascar, Swaziland, Tanzania and Lesotho do not have state supported legal aid services for survivors of gender violence. Most countries reported that on the whole, NGOs provide these services.

No places of safety in four SADC countries and in others, there is limited state support: There are no places of safety at all in DRC, Lesotho, Madagascar, and Tanzania (where the only place of safety is the police station). In the eleven SADC countries that have such facilities, these are run mostly by NGOs with little or no state support.

Only five countries insist on the social and psychological rehabilitation of perpetrators of GBV: Current efforts for rehabilitation of GBV offenders are vastly insufficient and need to be enforced throughout the SADC region. Only Botswana, Mauritius, Malawi and Zimbabwe have laws which insist on the social and psychological rehabilitation of perpetrators of GBV. In Botswana, these efforts take place in prison, which means that the offender has to be convicted and imprisoned to have any formal rehabilitation. Mauritius, Malawi and Zimbabwe have provisions that can compel the offender to undergo counselling but this is at the discretion of the court.



Angola steps up services for victims of GBV

The Ministry for Family and Women (MINFAMU) has instituted Family Counselling Centres' which have specialised frameworks for victims of GBV throughout Angola *(psychologists, sociologists and attorneys)* and they carry out psychosocial and legal counselling activities. In 2006, throughout the country, there were roughly 3,271 victims of violence (2,919 were women and 352 were men) who used these centres. There are also various counselling services run by civil society groups in partnership with MINFAMU.

The Ministry of Justice has also been working with the Ministry of the Interior to increase the number of female police officers and to improve police responses to GBV claims. Also, The Ministry of Family and the Promotion of Women started a program in 2008 with the Angolan Bar Association to give free legal assistance to abused women. Statistics on prosecutions for violence against women under these laws are not currently available.

Considerable work has also been done by the government and its social partners in providing legal education for the people, and for women in particular about GBV, by expanding information, communication and education programs on women's and children's rights, including the use of national languages and accessible methods such as the arts, audiovisual techniques, and social communication organs.

TABLE 5.1: KEY BASELINE INDICATORS ON GBV AGAINST THE

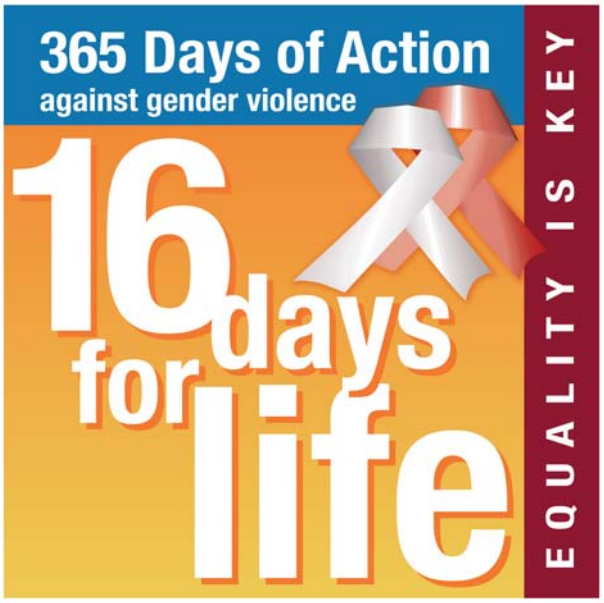
Targets	Angola	Botswana	DRC	Lesotho	Madagascar	Malawi
LEGISLATION						
Laws on Domestic violence	No	Yes	No	Domestic Violence Bill in progress	Yes	Yes, Prevention of Domestic Violence Act
Laws on Sexual assault	No	No	Yes, Sexual Offences Act	Yes	Yes	No
Comprehensive treatment, including PEP for victims of sexual assault	No	Only PEP policy not law	No	No but compulsory testing of HIV of alleged rapists	In policy	No
Specific legislative provisions to prevent human trafficking	No	No specific	No	No specific	Yes	Law commission received technical support from IOM in developing legislation
Sexual harassment	No	Legislation recommended as part of Employment Act	Yes	No	Yes	No
SERVICES						
Accessible, affordable and specialised legal services, including legal aid, to survivors of GBV	Yes	None, NGOs provide this	Legislation provides this but is is not reinforced	Ministry of Justice legal aid service stretched; NGOs step in	No	None; NGOs provide this
Specialised facilities including places of shelter and safety	NGOs, no state support	Minimal state support; mostly NGOs	No	No places of safety; no state support	No	Minimal state support; mainly provided by NGOs
CO-ORDINATION , MONITORING AND EVALUATION						
Integrated approaches: National Action Plans	Draft under review	Draft National Action Plan to End GBV	Yes, not implemented	Yes, Draft	Yes but coordinated by civil society	Yes, Draft
By 2015 construct a composite index for measuring GBV	No index yet	Pilot project	No index yet	No index yet	No index yet	No index yet
By 2015 provide baseline data on GBV	No GBV baseline data collated yet	No GBV baseline data collated yet	No GBV baseline data collated yet	No GBV baseline data collated yet	No GBV baseline data collated yet	No GBV baseline data collated yet

SADC PROTOCOL ON GENDER AND DEVELOPMENT

Mauritius	Mozambique	Namibia	Seychelles	South Africa	Swaziland	Tanzania	Zambia	Zimbabwe
Yes	Yes	Yes	Yes (Family Violence Act)	Yes	No	No	No - treated as assault cases	Domestic Violence Act
No	Yes	Yes, Combating Rape Act 1999	No	Sexual Offences Act	Yes	No	No - covered under Penal Code	No
Only in policy	Yes, in HIV and AIDS Act 2008	Only in policy	No	Yes, in Sexual Offences Act	No, in policy	In policy	Policy but often survivors report too late	No
Yes, Combating of Trafficking in Persons Act of 2009	Yes	No specific	No laws or discussion	Sexual offences Bill includes a chapter on trafficking	Yes, People Trafficking & People Smuggling (Prohibition) Act, 2009	Yes, Anti-Trafficking in Persons Act of 2008	Yes - Anti-Human Trafficking Act of 2008	No specific, but mentioned in Sexual Offences Act
Labour act; Sex Discrimination Act	Brief mention in labour law; never tested	Labour Act	Ministry of Education policy; Ombudsperson; subject is taboo (unclear)	Basic Conditions of Employment; Labour Relations Act; recent legal precedent	Crimes Act of 1889- "inappropriate sexual behaviour"; outdated!	Penal Code and Sexual Offences Act	No - only "indecent assault"	Labour Relations Amendment Act, under "unfair labour practice."
Yes, via Women's Rights Ministry	Limited government support but services from Association of Women Lawyers	Yes and Legal Resources Centre	Yes	Yes through the Legal Aid Board, plus NGO support	No, only NGOs	No, only NGOs	Ministry of Justice Legal Aid and WLSA legal aid clinic	Ministry of Justice Legal Aid, Musasa Project and WLSA.
Adequate; run by NGOs partly funded by government	NGOs main provider of services but face resource constraints	Mainly NGOs; stretched	Very few government or NGO facilities; house people with various social problems	Mainly NGOs that depend on foreign funding	No places of safety	No places of safety- only police stations	No state support but a few NGOS like YWCA	No state support
National Action Plan on Domestic Violence adopted by cabinet	Yes	Yes, National Action Plan to End Gender Violence	Yes, but strategy only focuses on Domestic Violence	365 Day National Action Plan to End Gender Violence adopted	365 Day National Action Plan to End Gender Violence in place launched	National Plan of Action to End Gender Violence in place since 2001	Draft National Action Plan to End Gender Violence in place	Draft National GBV Strategy and Action Plan in place
Pilot project	No index yet	No index yet	No index yet	Pilot project	No index yet	No index yet	No index yet	No index yet
No GBV baseline data collated yet	No GBV baseline data collated yet	No GBV baseline data collated yet	No GBV baseline data collated yet	No GBV baseline data collated yet	No GBV baseline data collated yet	No GBV baseline data collated yet	No GBV baseline data collated yet	No GBV baseline data collated yet

Prevention

The Protocol calls on States to take measures including legislation, where appropriate, to discourage traditional norms, including social, economic, cultural and political practices which legitimise and exacerbate the persistence and tolerance of gender violence with a view to eliminate them and in all sectors of society, introduce and support gender sensitisation and public awareness programmes aimed at changing behaviour and eradicating gender based violence.



Civil society and to some extent governments have stepped up public awareness campaigns especially with countries moving from Sixteen days to year long programmes to end gender violence. In 2008, UNIFEM and the Inter Departmental Management Team on GBV of the South African government commissioned Gender Links to develop a prevention model for GBV that consists of:

- ***An overarching national framework*** or campaign that provides an enabling environment for initiatives in all spheres and at all levels of society. This builds on the 365 Days of Action to End Gender Violence, with the annual Sixteen Days of Activism campaign as a way of heightening awareness as well as enhancing accountability for targets set.

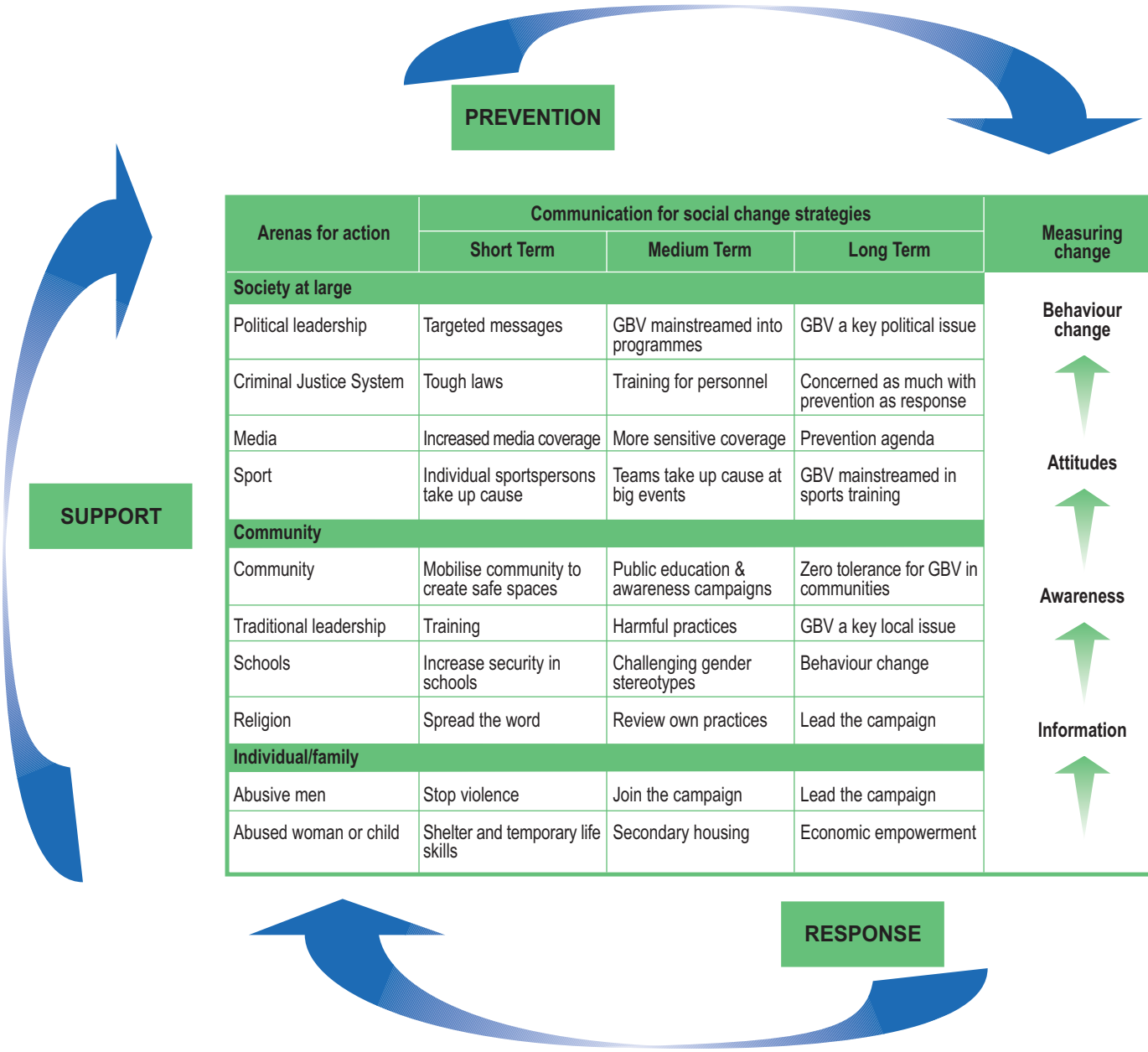
- ***Understanding the relationship between prevention, response and support.*** While the focus is on primary prevention, the model emphasises that good response and support mechanisms should also contribute to prevention. For example, tough laws and their implementation should serve as a deterrent to GBV. Shelters should not only provide temporary refuge but empower women to leave abusive relationships, thus preventing secondary victimisation. Working in unison, prevention, response and support strategies can both reduce GBV and ensure redress for those affected.

- ***Stepping up targeted primary prevention interventions at three key levels:*** In the home (women, men, children and the family); the community (traditional leaders; religion; schools and sports); and the broader society (the criminal justice system; media and political leadership).

- ***Identifying approaches and strategies that work:*** Based on communication for social change theories and using these in the design of future interventions.

- ***Developing more effective monitoring and evaluation tools:*** Bearing in mind that up to now most of the data available concerns outputs rather than outcomes. Ultimately, prevention campaigns must be able to demonstrate that their impact moves beyond information and awareness to create knowledge, wisdom and behaviour change.This in turn should lead to a quantifiable reduction in GBV.

TABLE 5.2: NATIONAL CAMPAIGN: 365 DAYS OF ACTION TO END GBV



Arenas for action	Communication for social change strategies			Measuring change
	Short Term	Medium Term	Long Term	
Society at large				Behaviour change ↑ Attitudes ↑ Awareness ↑ Information ↑
Political leadership	Targeted messages	GBV mainstreamed into programmes	GBV a key political issue	
Criminal Justice System	Tough laws	Training for personnel	Concerned as much with prevention as response	
Media	Increased media coverage	More sensitive coverage	Prevention agenda	
Sport	Individual sportspersons take up cause	Teams take up cause at big events	GBV mainstreamed in sports training	
Community				
Community	Mobilise community to create safe spaces	Public education & awareness campaigns	Zero tolerance for GBV in communities	
Traditional leadership	Training	Harmful practices	GBV a key local issue	
Schools	Increase security in schools	Challenging gender stereotypes	Behaviour change	
Religion	Spread the word	Review own practices	Lead the campaign	
Individual/family				
Abusive men	Stop violence	Join the campaign	Lead the campaign	
Abused woman or child	Shelter and temporary life skills	Secondary housing	Economic empowerment	

Campaigns are growing in breadth and scope: Measured against this model, which is being used in strategic communications training to reinforce National Action Plans, the breadth and depths of campaigns to end GBV around the region are improving, but there is need to evaluate the impact of these campaigns. The following are examples:



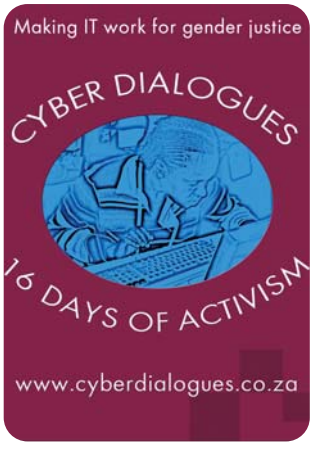
Young women singing at the launch of the radio spots on human trafficking, Orange Farm, Johannesburg in the run up to the 2010 Soccer World Cup tournament. *Photo: Albert Ngosa*



Malawi: The Sixteen Days of Activism Against Women and Child Abuse has enabled government and civil society to raise awareness on GBV to local communities and the general public. Further the activity has given advocacy and lobbying space to policy makers and cooperating partners. However there has not been a study to assess the direct impact that the activity has had on the nation. Currently government plans in the long term are to turn the Sixteen Days of Activism campaign into the 365 Days campaign. One of the strategies that has been adopted is to devise a plan of action of activities that are to be implemented throughout the year toward the elimination of GBV.

Zambia: As a result of combined efforts from both the civil society and the government, the Sixteen Days of Activism makes an impact as it brings out testimonies and fresh views on GBV and gender issues in general. During the campaign, NGOs and government institutions visit places such as prisons, health facilities, home based care organisation and do activities such as cleaning and donating commodities. They use TV, radio, drama, songs, debates, forums, and feature stories among others to publicise the event. Last year, the Gender and Media in Southern Africa (GEMSA) Network working with other stakeholders like Gender Links, held cyber dialogues on different topics during the Sixteen Days of Activism which made positive impact especially for women and journalists that participated.





However, the disappointing thing is that once the event is over, little is heard or seen both in the media and society at large on GBV. This means that the impact of elevating the Sixteen Days of Activism to 365 is not really felt.



Zimbabwe: As part of sensitisation efforts on GBV Zimbabwe commemorates the Sixteen Days of Activism and the International Women's Day but these have largely remained women's events. For the 2009 International Women's Day, political parties joined to celebrate the day as part of a campaign to promote tolerance in a polarised society. The Zimbabwe Women's Lawyers Association (ZWLA) in partnership with NGO's and UNFPA recently launched a campaign named *Musha Matare* aimed at disseminating information on GBV. ZWLA has a campaign called 'Together We Can' that seeks to achieve collaboration among partners in the campaign to end GBV.



Lesotho: The most prominent gender sensitisation and public awareness programmes that have been instituted by government are the countrywide *Lipitso* conducted by Minister of Gender, Youth, Sports and Recreation (MGYSR) senior officers under the leadership of the Minister responsible. Civil society on its own carries out sensitisation activities and have for the last two years, jointly with the Ministry led and facilitated Sixteen Days of Activism against GBV during November 25 to 10 December of each year. Since 2008, this has been extended to a 365 days campaign on GBV in Lesotho.

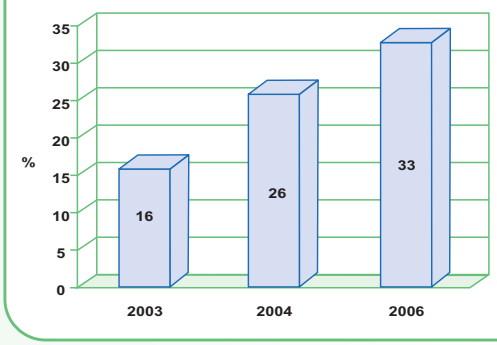
- The impact of the celebration of Sixteen Days of Activism against GBV and child abuse by NGOs and NGM since 1999 has led to myriads of activities that pull crowds all over the country, raise awareness and lead to more cases being reported. The events call for commitment by government, development partners, civil society and individuals to join hands in combating GBV.
- Since May 2008, the Sixteen Day campaign has been elevated to a 365 Day campaign.
- Exchange of national, regional and international best practices for the eradication of violence against women and children mostly occurs in international fora, and among networks like WLSA and Gender Links especially during the 16 days campaign.

There is need to monitor impact: Tracking of public awareness campaigns like the Sixteen Days of Activism is generally weak. The South Africa Department of Government Communication and Information System (GCIS) provides a good practice on how you can measure effectiveness of awareness campaigns.

Tracking the Sixteen Days of Activism in South Africa

Using a system called *the tracker*, the Government Communication Information System (GCIS) has been measuring awareness of the Sixteen Days of Activism campaign on an annual basis since 2003 to 2007 (except 2004). While this only concerns the Sixteen Days of Activism, it could be extended to include the 365 Day initiative or any other public awareness campaign. The sample used is representative of the adult SA population (i.e., 18 years and above). A question was tracked in 2003, 2005 and 2007. The question asked was: "In the past month, have you heard of, or seen the following initiatives/ issues/events, or not" (Question is a multiple mention). A follow up question: "Please tell me where you heard or saw the initiatives/issues/events you mentioned?" Comparative analysis is done for the period Feb 2003 – Jan 2007.

Figure 5.1: Tracking the Sixteen Days of Activism in South Africa



The main conclusion of the survey is that public awareness levels of the campaign have been growing since it was launched from 16% in 2003; 26% in 2005 to 33% in 2006. The significance of the mainstream media is underscored by the fact that the majority of respondents heard or saw the campaign via mainstream media: 81% through TV; 14% radio stations; 18% newspapers (18%); 12% "word of mouth" (12%) from family members & friends and less than 2% magazines, pamphlets, outdoor media, *imbizo* (community meetings).

Public attitudes towards GBV die hard: GBV is often accepted due to women's subordination in society, lack of education, lack of political action and the media's representation of GBV. Campaigns to sensitise people to GBV and its effects are taking place but attitudes are not changing enough to dramatically decrease the prevalence of GBV or to put pressure on the governments to strengthen their actions.



Madagascar: Surveys conducted in Madagascar show that attitudes in society have hardly changed. The victims themselves find excuses for the violence perpetrated by their husband, when they think they have failed to perform the duties that are incumbent on them in the stereotyped division

of roles (DHS2003-2004). As for their friends and family, though they may disapprove of the violence, they deter the women from taking action, according to the commonly accepted principle in Malagasy society that family problems should not be made public. In fact, even law enforcement officers sometimes try to dissuade the victims from taking the cases to court.

(USAID/WLR/FOCUS 2004)



Lesotho: Opinion surveys carried out on public attitudes towards gender violence have been limited to one by the Ministry of Health and Social Welfare (MOHSW) and WHO on Violence Against Women in Lesotho in 2003, and a subsequent one by Care Lesotho (2002). A recent study undertaken by WLSA and UNFPA (2009) which indicates that attitudes towards gender violence are slowly changing as advocacy campaigns against violence intensify and the provisions of the Sexual Offences Act (SOA 2003) are reinforced to penalise the perpetrators.

The media is more often part of the problem than of the solution: The Gender and Media Baseline Study (GMBS) conducted by MISA and Gender Links in 2003 found that gender specific coverage constituted a mere 2% of all coverage but that of this 1% related to GBV. Qualitative studies showed that the experiences of women are frequently trivialised and that they seldom tell their own stories.

Swaziland: Monitoring of GBV coverage in Swaziland in 2003 by MISA concluded that there existed "a serious lack of ethical, fair, detailed, analytical and gender aware reporting. This study demonstrates that the media is not doing enough to challenge gender stereotypes, raise public awareness of gender violence and child abuse, educate women on their rights and urge greater commitment and accountability from government in combating the problems". *Rogers (1997, 35)*

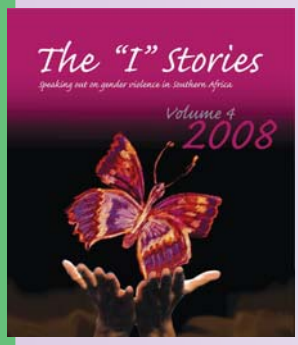


Understanding the power of speaking out: Activists in several countries across the region have been working with survivors of gender violence to tell their stories in their own words. During the Sixteen Days of Activism 2010, Gender Links followed up with women who have participated in the "I" Stories project over the last five years to assess if writing is indeed a powerful form of healing. The gender indicators project mentioned later in this chapter will seek to gauge the power of speaking out as part of strategic communications campaigns on GBV.

Speaking out can set you free

by Colleen Lowe Morna

What do you think of when you see a butterfly? Beautiful colours! Freedom after the struggle to break out of a cocoon! The sky is the limit! Reaching up; reaching out! These were just a few of the answers given by survivors of gender violence who over the last five years have come out to tell their stories at a workshop convened by GL ahead of the *Sixteen Days of Activism* 2009. The butterfly is the symbol of the "*I*" *Stories* brand that these women have created as well as a profound metaphor for their lives.



"The caterpillar is a victim whose hopelessness is compounded when it closes up in a cocoon," facilitator Mmatshilo Motsei said. "The butterfly that emerges is a survivor with new found freedom and possibilities. That does not mean your flight will always be a smooth one. Talking is the beginning of that journey."

When GL, working closely with NGOs that offer counseling, first started the "healing through writing project" in 2004, it was fraught with risks. What if women who came out to tell their stories especially through the media suffered even more violence at the hands of abusive partners? What would happen after the near celebrity status accorded by the Sixteen Days came to an end? How would we respond to expectations raised for jobs and security?

The stories of the 55 survivors that GL has worked with in South Africa, chronicled in four "butterfly" books range from a woman who had her jail sentence lifted after murdering a sadistic partner following years of physical and emotional torture to another forced to watch her husband having sex with his girlfriend in the same bed. This year we decided to follow up on past participants to see what effect speaking out has had on their lives. Some could not be traced. At least one had died. Others preferred not to continue to be associated with gender violence related work.

But the 25 who responded shared uplifting stories of what breaking out of the cocoon has meant for them. At least three have become counselors at the shelters where they once took refuge. Rehana, an HIV positive Muslim woman, and participant in the very first *"I" story* workshop, is now a well known advocate of disclosing ones HIV status.

Rose Thamae's three generation story of enlisting her daughter and granddaughter to the cause after a gang rape that left her HIV positive has inspired hundreds here and abroad. She leads Lets Grow, a vibrant community-based HIV and AIDS care network in Orange Farm with branches in Lesotho. Thamae has spoken on global stages from India to the UN in New York. Her granddaughter Kgomotso says: "Even though I am sometimes stigmatised because of my grandmother's experiences, I would much rather have them out in the open than the subject of rumours and gossip."

When Sweetness Gwebu first participated in the *"I" Stories* project in 2007 after 37 years of living in an abusive relationship she did not want her name used. The following year, she wrote the foreword to the *"I" Stories* book. Now she is writing a book that probes deeper into the causes of gender violence. "What I have found not even a psychiatrist would know," she said.

Grace Maleka who became disabled as a result of the violence she experienced recounts how after her story aired on ETV she received several calls from community members saying she had lied. Written story in hand, she stood her ground and has gone on to give dozens of media interviews, especially with local community radio stations. The experience of participating in cyber dialogues, and having her story posted on Women 24 where it received many comments has opened her eyes to the potential power of IT in the campaign for women's rights.



Grace Maleka speaks out. *Photo: Colleen Lowe Morna*

Maleka compares herself to a driver who looks in the right mirror, the left mirror, and the rear view mirror before overtaking a car on the highway. "When you have done all that, there is only one way to go and that is forward," she said. "For me, there is no turning back."

Integrated approaches and monitoring and evaluation

The Protocol obliges Member States to adopt integrated approaches, including institutional cross sector structures, with the aim of reducing current levels of GBV, by half by 2015.

TABLE 5.3: INTEGRATED APPROACHES

COUNTRY	NATIONAL ACTION PLAN	STRATEGIC COMMUNICATION PLAN DEVELOPED
Angola	National Action Plan Against Domestic Violence (Draft)	No
Botswana	The Botswana National Action Plan to End Gender Violence November 2007.	November 2008, aimed at providing participants with a framework for collaborative action and emphasised the importance of education, training and awareness building outlined in the National Action Plans Against Gender Based Violence. Aimed at promoting the use o IT for advocacy and using new tools of communication.
DRC	The National Action Plan on Gender Violence	No
Lesotho	National Action Plan to End Gender-Based Violence in Lesotho, May 2008	No
Madagascar	The Madagascar National Action Plan to End Gender Violence, June 2008	No
Malawi	National Response to Combat GBV (2008-2013), July 2008	Currently government plans to turn the Sixteen days campaign into the 365 days campaign One of the strategies that has been adopted to devise a plan of action of activities that are to be eliminated throughout the year towards the elimination of GBV.
Mauritius	Action Plan on Gender Based Violence, October 2006	November 2008, aimed at building the capacity of stakeholders in strategic communications and IT skills based on the harmonised National Action to Combat Domestic Violence and to consolidate plans for the 2008 Sixteen Days of Activism campaign.
Mozambique	National Action Plan to End Gender Violence (Draft, 2008)	No
Namibia	National Action Plan to end Gender Violence, July 2006	November 2008, to build the capacity of stakeholders on strategic communications and IT skills based on the Action Plan to End Gender Violence and to plan for the Sixteen Days of Activism campaign. To create a plan that is relevant at grassroots level.
Seychelles	National Strategy on Domestic Violence, 2006	No
South Africa	365 Days National Plan of Action to End GBV, March 2007	To develop a targeted communications strategy for Sixteen Days of Activism. Use the Sixteen Days of Activism Campaign to leverage the 365 Day Action Plan, build skills for the implementation of the strategic communications plan.
Swaziland	Swaziland 365 day National Action Plan to end gender violence, June 2007	Plan designed to train media practitioners to work with survivors of gender violence to document their experiences, equip people on the use of IT for advocacy with emphasis on running of on-line campaigns, create a sustainable way of addressing the high levels o gender violence is through promoting primary prevention efforts which are largely based on communication for social change principles
Tanzania	National Plan to Combat Violence Against Women and Girls (2001-2015)	
Zambia	National Action Plan to end Gender Violence (August 2007)	
Zimbabwe	National Gender Based Violence Strategy and Action Plan (August 2006)	No

TO ENDING GBV IN SADC COUNTRIES

SIXTEEN DAY CAMPAIGN EXTENDED TO 365	GENERAL COMMENTS
No	In 2008, as part of the capacity building and policy support strategy, The United Nations Development Programme (UNDP) in Angola assisted the Government in the formulation and approval of the National Action Plan Against Domestic Violence. 775 women and 450 men participated in the drafting of the Action Plan, and the project fed into the drafting of the Domestic Violence Bill which should be enacted in 2010.
Yes	Implementation of plan needs to be accelerated. Developed by various stakeholders; government, civil society, police and academia.
No	National Action plan is part of the 'National Policy of Gender Mainstreaming and the promotion of women, the family and protection of the Child'.
Yes	Lack of stakeholder commitment, lack of political will and inadequate financial support are failing to drive the process forward.
Yes	The plan will be implemented as part of various other policy instruments such as the National Policy for the Promotion of Women, the Gender and Development National Action Plan and the Madagascar Action Plan. To implement this, Madagascar has created Gender and Development Technical Units at decentralised levels to reinforce punishment for violence against women/girls/adolescents.
No	Plan covers six thematic areas for strengthening; 1) strengthening response to GBV 2) GBV prevention 3) rehabilitation of survivors and perpetrators 4) Research documentation 5) GBV in the work place 6) Monitoring and evaluation.
Yes	Existing plan developed in 2006 and finalised in 2007. Has been taken to cabinet. Combines work done by Women's ministry, UNDP and MWO-GEMSA with assistance of Gender Links.
No	Plan funded by state budget with contributions from partners and donors but finances are a major constraint to the success of the plan.
Yes	Existing action plan developed in 2006. Gender violence conference held in 2007 to strengthen strategies to end gender violence. There is currently no budget for the implementation of the plan, all activities are being mastered by the Minister of Gender Equality and Child Welfare.
Yes	No formal structures have yet been established to implement the plan
Yes	National Action Plan conference held in May 2006. Launched on 8 March 2007 by Dep. President. Two pilot projects in place in Gauteng and North West provinces to localise the national action plan but require support.
Yes	Workshop held, plan developed and accepted by Dept of gender who co-funded the workshop. Plan to be launched during Sixteen days of Activism 2007.No visible evidence of awareness raising, limited implementation, media coverage or legislative change.
Yes	Plan produced with assistance by GL and GEMSA in 2007.
Yes	Plan developed and submitted to Gender in Development Division (GIDD) for incorporation into final plan National Action Plan which reached its final stage in September 2007. There is a need to lobby the government and donor community to allocate sufficient funds to implement plan.
Yes	Research is being spearheaded by Ministry of Women and Child Development.

Paper plans? Almost all SADC countries have put in place multi-sector National Action Plans or Strategies to End Gender Violence. This target will thus be met by almost all countries in the region. However the challenge lies in effective implementation to actually reduce gender violence on the ground. Taking stock meetings held in various SADC countries between during the Sixteen Days of Activism in 2009/2010.



Botswana: The country's national action plan to end gender violence is still in draft form and is hardly known within government let alone by the rest of the Setswana society. Hence none of the commitments made during the drafting of the action plan in 2007 have really taken off except a component of the Women's Affairs Department on working with police to address GBV. No national conference has been held nor has a GBV network been established as per the commitments made in the action plan. At a stock taking meeting in January 2010 government undertook to review the plan and work towards reviving it.



DRC: The National Action Plan is included in the 'National Policy of Gender Mainstreaming and the Promotion of Women, the Family and Protection of the Child'. The Minister of Gender gathered with its partners to discuss the development of this plan last June but it has not yet been implemented.



Lesotho: There is a National Action Plan to End Gender Violence or strategy in place to curb all forms of gender based violence. The MGYSR has in place a Draft National Action Plan on GBV, which it has formulated with the support of UNFPA, Gender Links, and civil society organisations and other stakeholders. The plan has to date not been adopted.

- The structures established to drive the process include the Gender Forum comprising Stakeholders of GBV and Gender Reproductive Rights (GRR) to discuss progress under coordination of the MGYSR, and UNFPA, Steering committee which periodically meets.
- The government and UNFPA are financing the implementation of the action plan/strategy.
- Yes there have been some problems along the way mainly commitment by stakeholders resulting in blame shifting. Lack of political will, and inadequate financial support especially to non-state-actors to drive the process.
- Support required for implementation of the National Action Plan is the institution of a working committee to pursue issues, financial support, and commitment "from the top".
- SADC Protocol is not ratified. There are no steps being taken since Lesotho signed it a year ago.



Madagascar: There is no specific national action plan to fight gender-based violence. However, provisions on the subject are included in various policy instruments, including the National Policy for the Promotion of Women (PNPF), the Gender and Development National Action Plan (PANAGED), and the Madagascar Action Plan (MAP). The Gender and Development National Action Plan (PANAGED) was developed in 2003, based on the Gender and Development Regional Action Plans (PARGEDs), which were developed in a participatory process, and in which a component on the fight against violence was included. The PARGEDs had taken into account the social and economic specificities, the social and demographic situations, and the activities in the fight against violence in each region.

The institutional mechanism to implement the PANAGED component on the fight against violence includes Gender and Development technical units at decentralized level, to assist victims of violence, reinforce punishment for violence against women/ little girls/ adolescent girls, create a social dynamic to enhance the fight against violence. Those technical units work in cooperation with the local NGOs, associations and groups in the gender network.

The PANAGED was to be funded by public resources made available from the Poverty Reduction Strategy Paper (PRSP 2003-2006). Additional resources from the Government, regional/local authorities, the private sector and technical and financial partners were to be found

for those actions that could not be included in the programmes and projects that were in existence at the time when the PANAGED was adopted.



Malawi: Malawi has a national plan entitled "National Response to Combat Gender Based violence (2008- 2013) that was adopted in July 2008. The Action Plan was developed through a consultative process of meetings and workshops with the involvement of key stakeholders such as government institutions, civil society and the donor community. A task force was set up mandated to draft the document after receiving inputs from stakeholders.

The plan envisages the vision of *"A violent free society where women, men, girls and boys enjoy equal rights, treat each other with dignity and respect and are able to contribute to and benefit from the economic and social development of Malawi".* The objectives of the NRCGBV are (a) to improve partnerships among pubic private and civil society organisations on gender based violence (b) build capacity of stakeholders for implementation of the national response to combat GBV (c) reduce incidences of GBV in the work places (d) provide services for survivors and perpetrators of GBV (e) conduct research to inform programming in GBV and (f) enhance effective implementation of the NRCGBV.

The NPCGBV has six thematic areas namely (a) Strengthening multi-sect oral response to GBV (b) Gender based violence prevention (c) Rehabilitation services for survivors and perpetrators of GBV (d) Research documentation (e) GBV in the workplace (f) Monitoring and evaluation.

Under each theme there is an objective, strategy and activities for implementation, the lead institution and other implementation organisations as well as the source of funding for particular activities. The NRCGBV has under each activity falling under the six thematic areas a list of institutions and potential funding agencies. The potential financers are UNFPA, UNICEF, NORAD, CIDA, DFID, OXFAM, ICEDA, NCA, and UNDP.

There have been a number of problems that the MoWCD has encountered mostly relating to financial constraints as most of the donors have not responded to requests to fund implementation of activities under the strategy. In terms of human resources, the MoWCD is a coordinating institution of the strategy and it is expected that the implementing agencies such as the civil society, international organisations have the sufficient human capacity. However the challenge has been the lack of awareness on part of the personnel, gender insensitivity and accessibility of these organisations to the rural masses. Issues of transparency and accountability amongst the implementers have also emerged as a challenge.

The areas of support emanate from the challenges that the MoWCD is facing in implementing the NRCGBV namely financial and technical support to enable the implementing bodies to ensure that operational frameworks are created for the realisation of the aspirations provided in the constitution, sectoral legislation and policy.



Mauritius provides a good model for effective and efficient implementation of an action plan to address violence against women. The National Action Plan to Combat Domestic Violence is much focussed and the government of Mauritius through the now Ministry of Gender Equality has worked consistently with civil society to implement the plan which runs from to date it is on record that they have implemented 70% of the recommended actions including the following:

- Amendments, where appropriate to laws and regulations; and streamline of procedures.
- Protection from Domestic Violence Act amended in 2007 but still needs to be proclaimed.
- Creation of a networking system to exchange and disseminate information to the general public.
- In view of adopting a coordinated and concerted approach in handling cases of domestic violence, a National Domestic Violence Committee and Area Domestic Violence

Committees have been set up at the Ministry to ensure coordinated approach at the central level and to advise on policies relating to family welfare and domestic violence.

- The Area Domestic Violence Committee (ADVCS) have been set up at the level of the six Family Support Bureaux to enable officers to deal with cases in an expeditious manner and to organise case conferencing on reported cases and to report back to the relevant authorities namely the Police, the Family Protection Unit and the Ministry of Health and Quality of Life, amongst others.
- Sensitisation sessions at the workplace by trained officers.
- A workshop on the Protection from Domestic Violence Act and drafting of affidavits was held on 27 October 2008 with 46 officers: Court officers, Law enforcement Officers, Medical Social Workers and Nursing Officers.
- 60 Police officers were trained during a sensitisation workshop on handling of domestic violence cases in November 2008 and in April 2009 60 Officers from the Welfare Department of different localities, Sugar Industry Labour Welfare Fund, Social Welfare Centres and Citizens Advice Bureaux were sensitized during a one day National Workshop on Strategic Planning and Capacity Building to combat domestic violence.
- The Ministry has engaged with the National Women's Council and its affiliated women's associations to further empower them to sensitise the population at large on issues related to promotion of family welfare and protection from domestic violence.
- More than 1562 persons have been sensitised at Community Level.
- IEC campaigns on legislation, services available for both abusers and survivors have been distributed widely.
- Two pamphlets on anger management were launched and distributed in August 2008 and around 1000 people attended the event.
- In the budgetary submissions of the Ministry of Women`s Rights ,Child Development and Family Welfare for 2012 the sum of R3 million have been included for the development of a Domestic Violence Information System to track and manage cases of domestic violence.



Namibia: The process followed in adopting the National Action Plan started with the workshop organised by GEMSANaM/Gender Links in 2006 to come up with specific strategic Plan of Action on GBV in October in Windhoek. About 27 NGOs and UN Agencies attended. This plan was presented to the Ministry of Gender Equality and Child Welfare. In2007/8, the Cabinet through the Minister of Gender requested to bring together various stakeholders in the fight against GBV. A Committee was established on which GEMSANaM is a stakeholder-partner. This Committee was tasked to advise government (President, Cabinet the Ministry of Gender on GBV).

The Ministry of Gender is chair of the Committee, which reports to Cabinet on any suggestion and finding. At the moment, a meeting is called by Ministry of Gender on issues that the Committee will like to see being addressed. The implementation of the plan is being financed by the government through the Ministry of Gender Equality and Child Welfare. One of the main challenges is that the committee does not have a budget for the implementation of the plan. All activities are being spearheaded by the Ministry of Gender Equality and Child Welfare.



Mozambique: Mozambique now has a National Action Plan to End Gender Violence that runs from 2008 to 2011, adopted by the Council of Ministries in October 2008.

This Action Plan is an operational instrument to the five-year government plan (2005-2009), of the Poverty Reduction Action Plan (PARPA II), National Plan for Advancement of Women, and part of the implementation of the strategy "Women's Rights and Violence" of the need to protect the women human rights. This is a result of a consultative effort involving various sectors and actor operating in the area of domestic violence against women at various levels, national and provincial. After various actors involved in this process agreed on the terms of the Action Plan it was submitted by the Ministry of Women and Social Action to the Council of Ministries for approval.

The National Council for the Advancement of Women, which includes representatives of all ministries, the civic society organisations and faith based organisations are supporting the process.

This is activity is included in the annual State budget, which receives contributions from donors and partners. Indeed, finances have been the major constraint to effective implementation of this Action Plan. Being an area of expertise that requires specific training, it become urgent to have people training specifically to deal with this issue.



Seychelles: The country developed a National Strategy on Domestic Violence in 2008. Work done on this led to the preparation of a two year action plan for gender based violence, with the help of UNIFEM. The plan has five pillars: Awareness raising and prevention of gender based violence; Standardised Procedures; Guidelines and training materials; Capacity strengthening of service providers; Legislation, advocacy and lobbying; Rehabilitation; and Coordination, research, monitoring and evaluation.



South Africa: While many gaps exist in the rate of implementing the commitments made in the 2006 Declaration signed at the Kopanong Conference and 365 Day National Action Plan to End GBV launched in March 2007 by then Deputy President Phumzile Mlambo Nqucka, the institutional mechanisms have not worked well. The Task Team formed then involving government is not in operation, hence there is no sustainable implementation. Instead this is taking place in a piecemeal manner - civil society, local government, business sector, national government among others cite the action plan as reference point informing their interventions but in isolation from each other. There is a lack of clearly defined accountability, resourcing and funding mechanisms for the Project Management Unit (PMU) at the National Prosecuting Authority tasked with spearheading the implementation of the Plan. However, it is expected that the PMU will become a proper Secretariat in the course of the year 2010.

Further there is no streamlining of national programmes to support victims and survivors of gender-based violence at provincial and local levels. The NAP has not been sufficiently publicised let alone put in place a strong monitoring and evaluation system by government. Civil society and government have not coordinated the communication strategies across sectors. The only strong visible monitoring and evaluating system is around the one stop Thuthuzela Centres that aim to provide holistic services to survivors of gender based violence. Even then these are available in very few locations as the national roll out is still underway with an aim of establishing 80 centres by the end of 2010. However there is consensus that prevention of gender based violence must take centre stage as a sustainable way of addressing the scourge and there are attempts to revive the action plan.



Swaziland: Swaziland elevated the Sixteen Day campaign to a 365 Day campaign in 2007 when a draft action plan was formulated and launched during that same year. The action plan was formulated taking into account a 2006 Situational Analysis commissioned jointly by the Government Gender Unit, CANGO Gender Consortium and UN Gender Theme group. This draft action plan outlines the intended plan to mobilise all sectors of society in the fight against gender violence. The action plan was framed against the SADC Addendum on the Prevention and Eradication of Violence against Women and Children. A technical team was appointed which comprised of members from both civil societies and government.

At the writing of this study though there was no visible evidence, in terms of awareness raising, media coverage or legislative changes, of the implementation of this action plan.

The plan has been dogged by funding challenges, there has been no political will leading to no

commitment to this campaign and people's commitment has not lasted. It thus has been a colossal failure as most of its stakeholders are unaware of it or have forgotten of its existence not to say anything of the general public and the rest of civil society. To say the least, the action plan has not yet achieved its stated goals.



Tanzania: In 2001, the Tanzanian government adopted a National Plan of Action to Combat Violence against Women and Children (2001 - 2015). The MoCDGC also collaborated with relevant service providers and NGOs to draft a National Plan of Action for the Prevention and Eradication of Violence against Women and Children as well as a National Plan of Action on the Eradication of Female Genital Mutilation (FGM).

These plans call for the reform of systems for both the prevention of and response to GBV in all ministries and related sectors. However, the plans predominantly focus on the legal sector. Moreover, the budgets specified for the activities in the plans have not been given funding allocations. Thus, the MoCDGC has not implemented many activities in the plan.

The National Plan of Action for the Prevention and Eradication of Violence against Women and Children and the National Plan of Action to Accelerate the Elimination of FGM and other Harmful Traditional Practices are broad, ambitious plans that were written seven years ago when minimal work was being done to address GBV outside the legal sector. Given new areas for concern, such as health, HIV, counselling, and social welfare, as well as emerging lessons learned and guidelines in these areas (such as the WHO's forthcoming guidelines on integrating gender into HIV programs), the MoCDGC should update these plans to reflect current knowledge. The plans should also focus on priority areas and/or lay out phases of action so as to make them manageable and realistic.



Zambia: Government through the Gender in Development Division (GIDD) has put in place a National Action Plan to end GBV. The Plan was adopted in January 2004 by Cabinet and has since been streamlined in all government ministries. This came into being after seeing the increasing number of GBV cases especially against women and children.

The developing of the plan was done after sector and national wide consultation. To support the plan, a number of structures are in place such as GIDD under a Gender Minister in the cabinet although there is no Ministry. Gender Focal Persons (GFPs) have been established in all ministries and provinces as well as the Parliamentary Committee on Human Rights and Gender currently chaired an opposition female Member of Parliament, Regina Musokotwane.

The structures complement each other while GIDD coordinate all ministries, monitors and evaluates the implementation of the National Gender Policy and the action plan. The GFPs in ministries and provinces implement the gender national policy on behalf of government and report back to GIDD which is in charge of the whole process. Furthermore, the Parliamentary Committee on Human Rights Legal and Gender matters oversees the implementation of the national gender policy.

The financing of the plan which is done by government through line ministries is inadequate for the effective implementation and evaluation of the plan. Inadequate human resources and proper monitoring tools of the plan are other hindrances to the smooth implementation of the plan.

There is need for adequate funding and allocating of more enough human resources if the implementation of the plan is to yield intended results. There is need to lobby government and the donor community to allocating for funds to issues that look into the plight of women such as the National Plan Action to End GBV.



Zimbabwe: The Ministry of Women Affairs and Community Development) launched a National Gender Based Violence Strategy and Work Plan. The

strategy seeks to address four key areas being prevention, service provision, research documentation and advocacy and coordination. However they are revising this in view of developments such as the United Nations Secretary General's Campaign on Violence against Women as well as the Africa Wide Campaign. The recommended actions are consistent with the provisions of the SADC Gender Protocol.

Harmonisation is also taking place between the GBV strategy and the Anti Domestic Violence Council Strategic Plan which were developed at the same time. Challenges around implementation include lack of funding in spite of receiving a gender based violence specific allocation from the national budget. The amount allocated is not enough and complementary support comes from UN agencies.

The Western Cape Network on Violence against Women

By Claire Manthonsi*



The Western Cape Network on Violence against Women [WCNOVAW], soon to be taking over coordination of the Southern Africa Gender Protocol Alliance regional gender based violence cluster, is a membership based organisation. Its mission is to be a strong united body which coordinates and integrates organisations and individuals through advocacy, public awareness, training and support with a developmental approach in order to progressively realise women's' rights to a life free from all forms of violence.

The WCNOVAW takes a women's rights and human rights approach to its work with the aim of changing the quality and status of women's lives in South Africa, the sub-region, region and globally. The overall aim of the WCNOVAW is to secure women's rights to freedom from violence, and to locate this in a broad framework of related issues, in particular, poverty and HIV/AIDS, by strengthening and coordinating the work and response of civil society organisations at large and specifically of member organisations. The WCNOVAW is based in the Western Cape Province but works nationally, regionally and globally.

One of the core functions of the WCNOVAW is to create platforms for members to come together for increased collective responses and agenda setting. Various platforms were used as entry points to entrench the SADC Protocol on Gender and Development within the practice of the WCNOVAW and to link the Gender Based Violence provisions to other instruments providing an impact in the fight to eradicate VAW.

General meetings are such platforms used by the WCNOVAW to bring members together. General meetings provide a platform for members to learn and engage in order to respond to, initiate and improve service delivery. This is also an important space for increased collaboration and coordination.

It is through this vehicle that the WCNOVAW responded to the call from members to engage in sub regional and regional advocacy. The participation of the WCNOVAW in the Alliance had led to increased discussions and opportunities being identified within international advocacy. Members had shared and recognised the need for the use of regional instruments in the eradication of Violence against Women [VAW] at country level. Different VAW sectors had expressed the necessity of a creative and diverse bag of tools accessible to organisations to use effectively in their different areas of service delivery and action.

The WCNOVAW recognised the importance of ensuring an informed and equipped Network with the ability to use the SADC Gender Protocol at local level. Therefore the General Meeting was used to re-launch the importance of international advocacy and application of instruments at local level through the SADC Gender Protocol. The purpose of the meeting was to build greater knowledge and awareness around the SADC Gender Protocol, assess usefulness by reviewing the SADC Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa to identify opportunities for action and to understand the process for ratification in South Africa. The topics included:

1. Understanding ratification in South Africa and developing a strategy towards its realisation;
2. Building the understanding around the Gender Based Violence Articles in the SADC Gender Protocol and what opportunities existed for action;
3. Review of the African Union Protocol on the Rights of Women and what this means for the VAW Sector;
4. How to use the SADC Gender Protocol and the AU Protocol on Women's Rights.

Experts linked the SADC Gender Protocol to other important instruments. Mushahida Adhikari [Women's Legal Centre] discussed the GBV provisions and the opportunities for action and the importance of ratification in South Africa and the process entailed. Wendy Isaaks from People Opposed to Women's Abuse (POWA) discussed the African Protocol and the opportunities for increased participation, influence by women's organisations. An important element was the important opportunities for increased state accountability and opportunities to galvanise and challenge the state through the various mechanisms.

The Advocacy and Coordination focus group comes together to increase the participation of organisations in national and international advocacy and for collective agenda setting. Furthermore it works towards the increased collaboration with organisations across the sub region and African region on different instruments. The main focus area is the diffusion of the instruments to ensure impact in the lived realities of women. A key element is how to ensure the participation of women's voices in sub regional processes and to develop strong advocacy strategies to ensure constant engagement with the processes.

The Alliance allows for organisations that rarely engage in sub- regional discussions to engage in the process but also to form alliances and collaborate with organisations from the region. The building of the GBV cluster is linked very strongly to what opportunities exist for sub regional exchange and action. This sub-regional exchange also includes learning and exchanges between organisations. For example through the Alliance, the WCNOVAW has collaborated with the Women's Coalition of Zimbabwe on the writing of CEDAW Shadow Report.

At a national level, the focus group is following the ratification process within South Africa. The WCNOVAW had been informed that the Ministry on Women, Children and People with Disabilities had been instructed to write a Cabinet Memorandum for the ratification of the SADC Gender Protocol.

In 2009, the provincial gender machinery hosted a strategy week that looked at setting provincial aims and objectives by looking at the different provisions in the SADC Gender Protocol. This meant that Government [provincial and local], Parliament [provincial and local], independent bodies and civil society engaged with the SADC Gender Protocol's provisions and targets in an extremely detailed manner.

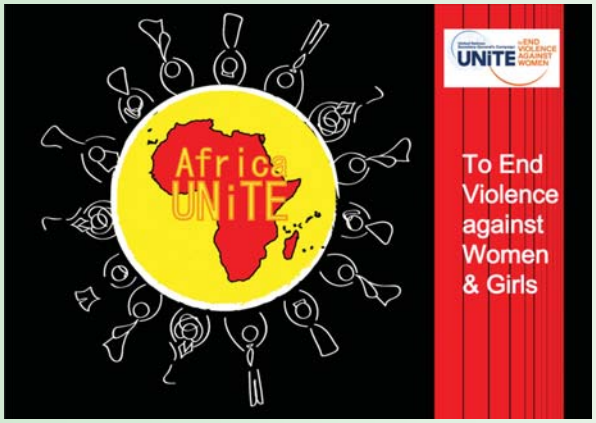
The WCNOVAW has also embarked on a Social Mobilisation Programme focused solely on the prevention of VAW. Parts of the strategies put forward have been rooted in the commitments made the State towards prevention. The participation of diverse actors from inside and outside government has allowed the introduction of the SPGD into the agendas of local and provincial structures.

The work on the SADC Gender Protocol and other instruments is in its early stages but the opportunities provided by the provisions and the targets set together with other instruments have galvanised the members of the Network to work in different kinds of ways.



(Claire Manthonsi is the director of Programmes at the Western Cape Network on Violence Against Women).

The UNitE campaign adds muscle to regional efforts



The Africa UNiTE to End Violence against Women Campaign is the Africa-led regional component of the United Nation's Secretary General's UNiTE global campaign. Launched by representatives from Member States of the African Union, the United Nations system and civil society in Addis Ababa, Ethiopia on 30th January 2010 and subsequently from 11th - 12th May 2010 in Southern Africa, the campaign enhances the regional efforts to reduce by 50% current levels of gender based violence by 2015.

The UNiTE campaign has an overall objective of increasing public awareness, political will, and resources for preventing and responding to violence against women and girls. The grassroots and regionally inspired approach of the Africa UNiTE complements the Secretary General's Campaign by serving as the nexus for highlighting, marrying and building on a convergence of existing activities and initiatives in Africa at the national and regional levels.

This is consistent with Articles 20 -25 of the SADC Protocol on Gender and Development which foregrounds prevention, political will and integrated approaches as sustainable strategies for addressing gender based violence. This also strengthens the overarching framework that provides an enabling environment for initiatives in all spheres and at all levels of society.

When representatives of government ministries and national women's machineries from 14 countries in southern Africa, as well as regional economic communities, civil society organisations and UN agencies met to launch the campaign in Johannesburg they drew up a plan of action based on the six outcome areas and key messages for public outreach in Southern Africa. The six focus areas of the Campaign are: intra-family violence against women and girls (domestic violence, intimate partner violence, incest, etc); rape and other forms of sexual violence in the broader community; harmful practices including child marriage; violence against women in conflict-affected countries; linkages between violence against women and girls and HIV and AIDS, and safety and security of women in public space.

The aim is to have simultaneous national launches of the Africa UNiTE campaign at the beginning of the 2010 Sixteen Days of No Violence against Women on 25 November. The regional economic communities - the Indian Ocean Commission (IOC), the Southern African Development Community (SADC), and the New Partnership for Africa's Development (NEPAD) - committed to play a coordinating role.

Political leadership of the Africa UNiTE campaign

- Africa UNiTE invites all African Heads of States to play a leadership role in the campaign as Honorary Co-Chairs.
- A few Heads of State could be approached to be more actively involved.
- Women vice presidents will be given the opportunity to participate in the campaign at a prominent level.
- The campaign aims to utilize the support and influence of former heads of states.
- African Governments are strongly encouraged to take ownership of the Africa UNiTE Campaign.
- National Steering Committees might be set up for a successful roll out at a national level.
- National Women Machineries are expected to take leadership.

Indicators

A collective of partner organisations has begun work to develop indicators for measuring gender violence that can be used across Southern Africa and with the aim of making data comparable.

Draft indicators are in place. These need further canvassing and refining with key stakeholders in the region.

Measuring change

by Kubi Rama*



At least nine of the 15 Southern African Development Community (SADC) countries have developed multi sector national action plans for ending gender violence. They now face the task of gathering baseline data on current rates of violence so that they can monitor progress in reaching the 2015 and the ultimate target of ending this scourge. Over the course of the year, experts and governments in South Africa, Mauritius and Botswana have been working with Gender Links (GL), a Southern African NGO based in Johannesburg, on a pilot project to develop indicators for measuring gender violence.

GL has also entered an agreement with the Economic Commission on Africa (ECA) for sharing the research findings and collaborating in a continent-wide initiative on gender violence indicators. The partnership is a demonstration of the benefits of civil society, government and multilateral agencies working together in devising meaningful measures for this flagrant human rights abuse.

The biggest data collection challenge is that the majority of cases of gender violence are never reported and a large number of those that do get reported are withdrawn. The "one in nine campaign" in South Africa draws its name from research conducted by the Medical Research Council (part of the indicators task team) which shows that only one ninth of all cases of gender violence are reported. As police statistics only cover reported cases, they only tell part of the story. A further complication is that the only specific statistics that most police services have on gender violence concern sexual assault. Statistics on domestic violence are hidden away in such categories as "criminal injuria" and "assault with intent to do bodily harm." Even femicide (the killing by a man of an intimate female partner) is not recorded as such. The only way to obtain this information is through docket analysis.

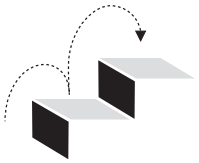
When engaged (as has been happening in South Africa) there is a willingness by police to create categories for domestic violence and femicide so that at least this data can be accurately obtained. Since all deaths must be reported, police data on femicide (referred to in countries such as Botswana as "passion killings" should provide accurate information on at least this form of GBV. But that still leaves the many cases of sexual and physical assault that do not get reported. It also leaves out the many forms of GBV that seldom enter official statistics, like economic, psychological and verbal abuse. For this, the best way to obtain accurate information is to conduct a population survey. This means taking a sample of the population and administering a questionnaire on experiences of GBV, over the last year as well as over a lifetime.

It follows that such surveys are only as accurate as the sample size is representative of the population. A budget question that arises is whether to undertake dedicated GBV studies, or to tag these onto existing studies, such as the census or health surveys.

The Southern African indicators study group has argued forcefully for a dedicated study. This is because researchers for GBV studies need to be carefully trained in order to obtain information that is often painful and may need to be accompanied by counseling services. The team has, however, argued that one cost cutting measure could be to combine GBV attitude and population surveys since these use similar methodologies. An additional advantage is that by obtaining information on the incidence of gender violence and perceptions on the matter from the same people, it is possible to draw correlations between experiences and attitudes. For example, what are the differences in the way that a perpetrator and a survivor of GBV view the issue?

Questions also cover knowledge and experiences of service provision. The questions are both quantitative and qualitative. Other research tools include analysis of political commitment through monitoring of statements and actions by leaders and media monitoring. Preliminary work has been supported by the UNIFEM Trust Fund on Ending Violence Against Women.

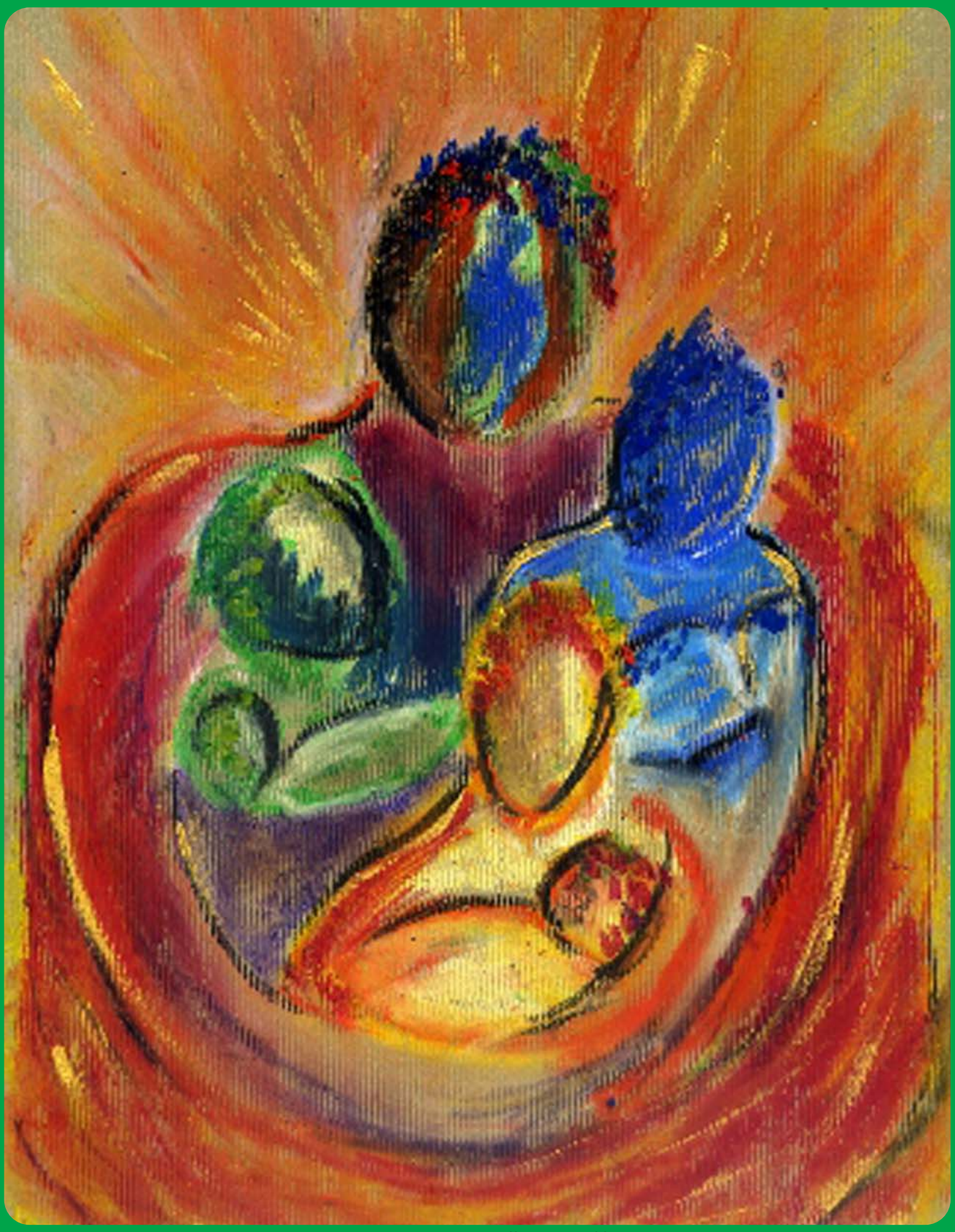
**(Kubi Rama is deputy director of Gender Links)*



Next steps

SADC states far from meeting targets: Overall there are key developments towards ending gender violence in the region by both state and non-state actors. But more needs to be done. A lot of commitments are reflected in National Action Plans to End Gender Violence but these need to be translated into action. There is no strong monitoring and evaluation framework to measure progress and gaps. Resources are scarce to finance the planned actions with a few exceptions of countries like Botswana, Lesotho and Mauritius that have costed and allocated budgets to all or most components of their action plans. Even then there are no clear strategies on how countries will meet targets set in the National Action Plans. Specific steps to meet the Protocol targets include:

- ***Co-ordination:*** Civil society working in the gender violence sector need to co-ordinate their efforts in-country and across countries to be able to make an impact. This will facilitate sharing of good practices, challenges and successes. This could be achieved through forming a regional GBV cluster or network. This could be either a loose structure or formal with a reporting structure to facilitate feedback on work taking place.
- ***Popularisation of the Protocol:*** Draw up a strategy for popularising targets set in the Protocol to ensure that countries begin to work towards achieving these.
- ***Targets and NAPS:*** Ensuring that these targets are mainstreamed into National Action Plans or Strategies to End Gender Violence and report back after one year on whether this has been achieved.
- ***Prevention:*** Put more emphasis on gender violence prevention through communication for social change. Mount a prevention campaign that can be a flagship for the region – with common messaging.
- ***Trafficking:*** Related to this is prioritising a concerted advocacy campaign that countries pass legislation on trafficking so that they can meet the 2015 deadline. This is a less controversial subject and could easily pass legislative authorities. Technical expertise is readily available from IOM.
- ***Indicators:*** Collaboration on scaling up the indicators project for measuring GBV in Southern Africa should also be prioritised. This will form baseline data for the region to measure progress and gaps in the future. This should include prevalence and attitudes surveys. It is important to develop an M&E toolkit and scorecard that could be used annually.
- ***Audit of NAPS:*** Carry out an annual audit of status of the remaining countries on adopting and implementing their National Action Plan or Strategies to End Gender Violence and apply peer pressure.



A different kind of family *Anushka Virahsawmy*

CHAPTER 6

Health

Article 26



International Planned Parenthood Federation advocates sexual and reproductive rights and health care facilities for women during the Beijing Plus Fifteen conference in March 2010.
Photo: Colleen Lowe Morna

KEY POINTS

- Despite the provisions for sexual and reproductive health and the fact that most countries have some policy framework to cater for this, contraceptive usage varies from 6% in Angola to 65% in South Africa and 76% in Mauritius.
- The most commonly used contraceptives throughout the region are the contraceptive injection and the contraceptive pill. Men are generally not actively engaged in family planning campaigns.
- Choice of termination of pregnancy is only fully legal in one SADC country: South Africa.
- Mauritius has the regions' lowest maternal mortality with only 28 deaths per 100 000 compared to 1140 per 100 000 in Malawi (one of the highest rates in the world).
- In seven of the fifteen countries, less than 60% of births are attended by skilled personnel.
- Sanitation coverage ranges from 100% in urban and rural areas in Mauritius and Seychelles, and only 14% in Madagascar (10% in rural areas).

A woman in sub-Saharan Africa has a 1 in 16 chance of dying in pregnancy or childbirth, compared to a 1 in 4,000 risk in a developing country - the largest difference between poor and rich countries of any health indicator. This glaring disparity is reflected in a number of global declarations and resolutions. In September 2001, 147 heads of states collectively endorsed Millennium Development Goals 4 and 5: To reduce child mortality rate by two thirds and maternal mortality ratio by 75% between 1990 and 2015. Strongly linked to these is Goal 6: To halt or begin to reverse the spread of HIV and AIDS, malaria and other diseases.

As emphasised at the International Conference on Population and Development (ICPD) that followed the Beijing conference, sexual and reproductive health is at the centre of human life and of improving women's health. The World Health Organisation (WHO) has defined sexual health as "a state of physical, emotional, mental, and social well-being related to sexuality. It is not merely the absence of disease, dysfunction or infirmity. Sexual health requires a positive and respectful approach to sexuality and sexual relationships, as well as the possibility of having pleasurable and safe sexual experiences, free of coercion, discrimination and violence. For sexual health to be attained and maintained the sexual rights of all persons must be respected, protected and fulfilled." *(WHO 2002)*

The specific targets of the Protocol for 2015 regarding women's health build on the Millenium Development Goals (MDG) as well as the ICPD. They call on SADC countries to:

- Adopt and implement legislative frameworks, policies, programmes and services to enhance gender sensitive, appropriate and affordable quality health care.
- Reduce the maternal mortality ratio by 75%.
- Develop and implement policies and programmes to address the mental, sexual and reproductive health needs of men and women.
- Ensure the provision of hygiene and sanitary facilities and nutritional needs of women, including women in prison.

In the latter part of the 20th century, Southern Africa made impressive gains in child health, access to primary health care and maternal health. However, all of this progress across the SADC region is currently being threatened. For example, the last two decades have seen an increase in the prevalence of communicable diseases such as malaria and tuberculosis throughout the region. Southern Africa is also the region in the world with the highest incidence of HIV and AIDS.

While life expectancy is higher for women than men across eleven of fifteen SADC countries, a number of health and social factors combine to create a lower quality of life for women. Discrimination on the basis of sex leads to many health hazards for women; including physical and sexual violence, sexually-transmitted infections, HIV and AIDS, female genital mutilation, malaria and vulnerability to other communicable diseases, unsafe pregnancy and lack of control over their physical integrity. The table presents some of the key statistics on these issues and is referred to throughout the chapter.



Women's health and social factors combine to create a lower quality of life.
Photo: Gender Links

Table 6.1: Sexual and Reproductive Health

	Angola	Botswana	DRC	Lesotho	Madagascar	Malawi	Mauritius	Mozambique	Namibia	Seychelles	South Africa	Swaziland	Tanzania	Zambia	Zimbabwe
% Contraceptive use among sexually active women	6	44	31	37	15	42	76	17	55	41	65	43	41	30	60
Country policy on termination of pregnancy	Illegal	Permitted in first 16 weeks in case of rape, defilement, incest	Illegal	Illegal	Illegal	Illegal	Illegal	Illegal	Illegal	Illegal	Illegal	Illegal	Illegal except when necessary to preserve a woman's life	Legal only in limited circum-stances	Legal only in limited circum-stances
*Current maternal mortality rate (out of 100, 000)	593	519	534	964	373	1140	28	599	586	64	237	736	449	603	624
% Births attended by skilled personnel	46	99	61	55	51	54	100	48	81	100	92	74	46	47	69
% Total coverage of sanitation facilities	50	47	31	49	14	60	100	31	35	100	59	50	33	52	46
% Urban coverage	79	60	42	82	18	51	100	53	66	100	86	64	31	55	63
% Rural coverage	16	30	25	39	10	62	100	19	18	100	44	46	34	51	37

*Sources: *Maternal mortality for 181 countries, 1980-2008: a systematic analysis of progress towards Millennium Development Goal 5, www.thelancet.com Published online April 12, 2010; Botswana Statistics Office, 2007. Madagascar Health Statistical Yearbook 2007. Malawi - UNICEF Report 2006. Mauritius - Ministry of Health 2007, Seychelles - Department of Health Survey 2009. Swaziland - Demographioc Health Survey 2007. Tanzania Strategic Plan to reduce Martenal Mortality 2008. WHO database.*

Sexual and reproductive health



By 2015 countries should develop and implement policies and programmes mental, sexual and reproductive health needs of women and men.

Women globally and in Southern Africa suffer from lack of control over their own sexuality[1]. As it is intimately related to economic independence, this right is most violated in those places where women exchange sex for survival as a way of life. This is not about prostitution but rather a basic social and economic arrangement between the sexes which results on the one hand from poverty affecting men and women, and on the other hand, from male control over women's lives in a context of poverty. By and large, most men however poor, can choose when, with whom and with what protection if any, to have sex. Most women cannot exercise the same choices freely.

Women suffer from poor reproductive and sexual health, leading to serious morbidity and mortality. All forms of coerced sex - from violent rape to cultural/economic obligations to have sex when it is not really wanted, increases risk of micro lesions and therefore of STI/HIV infection. In addition women are objects of lots of harmful cultural practices, from genital mutilation to practices such as "dry" sex.

Stigma and discrimination in relation to AIDS (and all STIs) are much stronger against women who risk violence, abandonment, neglect (of health and material needs), destitution, ostracism from family and community. Furthermore, women

[1] AFRICA: Maternal Mortality, A Human Rights Catastrophe, Analysis by Rosemary Okello and Terna Gyuse, IPS, 30 June 2009

are often blamed for spread of disease, always seen as the "vector" even though the majority have been infected by only partner/husband.

Interpersonal violence was the tenth leading cause of death for women 15-44 years of age in 1998. Forced prostitution, trafficking for sex and sex tourism appear to be growing. Existing data and statistical sources on trafficking of women and children estimated 500,000 women entering the European Union in 1995.

Violence against women has serious consequences for physical and mental health: Abused women are more likely to suffer from depression, anxiety, psychosomatic symptoms, eating problems, and sexual dysfunctions. Violence may affect the reproductive health of women through: the increase of sexual risk-taking among adolescents, the transmission of STDs, including HIV/AIDS, unplanned pregnancies, precipitating various gynecological problems including chronic pelvic pain and painful intercourse. Consequences such as HIV/AIDS or unplanned pregnancies may in themselves act as risk factors for further aggression, forming a cycle of abuse. Effects of violence may also be fatal as a result of intentional homicide, severe injury or suicide.

Violence presents an undue burden on the health system: Studies from the United States, Zimbabwe and Nicaragua indicate that women who have been physically or sexually assaulted use health services more than women with no history of violence, thus increasing health care costs.

Broadening definitions: Where sexual and reproductive health had previously been treated as an issue within the domain of health care and service access, the definition of sexual and reproductive health adopted at the International Conference on Population and Development (ICPD) reads as follows:

"Reproductive health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity, in all matters relating to the reproductive system and to its function and processes.

Reproductive health therefore implies that people are able to have a satisfying and safe sex life and that they have the capability to reproduce and the freedom to decide if, when and how often to do so. Implicit in this last condition are the rights of men and women to be informed and to have access to safe, effective, affordable and acceptable methods of family planning of their choice, as well as other methods of their choice for regulation of fertility which are not against the law, and the right to access appropriate health care services that will enable women to go safely through pregnancy and child-birth and provide couples with the best chance of having a healthy infant.

In line with the above definition of reproductive health, reproductive health care is defined as the constellation of methods, techniques and services that contribute to reproductive health and well-being by preventing and solving reproductive health problems.

It also includes sexual health, the purpose of which is the enhancement of life and personal relations, and not merely counselling and care-related to reproductive and sexually transmitted disease". *(ICPD, para 7.2)*

The adoption of this definition marked the beginning of a new era: In 1995, the Fourth World Conference on Women (FWCW) in Beijing, the international community agreed that human rights include the right of women to have control over their sexuality. Increasingly, the term sexual and reproductive rights have been used in policies and programmes throughout the world. However, in Southern Africa, some reservation has remained and the extent to which sexual and reproductive rights for women are discussed, understood and provided for in regional and national policies is limited. *(Klugman, 1998)*

But there are major challenges: Key challenges to attaining sexual and reproductive health are HIV and STIs, unintended pregnancy and abortion, infertility and cancer resulting from STIs and sexual dysfunction. Gender inequality and gender-based violence also impact significantly on the attainment of sexual and reproductive rights for women and girls.

Family planning

Family Planning services have been established in many of the Southern African countries. Access to a range of contraceptives is available. Information and counselling is often provided. However, it is important to note that often family planning is seen as a "woman's issue" and men are rarely involved. Equally, there are reports from some countries, such as Zimbabwe, which suggest that sexually active youth and adolescents are restricted from accessing family planning services and contraceptives, although there is no legislation that states such restrictions. The following are key findings from the research:

A shift in thinking on family planning and reproductive health policies: Of the eleven SADC countries where data could be obtained, five countries have a family planning policy (Angola, Botswana, Madagascar, Swaziland, Zimbabwe) and six had a reproductive health policy (DRC, Lesotho, Malawi, Mauritius, South Africa and Zambia). Historically, until the late twentieth century policy focus was very much on fertility control aimed at controlling population numbers but within the last ten years there has been a move in policy discourse towards broader reproductive health policies which are based upon human rights and choices *(Anderson 2005)* and consider both men and women's reproductive needs.

According to the ICPD, the reproductive health approach recognises women as subjects rather than objects; upholds their dignity; respects their free and informed choices; and responds in a comprehensive manner to the totality of their health needs. It also aims to promote men's understanding of their roles and responsibilities regarding reproductive health and aims to address the reproductive health issues of adolescents which were largely neglected under traditional family planning policies. Furthermore, it addresses the issues of HIV and AIDS and sexually transmitted infections as part of its discourse. *(ICPD 1999)*

It is clear the SADC countries are gradually adopting this approach; Lesotho and Malawi adopted reproductive health policies in 2009 and the Seychelles is currently formulating a policy on reproductive health. It can therefore be argued that updating the existing family planning policies that are still in place in the SADC region to the rights-based reproductive health approach could assist the SADC countries in meeting the health provisions of the SADC Gender Protocol, being more gender aware and taking into account the wider reproductive issues the SADC region is facing.



Condoms come in all shapes and forms. *Photo: Colleen Lowe Morna*

Gender aware policy in Lesotho

Lesotho's National Reproductive Health Policy created in 2009 shows gender awareness by addressing issues of fertility, sexual health, family planning, safe motherhood and HIV and AIDS. It advocates for equal access to safe, effective, affordable and acceptable methods of family planning for both women and men and calls for their involvement in the promotion of sexual and reproductive health.

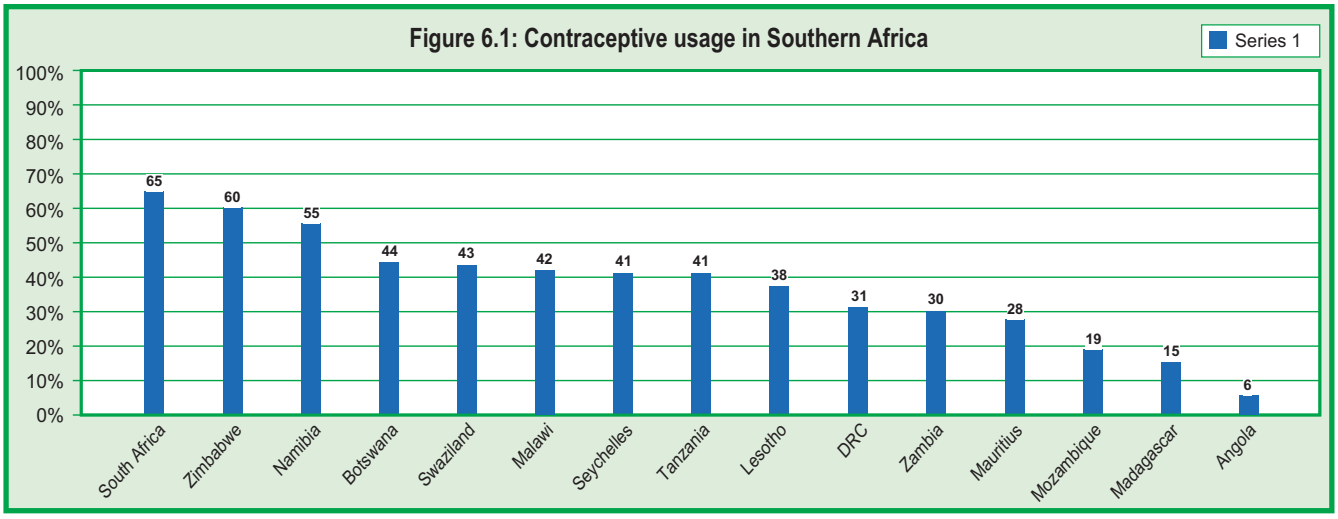
The Lesotho government has also been working with civil society partner, the Lesotho Planned Parenthood Association (LLPA) to involve men in family planning campaigns. So far the LPPA have set up a Male Reproductive Health Clinic, the first and only of its kind in the country and possibly the SADC region. It targets male concentrated areas such as building and construction sites, military camps, security and police services and their services include: distribution of condoms, circumcision services, sexually transmitted infection management, voluntary HIV and AIDS counseling and testing and any other male reproductive and sexual health issues.

(Ministry of Health and Social Welfare Lesotho 2009)



Marching forward in Lesotho. *Photo: Colleen Lowe Morna*

Contraceptive use is still low: Only three of the fifteen SADC countries have a contraceptive use rate of more than 50% and Angola with one of the highest birth rates in the world stands at a regional low of 6%.



Source: Gender Links. See Table 6.1 for list of sources.

Slow uptake of contraceptives in Swaziland

In the case of Swaziland, the government provides advice and contraceptives for free but the uptake of these services remains at only 43%.

Contraceptive use in Swaziland is strongly related to women's education, wealth quintile and whether she lives in an urban or rural area. For example, women with the least education are less likely to use contraceptives (29%) and women with higher levels of education are much more likely to use contraceptives (74%).

Moreover, the patriarchal structure of Swazi society has a significant impact on women's use of contraception in that many women in Swaziland are still not empowered enough to make decisions about their reproductive health.

A Demographic Health Survey, performed by the Swazi government in 2006 revealed much about people's attitudes to contraception and family planning. It revealed that 8.3% of women did not use contraception because their partner opposed it, that 8.8% of men were unaware of their partners contraceptive usage and most worryingly that 63% of men think that contraceptive use encourages promiscuity in women.



Contraceptive uptake in Swaziland is low. *Photo: UNDP*

These statistics indicate not only men's lack of education regarding contraception and family planning but an urgent need to create a more open dialogue about contraceptive issues in Swaziland and a need for men's greater participation.

With the highest HIV and AIDS prevalence in the world, access and information about contraception and family planning is not an issue that Swaziland can be complacent about.

(Swaziland Demographic and Health Survey, Central Statistics Office, 2006-7)

Women's lack of access to reproductive health services and appropriate legislation throughout the SADC region results in unwanted pregnancy and unsafe abortion, which accounts for approximately 13% of maternal deaths worldwide *(WHO 2005)*. Conservatism, religion, education, wealth, women's access to health care and women's lack of power over their reproductive health are the principal reasons for the low usage of contraceptives throughout the region.

Married women lack decision-making power: For married women, the issue of contraception is more problematic in that married women in the SADC region are rarely the "decision makers" in their homes and are often not empowered enough to make decisions themselves about their reproductive health, resulting in increased vulnerability to unwanted pregnancy, HIV/AIDS and sexually transmitted infection. Increased contraceptive access and use throughout the SADC region has an impact not only on the health of women but society as a whole; couples who have adequate knowledge about the benefits of family planning are more likely to have a small family size and hence have better health outcomes compared with those who have less knowledge.

The pill is the main form of contraception used: Throughout the SADC region, the most common forms of contraception used are the contraceptive pill, the contraceptive injection and male condoms. In Angola, the country with the lowest contraceptive prevalence in the region, the most commonly used contraceptive is the contraceptive pill. Angola also currently has one of the lower HIV/AIDS rates in the region and in order to maintain this the government is stepping up its efforts to provide condoms to Angolans, the number of condoms distributed by the Angolan Ministry of Health in the last 6 years has increased by almost 6 times to 20.742.000 in 2007.

In ***Lesotho***, evidence shows that the injection method is commonly used by women of child bearing age, in urban areas and in particular by married women especially in cases where partners resist the idea of family planning. Rural women and men use mostly non-prescriptive methods and condoms because of lack of access to other methods.

(Ministry of Health and Social Welfare Lesotho 2009)

It is interesting to note that while ***Mauritius*** enjoys the highest contraceptive prevalence in the region, it also has the highest number of women using the symto-thermal method of contraception which neither protects against HIV and AIDS nor is as effective as modern, hormone based methods.

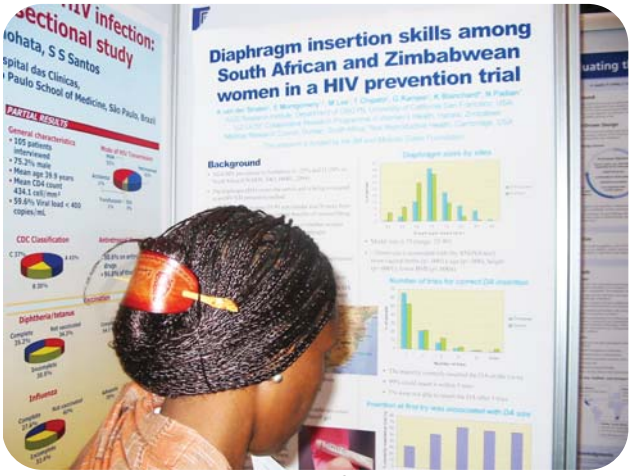
(Demographic Yearbook Mauritius 2008)

In ***South Africa***, the health system freely distributes the male condom and civil society and the private sector are also using their own platforms and spaces to distribute and provide alternative access points to the male condoms distributed by the Department of Health. As a result, one seldom goes anywhere without seeing a full or empty male condom box or dispenser in many public spaces.

(South African Demographic Health Survey 2003)

In terms of the profiles of contraceptive usage, there was little statistical data available but condoms were mainly used by sexually active people who were not in union and married women used more hormone based methods such as the pill and the injection. Women from rural areas with lack of access to medical facilities were more likely to rely upon traditional methods and non-prescriptive methods whereas woman from urban areas with access to clinics used more modern methods.

The female condom: Throughout the region, the use of female condoms is negligible and there are negative connotations attached to female condoms; that they are difficult to use.



Zimbabwean women learn about the female condom.

Photo: Gender Links

In ***South Africa***, there have been campaigns to distribute female condoms but the issue that often gets raised about the female condom is that it is not as easy to use as the male condom, which suggests that the only way there will be more uptake of the female condom is if it coupled with education on how to make use of it.

(South African Demographic Health Survey 2003)



In ***Botswana***, the Ministry of Health has been undertaking campaigns to promote the use of female condoms and has re-branded the female condom, now known as 'bliss' through road shows, distributing flyers and posters, and is planning television advertisement.
(Ministry of Health Botswana 2008)



In ***Mauritius***, the Mauritius Family Planning and Welfare Association has been distributing the female condom to those who have casual sex partners or are commercial sex workers. UNFPA donated female condoms to the Government of Mauritius in 2007 and to date the Ministry of Health and the MFPWA have distributed 40,000 female condoms around the island. The MFPWA has worked hard to raise awareness and on sensitisation campaigns about female condoms through the community and through radio programmes. However the acceptance rate of the female condom is still low and strategies need to be developed to better market the product as a method of contraception.
(MFPWA Mauritius 2007)

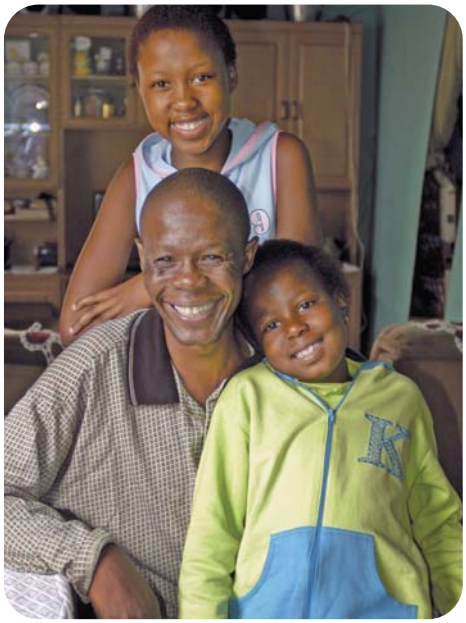


In ***Zambia***, the usage of the female condom is reported to be slowly gaining momentum with women being the main targets of the campaigns; female condoms being promoted as an empowering means of protecting themselves, instead of relying on men.
(Zambia Demographic Health Survey 2007)

Men's involvement in sexual and reproductive health issues remains insufficient: Only four of the fifteen countries mentioned any campaigns in the SADC region that involve men in family planning (Lesotho, Mauritius, Malawi and Zambia). In Malawi, civil society works with men as strategic partners in the implementation of family planning initiatives and in Mauritius there is a 'Men As Partners Initiative' which promotes men's responsibility and participation within the family and community so as to enable the effective empowerment of women and the enhancement of the quality of life of the family as a whole.

There is evidence to suggest that much of the campaigning in the SADC region which promotes men's involvement in sexual and reproductive health is less to do with family planning and more to do with HIV and AIDS and the spread of sexually transmitted infections. For example, Zimbabwe's "One Love" Campaign has launched a brochure, posters and adverts directed at men which challenges traditional perceptions of men's involvement in sexual issues and promotes condom use, monogamy, trust, respect and communication in relationships.
(Tunbo, D et al, 2009).

Although these messages are obviously very important, there is a need for men to be educated about their roles and responsibilities and the ways they can work as partners to help improve all aspects of women's health, not just HIV and AIDS prevention as all aspects of women's health have an impact not only on women but on society as a whole. *(MFPWA 2003)*



Father of the year *Photo: Lori Waselchuk*

The right to choose

Termination of pregnancy
The decision to terminate a pregnancy is restricted by legislation in many countries. Only abortions for medical purposes are allowed. South Africa is the only country which has made reforms to allow abortion through the 1996 Choice of Termination of Pregnancy Act.

While this is not provided for in the Protocol, the issue is being debated increasingly throughout the SADC region. With only South Africa having fully legalised abortion, there is obviously

still great resistance to the issue across the region. However, given that illegal abortion is a contributory to the high maternal mortality rates throughout the region and the fact that there are many unplanned pregnancies, it is clear that there needs to be more dialogue about abortion in the SADC region.



Mozambique: The debate on the termination of pregnancy is on, although it has not reached the Parliament yet. There is a draft bill on the termination of pregnancy by the Ministry of Health, and various workshops with several stakeholder including parliamentarians have been held. This process is informed by the worrying statistics on maternal mortality in Mozambique and also by a woman's right to choice. The debate reveals that women are aware of their rights and that the conservative position of the religious groups is changing. Some religious groups do accept termination of pregnancy under certain conditions, which shows a shift from no acceptance at all. It shows also that women and men are now open to talk about the issue of termination of pregnancy in a more positive way.



Botswana: Abortion is illegal and termination of pregnancy is only permitted on certain medical grounds, which include saving the life of the mother, to preserve the physical or mental health of the mother or after a case of rape or incest. The abortion may only be carried out in a government or private hospital or clinic registered for that purpose. An abortion after rape or incest must be approved in writing by two doctors. Research shows that bureaucratic delays and limited access to health clinics are still encouraging illegal backstreet abortions. Although official data is lacking, UN research reports that illegal abortions are common and physicians often refuse to authorise terminations of pregnancy on medical grounds. There seems to be many obstacles in obtaining permission for an abortion. The absence of a clear definition of 'acceptable evidence' when a pregnancy is the result of rape or incest is a particular challenge, as is the scarcity of approved places where abortion can be performed, the shortage of medical staff and the difficulty of access experienced by rural women. There is not currently a lot of debate around the issue of abortion in Botswana as the current policy falls in line with the Christian values of the society.



Lesotho: Civil society organisation, the Lesotho Planned Parenthood Association has taken up the debate in local newspapers and the organisation intends to initiate a national debate on the issue of abortion with the objective of promoting a woman's right to choose and to get the opinions of the nation on the issue, stimulating discussions towards a solution of the problem. However, it has been observed that as with Botswana, the Catholic and Christian community is reluctant to discuss the issue.



Zambia is the only country other than South Africa in the SADC region where abortion is legal. However, the practice is extremely difficult because of the process that one has to go through before having a termination of pregnancy. Firstly, a woman is supposed to consult with and then get approval from three physicians before she can go to one of the few facilities that perform the procedure. Furthermore, many women in Zambia are unaware of the law that allows for the termination of unwanted pregnancy. To address the problem, there have been campaigns and debates on the issue to sensitize women and service providers about the law, as well as calling on the amendment of the act to make it accessible and put in place standards and guidelines for reducing unsafe abortion.



Mauritius: Although abortion is illegal, the practice is quite common. The poor go to back street abortionists while the rich go to private clinics and

sometimes neighbouring Reunion Island where the practice is legal. There is a big debate on abortion in Mauritius at the moment and a movement has been formed called *"Fron Komin Pou Avortman"* (Common Front For Abortion). Members of the group have been vocal and are organising workshops and seminars with wide media coverage. The Minister of Women's Rights chaired a meeting on 29 April 2009 to brainstorm with NGOs and different stakeholders. Participants were invited to send their views in writing to the Ministry of Women's Rights so that a decision can be taken. A survey took place and 35% were in favour of lega-lising abortion and 58% were against. According to the Attorney General "it is high time for legislation. It concerns both health and choice. The woman has a right to choose and take the decision. We are working on a law and once all the debates are over and views obtained, the law will be sent to Cabinet and then to the Legislative Assembly."

(Mauritius Family Planning and Welfare Association 2009)

Sexual Orientation: Although the definition of sexual and reproductive health emphasises the need for all people to be able to have safe and satisfying sex, the majority of Southern African countries consider homosexuality to be illegal. A hotly contested issue in the negotiations, sexual orientation is not provided for in the Protocol. However, South Africa has invalidated the prohibition against same-sex relationships.

Women in prisons and refugee camps

The provision of sexual and reproductive health services for women in prisons or refugee camps is limited. While very little information could be found on the policies or programmes, qualitative research conducted by the Zimbabwean Women Writers with women in prisons indicates that the reproductive and sexual health needs of women in prison are not adequately addressed. Access to basic reproductive health needs such as sanitary pads is limited. Equally, women who are pregnant or deliver in prison are reported to face stigma and discrimination by the prison guards and are afforded no additional care or services for their child, which some raise within the prisons. High incidence of sexual violence and rape is also reported.

Refugee camps pose unique challenges to the provision of health care services and reproductive services for women. Gender-based violence is cited as one of the main challenges; it is the result of a competition for survival in an environment where only the most basic necessities are provided. Women are responsible for most tasks such as cooking and cleaning around the camp while the men while away the time by drinking alcohol in the absence of typical work opportunities; leaving them idle, destitute and frustrated, taking it out on women in the camps (Ondeko and Purdin, 2004). Uncertainty about citizenship, legal rights as well as the cohabitation of different ethnic communities also adds to the complex set of issues which leave women vulnerable to violence and threaten their sexual and reproductive well-being.

Women also lack access to pre and post-natal services because of poverty, insecurity, a shortage of accessible facilities, a lack of information about eligibility for access to services provided by the host country and cultural differences resulting in lower uptake of local services by refugees.



Poverty restricts pre- and post-natal services. *Photo: Gender Links*

Maternal mortality

The protocol calls on member states to reduce maternal mortality by 75% by 2015.

Maternal mortality, or the number of women who die at child birth, is a key indicator of women's health and well being. The issue is taking centre stage, and is a key target of the Millennium Development Goals (MDGs) because it is widely believed that with all the medical advances that have been made, women should still not be dying during child birth. At the 2010 54th Session of Commission on the Status of Women, one of the resolutions passed acknowledged that "preventable maternal mortality and morbidity" is a human rights issue and that national and international efforts to protect women worldwide should be scaled up. This was sponsored by over 70 countries. The resolution was adopted by the UnitedNations Human Rights Council in June 2009.

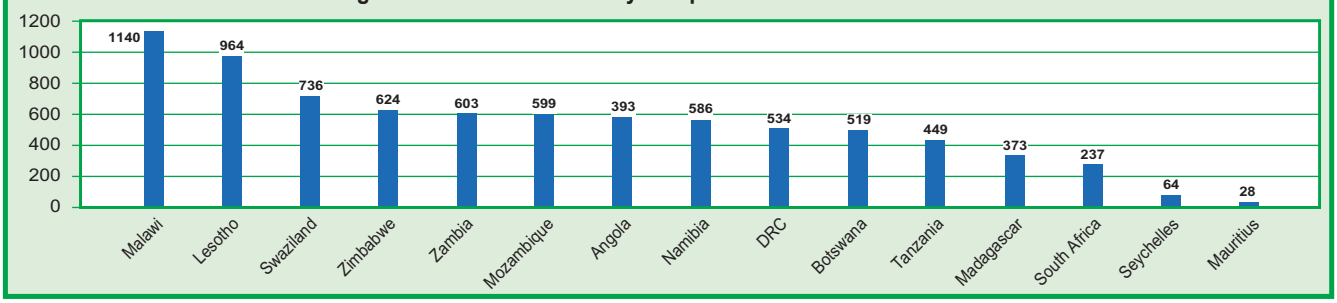
By signing on to the resolution, "governments recognise that the elimination of maternal mortality and morbidity requires the effective promotion and protection of women and girls' human rights, including their rights to life; to be equal in dignity; to education; to be free to seek, receive, and impart information; to enjoy the benefits of scientific progress; to freedom from discrimination; and to enjoy the highest attainable standard of physical and mental health, including sexual and reproductive health,"

Source: Hudson Valley Press Online.

From 1990 to 2005, maternal mortality declined by 26 percent in Latin America; in Asia the decline was 20 percent over the same period. In Africa, the decline was less than one percent, from 830 per 100,000 live births to 820 - an estimated 276,000 African women died from pregnancy-related complications in 2005.[2] The following are key findings from the data analysed, drawn from the research done Lancet laboratories in for a paper: Maternal mortality for 181 countries, 1980-2008: a systematic analysis of progress towards Millennium Development Goal 5.

Wide variation between countries: The graph reveals high levels of maternal mortality throughout the SADC region, but these vary from quite low in Mauritius (28 per 100,000) Seychelles (64 per 100 000) and South Africa (237 per 100 000) to some of the highest

Figure 6.2: Maternal mortality rate per 100 000 in Southern Africa



Source: Gender Links - see Table 6.1 for list of sources.

[2] AFRICA: Maternal Mortality, A Human Rights Catastrophe, Analysis by Rosemary Okello and Terna Gyuse, IPS, 30 June 2009

levels in the world (also well above the African average of 820 per 100 0000 in Malawi (1140 per 100 000) and Lesotho (964 per 100 000).

The figures may actually be worse: While these figures in themselves are shocking, the real numbers are likely to be far higher given that many births and deaths throughout the SADC region go unregistered. In most SADC countries, the majority of the population lives in rural areas where access to health services is problematic; there are fewer clinics, poor transport infrastructure and frequent delays in getting women treatment. Furthermore, lack of education, cultural beliefs, women's low status in society and the expense of medical treatment means that many women are unable to get the medical help they need.

HIV and AIDS as well as conflict exacerbate the situation: While the medical causes of maternal deaths are principally haemorrhage, infection, obstructed labour, hypertensive disorders in pregnancy, and complications of unsafe abortion, societal, economic and political circumstance greatly exacerbate these causes increasing the risk of maternal death. HIV and AIDS is emerging as a major cause of maternal mortality. Ongoing conflict, political instability and a recent emergence from civil war in the DRC, Zimbabwe and Angola may therefore go some of the way to explaining these high figures.

But in some countries there is no excuse for the decline: However, for a country such as South Africa which has experienced significant economic growth since 1994 and infrastructural development, the increase is unacceptable. The fact that countries at peace are sliding backwards at a time when the goal is to reduce maternal mortality by 75% is unacceptable.

Presence of skilled birth professionals: Seven of the 15 SADC countries have less than 60% of births attended by a skilled medical professional, and research suggests that there are often disparities in these figures between urban and rural areas. For example, in total, 69% of Zimbabwean births are conducted with a skilled personnel present but this figure reduces down to 52% in rural areas due to accessibility and proximity of medical services. The low prevalence of skilled personnel at births throughout the SADC region contributes to the high maternal mortality rate as many of the conditions that cause maternal mortality are easily preventable with medical assistance. *(WHO Data 2006)*

Presence of skilled birth professionals in post conflict countries: It is interesting to note however, that the presence of a skilled birth professional does not necessarily go hand in hand with high maternal mortality. An interesting comparison is that of Angola and Mozambique; both previous Portuguese countries and both post-conflict countries. Angola has 46% of births attended by a skilled birth professional and a maternal mortality rate of 1400 per 100, 000 whereas Mozambique has 48% of births attended by a skilled professional and a maternal mortality rate of only 520 per 100, 000. Both countries have similar levels an antenatal coverage and the same number of physicians per 10, 000 people but the answer lies in the fact that post-conflict Mozambique has invested significantly in its health care system; health accounts for 12.6% of total government expenditure whereas in Angola this figure is a meager 4.7%.

(WHO statistics, 2005)

Maternal mortality exacts a heavy cost on society: The consequences of maternal mortality and morbidity are felt not only by women but also by their families, communities and economically. If a woman dies in childbirth, the baby is less likely to survive or has an increased risk of having a disability. Children who lose their mothers are also at an increased risk of death or other problems later in life such as malnutrition and lack of education. Loss of women during their most productive years also means a loss of resources for the entire society; increased single parent families, reduced labour force and reduced economic productivity.

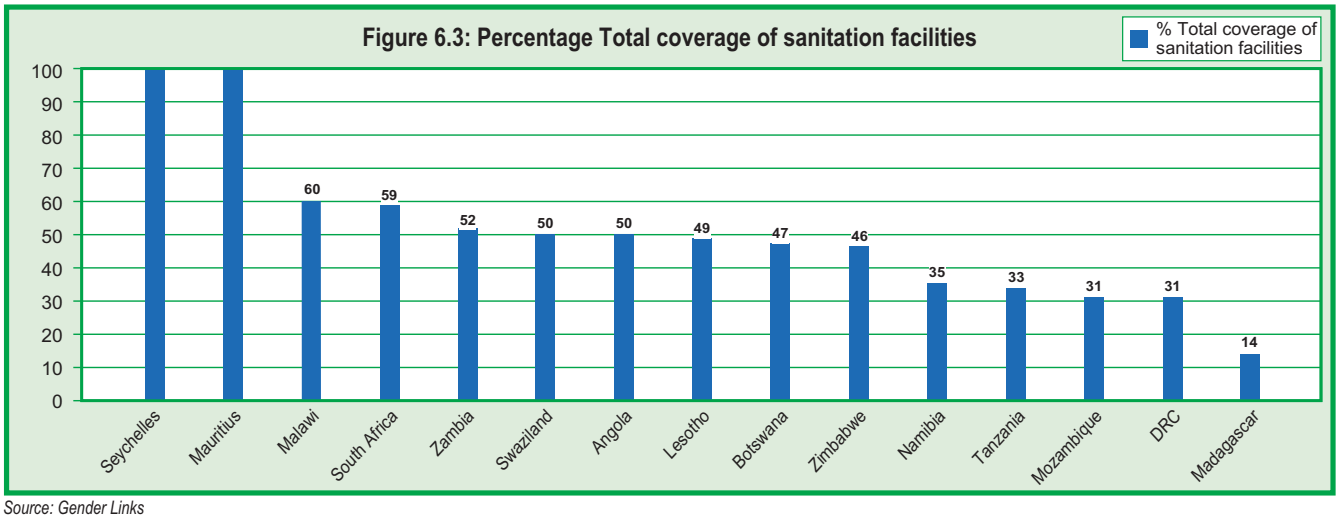
Much remains to be done, especially in the worst affected countries: The high prevalence of maternal mortality in the SADC region indicates that the health policies and practises currently in place are inadequate and that the effects and consequences of maternal mortality are far reaching. Thus, much remains to be done to ensure that the SADC region cuts maternal

Sanitation

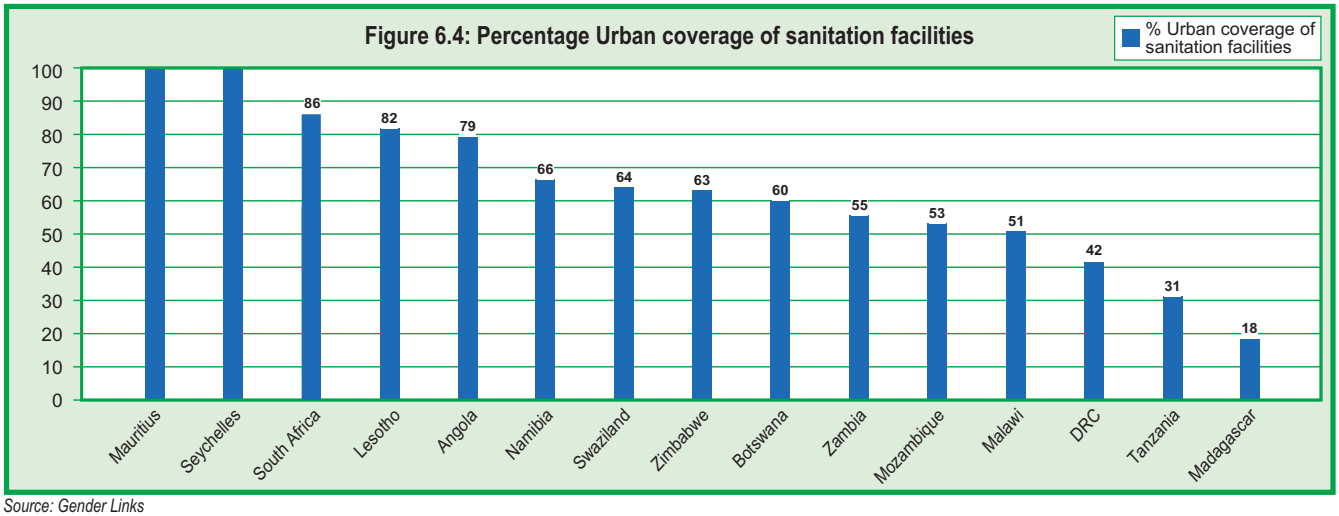
The Protocol requires that by 2015 Member States ensure the provision of hygiene and sanitary facilities and nutritional needs of women, including women in prison.

The provision of sanitation and hygiene facilities is integral to improving women's health throughout the region. Poor sanitation results in increased spread of communicable diseases such as TB and malaria which women are particularly vulnerable to and menstruation, pregnancy, and post-natal care become increasingly difficult for women without proper hygiene and sanitary facilities. Although providing hygiene and sanitation facilities is one of the provisions of the protocol. The graphs illustrate the current position:

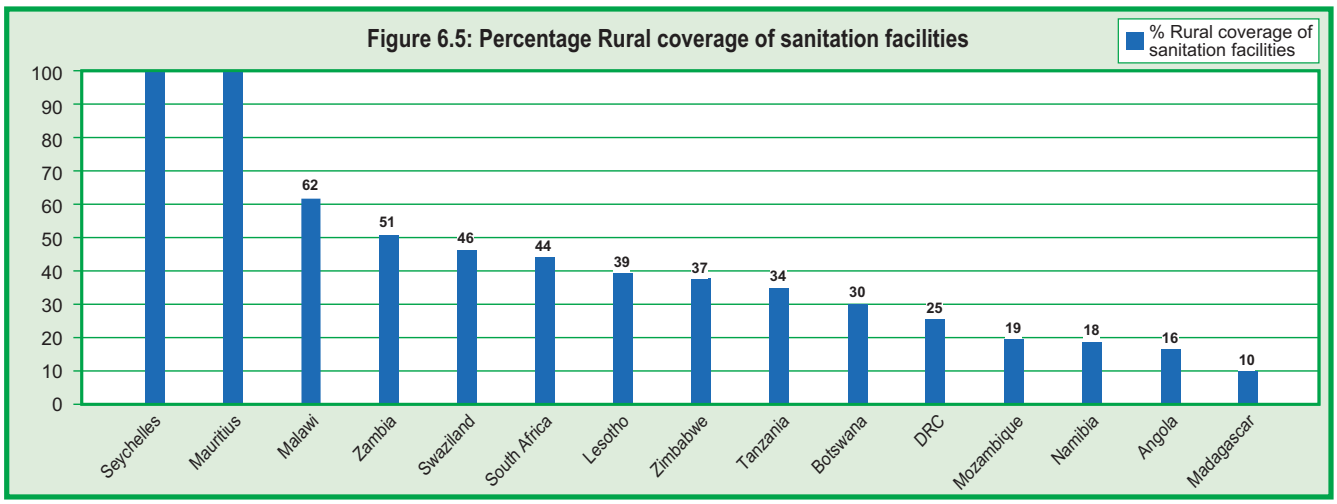
Still a long way to go: Sanitation coverage, with the exception of Mauritius and the Seychelles remains low with great disparities between rural and urban areas. Six of the fifteen countries have less than 60% coverage in urban and rural areas.



Source: Gender Links



Source: Gender Links



Source: Gender Links

Rural coverage is especially low: In almost all countries, urban coverage in significantly higher than rural coverage. In Madagascar this is a mere 10%.

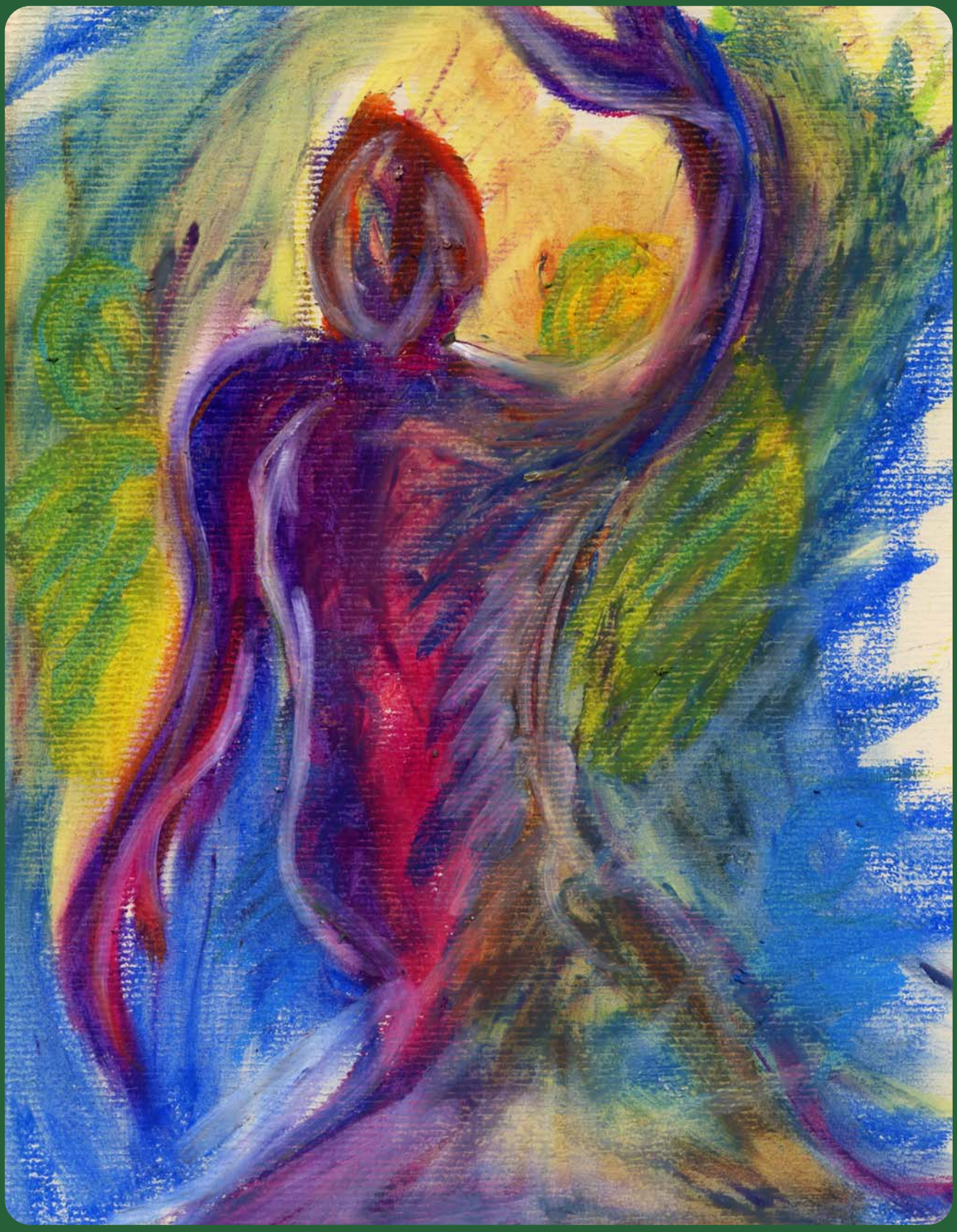
Next steps

From the analysis it is clear that the SADC Gender Protocol targets are feasible but success will require concentrated efforts to address sexual and reproductive health rights gaps throughout the SADC region. Women's lack of education, resources and power across the SADC region urgently needs to be addressed and women's distinct needs and responsibilities in regards to health need to be integral in the formulation of legislation, policy and programmes throughout the SADC region.

In cases where targets have been met, political will, economic stability and growth, legal development and social development have been instrumental to countries meeting these targets. It is evident however that the task of addressing sexual and reproductive health rights is not for governments alone. Civil society must hold countries accountable to the commitments that have been made and support government initiatives.

Key recommendations to ensure that governments achieve these targets by 2015 are:

- Sharing of best practices by those countries that have met their targets with those that have not.
- Greater access to high quality and relevant information targeting the reproductive and sexual rights and services for women and girls. This includes providing information in all vernacular languages, Braille and sign language.
- Research on the health needs of women, particularly related to sexual and reproductive health, should be implemented and prioritised.
- Policies and programmes that address the sexual and reproductive health needs of women in vulnerable situations, such as prisons, internal displacement camps, refugee camps, as well as sex workers, elderly women and women with disabilities.
- Broad partnerships with civil society, religious organisations, cultural leaders, and the private sector. In addition, government should support and facilitate the work of civil society organisations.
- Integration of sexual and reproductive rights into school curricula from primary school level.
- Promotion of sexual and reproductive rights relating to both men and women.
- Effective monitoring and evaluation plans.



"Anita"

Anushka Virahsawmy

CHAPTER 7

HIV and AIDS

Article 27



HIV status campaign is gaining momentum. *Photo: Nonqaba Msimang*

KEY POINTS

- Currently 35% of all people living with HIV and AIDS in the world are in the SADC region.
- HIV and AIDS is causing immense human suffering throughout the SADC region, the most obvious effect being death and illness but the effects of the epidemic are not confined to the health sector; households, schools, workplaces and economies are also being gravely affected.
- Four of the fifteen SADC countries have a HIV and AIDS prevalence of over 15%.
- In thirteen of the fifteen SADC countries, women have a higher HIV and AIDS prevalence than men.
- In ten of the fifteen SADC countries, less than 50% of People Living with AIDS are receiving anti-retroviral drugs.
- In nine of the fifteen countries, less than 50% of the 15-24 year old population have a comprehensive knowledge of HIV and AIDS.
- There is some evidence that prevention campaigns are beginning to change sexual behaviour patterns and lead to a reduction in HIV and AIDS. However, gender disparities continue to be a major driver of the pandemic in the region.
- SADC countries are stepping up male circumcision initiatives as a means of prevention.
- GEMSA, in partnership with VSO-RAISA is taking forward the "Making Care Work Count Campaign" through advocating stand-alone care work policies in line with the provisions of the SADC Gender Protocol.



Two-thirds of all people living with HIV are found in sub-Saharan Africa, although this region contains little more than 10% of the world's population.[1] Some 35% of all people living with HIV and AIDS in the world are found in the SADC region (SADC Parliamentary Forum, 2007). AIDS has caused immense human suffering on the continent.

The most obvious effect of this crisis has been illness and death, but the impact of the epidemic has certainly not been confined to the health sector; households, schools, workplaces and economies have also been badly affected.

During 2008 an estimated 1.4 million adults and children died as a result of AIDS in sub-Saharan Africa; since the beginning of the epidemic more than 15 million Africans have died from AIDS. In 2008, an estimated 1.9 million people living in sub-Saharan Africa became newly infected with HIV, bringing the total number of people living with HIV to 22.4 million. While the rate of new HIV infections in sub-Saharan Africa has slowly declined-with the number of new infections in 2008 approximately 25% lower than at the epidemic's peak in the region in 1995-the number of people living with HIV in sub-Saharan Africa slightly increased in 2008, in part due to increased longevity stemming from improved access to HIV treatment. Adult (15-49) HIV prevalence declined from 5.8% in 2001 to 5.2% in 2008.[2]

Unless national and global responses to the pandemic accelerate, these trends project a bleak vision of the future: more and more women infected; still more exhausted from caring for the ill and dying; children left to fend for themselves or rely on their elderly grandparents.

The changing face of the disease means that women, especially young women, will continue to be the most vulnerable to infection, the least able to protect themselves and the last to get treatment and care. Widows will continue to be driven from their homes in many places, deprived of land and inheritance rights; the number of AIDS orphans will continue to grow; and families will have little hope of getting out of poverty.[3]

Although anti-retroviral therapy is starting to lessen the toll of AIDS, still fewer than one in three Africans who need treatment are receiving it.[4] The impact of AIDS will remain severe for many years to come.

Although it appears that women's comprehensive knowledge of HIV and AIDS is improving throughout the SADC region and in nine of the SADC countries is not dissimilar to men, anecdotal evidence suggests that there are great disparities in the levels of this knowledge between urban and rural areas, between wealthier women and poorer women and between women with different levels of education.

The introduction of Prevention of Mother to Child Transmission (PMTCT), a short course of anti-retroviral therapy that prevents transmission of HIV and AIDS from mother to child - has been hailed as a breakthrough in the fight against HIV and AIDS. The use of PMTCT is also thought to help reduce infant and maternal mortality. However, a number of barriers hinder women from accessing PMTCT and abiding to PMTCT recommendations, including weak health systems

[1] UNAIDS 2008 Report on the Global AIDS Epidemic, http://www.unaids.org/en/KnowledgeCentre/HIVData/GlobalReport/2008/ (accessed July 4th, 2009)
[2] UNAIDS 2009 AIDS Epidemic Update. http://data.unaids.org/pub/Report/2009/JC1700_Epi_Update_2009_en.pdf (accessed 30 July, 2010)
[3] UNIFEM (2008).Transforming the National AIDS Response: Mainstreaming gender equality and women's human rights into the "three ones". New York, USA, UNIFEM
[4] Avert, www.avert.org (accessed July 4th, 2009)

and socio-cultural practices. Equally, more work needs to be done to encourage men to become more involved in PMTCT and antenatal care to support women's health.

While SADC already has a Declaration on HIV and AIDS, the SADC Gender and Development Protocol seeks to progress beyond declarations and conventions previously signed by SADC countries by specifying the gender dimensions and coming up with specific timeframes.

The Protocol states that by 2015 the SADC governments must:

- Develop gender sensitive strategies to prevent new infections.
- Ensure universal access to HIV and AIDS treatment for infected women, men, boys and girls.
- Develop and implement policies and programmes to ensure the appropriate recognition of the work carried out by caregivers, the majority of whom are women, to allocate resources and psycho-logical support for care-givers as well as promote the involvement of men in the care and support of people living with HIV and AIDS.
- Have laws on Gender Based Violence that provide for the testing, treatment, and care of survivors. These should include emergency contraception, access to post-exposure prophylaxis at all health facilities, and the prevention of sexually transmitted infections.



Table 7.1: Key Gender, HIV and AIDS indicators

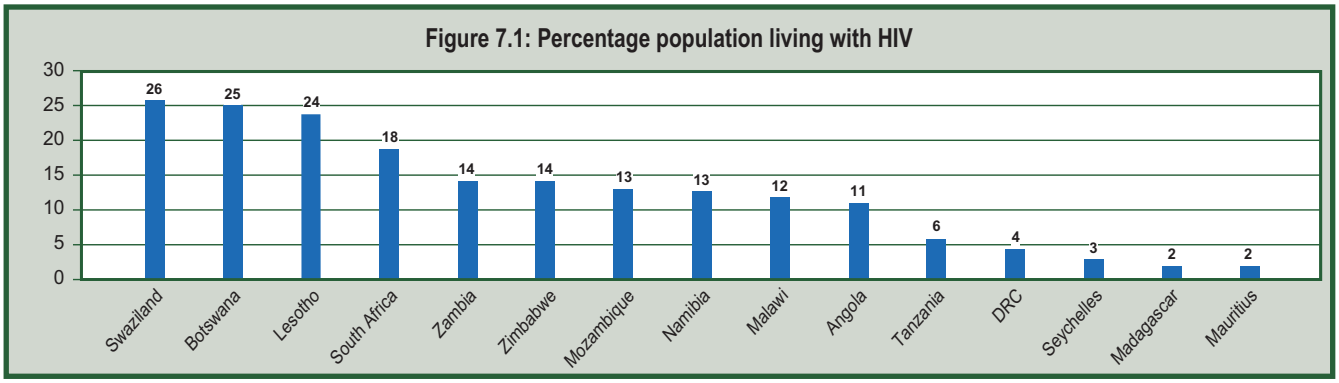
Faculty	Angola		Botswana		DRC		Lesotho		Madagascar		Malawi		Mauritius		Mozambique		Namibia		Seychelles		South Africa		Swaziland		Tanzania		Zambia		Zimbabwe	
%	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M
1) Extent of comprehensive knowledge on HIV and AIDS (15-24)	7	14	40	33	15	21	26	18	19	19	42	42	68	66	43	58	65	62	67	59	27	30	52	52	45	40	34	37	44	46
2) HIV infection	11%		24.6%		4%		23.6%		2%		12%		1.8%		13%		13%		2.5%		18%		26%		5.7%		14.3%		14.3%	
3) Share of HIV infection by sex	61	39	58	42	58	42	58	42	58	42	58	42	19	81	60	40	50	50	42	58	59	41	57	43	55	45	57	43	60	40
4) % On ARV treatment (total)	6%		89.9%		15%		51%		3%		21%		93%		12%		84%		95.2%		56%		35%		64.54%		68%		56.1%	
5) % HIV positive pregnant women receiving PMTCT	14%		95%		4%		71%		1.8%		14%		68.3%		28%		58%		99%		83%		69%		68%		60.9%		42.6%	

Source: UNGASS 2010 Country progress reports; IAS 2009 Fact sheet on HIV and AIDS in Sub-Saharan Africa and South Africa.
For Angola, DRC,Madagascar and Mozambique, data from last year used was sourced from: MDG Database; UN AIDS.

The current situation

Southern Africa remains the area most heavily affected by the epidemic: The nine countries with the highest HIV prevalence worldwide are all located in the sub-region, with each of these countries experiencing adult HIV prevalence greater than 10%. With an estimated adult HIV prevalence of 26% in 2007, Swaziland has the most severe level of infection in the world (UNAIDS, 2008). Botswana has an adult HIV prevalence of 24%, with some evidence of a decline in prevalence in urban areas (UNAIDS, 2008). Lesotho's epidemic also appears to have stabilized, with an adult HIV prevalence of 23.2% in 2008 (Khobotlo et al., 2009). South Africa is home to the world's largest population of people living with HIV (5.7 million) (UNAIDS, 2008). For

southern Africa as a whole, HIV incidence appears to have peaked in the mid-1990s. In most countries, HIV prevalence has stabilised at extremely high levels, although evidence indicates that HIV incidence continues to rise in rural Angola.[5]



Source: UNAIDS 2010

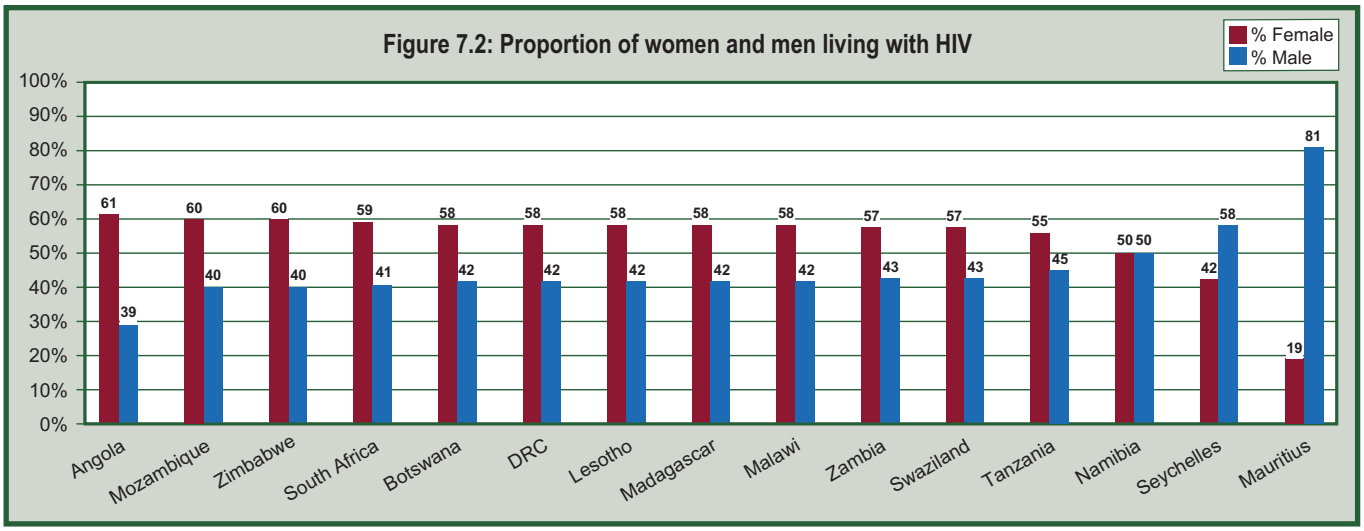
HIV and AIDS prevalence varies greatly in SADC countries: Four countries of the fifteen countries have an HIV and AIDS prevalence of over 15%, while four countries have a prevalence rate of 4% or less. The highest prevalence is in Swaziland (26%); Botswana (25%) and Lesotho (24%). The lowest is in the islands - Seychelles, Madagascar and Mauritius with a prevalence rate of 3% or less.

There is some evidence of decline in a few countries: Two rounds of household surveys indicate that national HIV incidence significantly fell between 2004 and 2008 in the United Republic of Tanzania, and a significant drop in HIV incidence was also noted among women in Zambia between 2002 and 2007 (Hallett et al., in press). Zimbabwe has experienced a steady fall in HIV prevalence since the late 1990s; studies have linked this decline with population-level changes in sexual behaviours (Gregson et al., 2006). Promising data were also reported from Lusaka, where HIV prevalence among young pregnant women (17 years or younger) declined from 12.1% in 2002 to 7.7% in 2006 (Stringer et al., 2008). The percentage of 20-24-year-old antenatal clinic attendees who were HIV-infected in Botswana fell from 38.7% in 2001 to 27.9% in 2007 (Botswana Ministry of Health, 2008).[6]

But increases in prevalence continue to be recorded in other countries: Antenatal surveillance in Swaziland found an increase in HIV prevalence, from 39.2% in 2006 to 42% in 2008, among female clinic attendees. There is still no evidence of a decline in infections among pregnant women in South Africa, where more than 29% of women accessing public health services tested HIV-positive in 2008 (Department of Health, 2009).[7]

Heterosexual intercourse remains the primary mode of HIV transmission in sub-Saharan Africa, with extensive ongoing transmission to newborns and breastfed babies. In Swaziland, transmission during heterosexual contact (including sex within stable couples, casual sex and sex work) is estimated to account for 94% of incident infections (Mngadi et al., 2009). In Lesotho, 24% of adults have multiple sexual partners, often as a result of extensive labour migration (Khobotlo et al., 2009). In Swaziland, 17.9% of married or cohabiting individuals surveyed in 2006-2007 reported having had two or more sexual partners in the previous 12 months (Central Statistical Office & Macro International, 2008).

[5] UNAIDS 2009 AIDS Epidemic Update. http://data.unaids.org/pub/Report/2009/JC1700_Epi_Update_2009_en.pdf (accessed 30 July, 2010)
[6] UNAIDS 2009 AIDS Epidemic Update. http://data.unaids.org/pub/Report/2009/JC1700_Epi_Update_2009_en.pdf (accessed 30 July, 2010)
[7] UNAIDS 2009 AIDS Epidemic Update. http://data.unaids.org/pub/Report/2009/JC1700_Epi_Update_2009_en.pdf (accessed 30 July, 2010)



Source: UNAIDS 2010

Women are more vulnerable than men: As illustrated in the graph, in twelve of the fifteen SADC countries women have a higher HIV and AIDS prevalence than men. In Namibia prevalence is at parity. In Mauritius and the Seychelles there is higher male prevalence because HIV and AIDS infection is driven more by injectable drug use than sexual activity. The most pronounced of differences between women and men's share of HIV and AIDS prevalence in countries where the prevalence is principally linked to sexual activity are in Angola (61%) and Mozambique and Zimbabwe where women account for 60% of the HIV prevalence.

> *"We tell women to abstain when they have no right. We tell them to be faithful when they cannot ask their partners to be faithful. We tell them to use a condom when they have no power to do so."* (Kathleen Cravero, Deputy Executive Director of the UN joint programme on AIDS)

Women suffer from choice disability: The fundamental reason that women are more vulnerable to HIV and AIDS infection in the SADC region and throughout the world is that women lack the choice and power to control their sexual and reproductive health, or what is now referred to as "choice disability."

Patriarchy and poverty are a lethal mix: In marriage, tradition takes away women's power to negotiate safe sex. In patriarchal society women are neither able to demand that their partner wear a condom, nor to expect that he will remain faithful. For many women, poverty also restricts their power over the use of contraception and leads them to engage in high risk sex work or a more casual exchange of sex for food, etc where they may not be able to negotiate the use of condoms.

The attitude of men towards contraception is a challenge: Changing men's negative attitudes to contraception and the common belief that contraception, if used, is a woman's responsibility are significant challenges to decreasing women's vulnerability to HIV infection. Many men believe that the use of contraception encourages women to be unfaithful, and that condoms decrease the pleasure of sex. Many men prefer still to use traditional methods of contraception which offer no such protection.

The high prevalence of intergenerational sexual partnerships may play an important role in young women's disproportionate risk of HIV infection: According to a 2002 survey of young people aged 12-24 in Lesotho, the male partner was at least five years older than the female partner in more than half (53%) of all sexual relationships and more than 10 years older in 19% of sexual relationships (Khobotlo et al., 2009). The percentage of young women in South Africa who report having a sexual partner more

than five year solder than themselves rose from 18.5% in 2005 to 27.6% in 2008 (Shisana et al., 2009).[8]

Mobility adds to HIV risk: In the United Republic of Tanzania, women who travelled away from home five or more times in the previous 12 months were twice as likely to be HIV-positive (12%) as those who did not travel (Tanzania Commission for AIDS et al., 2008). In rural KwaZulu-Natal province in South Africa, the risk of becoming infected was found to increase the closer an individual lived to a primary road (Bärnighausen et al., 2008). Consistent with earlier studies among long distance truck drivers and migrant mine workers (who are more likely to engage in high-risk or commercial sex), more recent evidence confirms that work-related mobility often significantly increases vulnerability to HIV infection. In Lesotho, the separation of couples as a result of labour migration could also be associated with the high rate of multiple concurrent partnerships (Khobotlo et al., 2009). Consistent with evidence from earlier in the epidemic, recent studies suggest that men in high-mobility occupations (such as truck drivers) are more likely than other men to purchase sex (Lowndes et al., 2008). Modeling suggests that migration increases vulnerability to HIV primarily by encouraging increased sexual risk behaviour rather than by connecting areas of high and low risk (Coffee, Lurie, Garnett, 2007).[9]

A high rate of sexual violence throughout the SADC region also propagates women's vulnerability to HIV infection as traumatic abrasions and a lack of lubrication increase the risk of transmission and gender based violence perpetrators.

HIV prevalence is especially high among men who have sex with men: In a 2008 study of 378 men who have sex with men in Soweto, South Africa, researchers found an overall HIV prevalence of 13.2%, increasing to 33.9% among gay-identified men (Lane et al., 2009). One third of men who have sex with men surveyed in Cape Town, Durban and Pretoria, South Africa, tested HIV-positive (Parry et al., 2008). A cross-sectional anonymous survey of 537 men who have sex with men in Malawi, Namibia and Botswana found HIV prevalence's of 21.4%, 12.4% and 19.7% among study participants in the three countries, respectively.

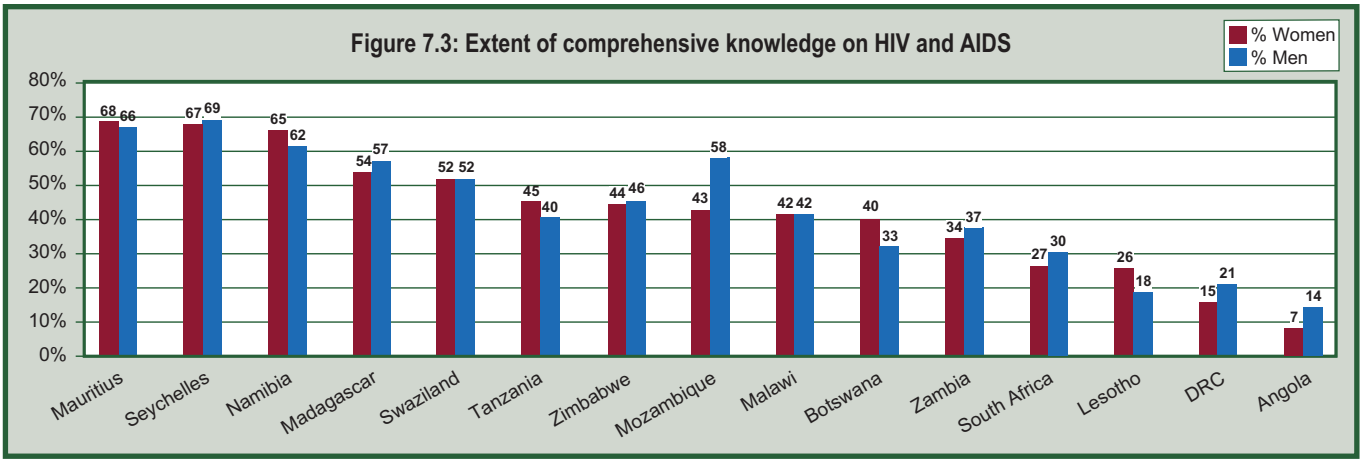
Such men suffer stigma and discrimination: Although common in sub-Saharan Africa, homosexual behaviour is highly stigmatised in the region. More than 42% of men who have sex with men surveyed in Botswana, Malawi and Namibia reported experiencing at least one human rights abuse, such as blackmail or denial of housing or health care (Baral et al., 2009).

Prevention

The Protocol requires that by 2015 state parties shall develop gender sensitive strategies to prevent new infections, taking account of the unequal status of women, and in particular the vulnerability of the girl child as well as harmful practices and biological factors that result in women constituting the majority of those infected and affected by HIV and AIDS.

Knowledge on HIV and AIDS varies: As reflected in the graph, the extent of comprehensive knowledge of HIV and AIDS among the 15-24 age group varies significantly throughout the region, the highest percentages being in Mauritius with 68% for women and 66% for men, and the lowest being in Angola, with 7% for women and 14% for men.

[8] UNAIDS 2009 AIDS Epidemic Update. http://data.unaids.org/pub/Report/2009/JC1700_Epi_Update_2009_en.pdf (accessed 30 July, 2010)
[9] UNAIDS 2009 AIDS Epidemic Update. http://data.unaids.org/pub/Report/2009/JC1700_Epi_Update_2009_en.pdf (accessed 30 July, 2010)



Source: Gender Links. See Table 7.1 for list of sources.

The gender knowledge gap is closing: In six of the fifteen countries, women have an inferior knowledge of HIV and AIDS than men but reassuringly in nine of the fifteen SADC countries women have an equal or superior extent of comprehensive knowledge of HIV and AIDS than men. This could be because of the higher prevalence of HIV and AIDS of women in the SADC region, that fact that women are more likely to get tested than men or the fact that women are more likely to have contact with reproductive health professionals and get information. This is with the exception of Mozambique where the gap (15%) is high between male knowledge (58% and 43%) female knowledge of HIV and AIDS in this age group.

Women empowered with knowledge in Zimbabwe

Of all the SADC countries, Zimbabwe is the only country that has National Plan of Action for Women and Girls and HIV and AIDS FOR 2006-2010. This aims to empower women and girls to enhance their ability to protect themselves from HIV infection and to mitigate the impact of HIV and AIDS. Interestingly in Zimbabwe women have a considerably higher (60%) comprehensive knowledge of HIV and AIDS than men (40%). The policy aims to:

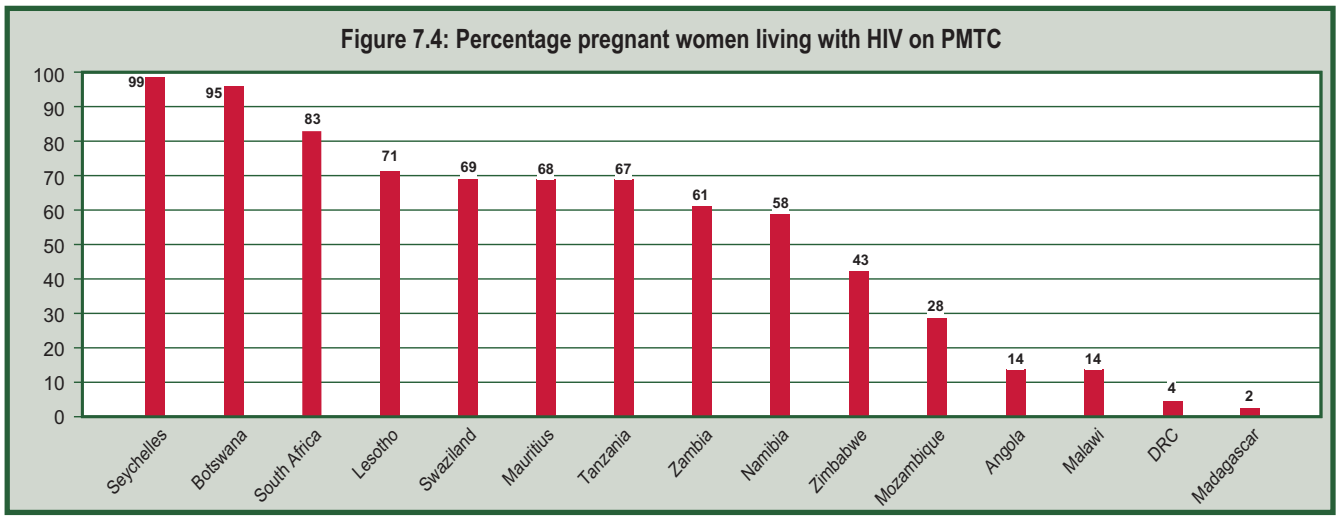
- Reduce women's vulnerability through increasing access to information.
- Ensure access to treatment care and support for women living with HIV and AIDS.
- Reduce the burden of care on women and girls.
- Reduce HIV infections through reduction in the incidence of GBV.
- Close the gender gap in the completion of secondary education between boys and girls.
- Strengthen women's capacity to exercise their rights to inheritance, property and livelihood in order to reduce their vulnerability.
- Strengthen responses of institutions in HIV programming, management, implement and monitoring and evaluation.
- Increase advocacy in the fight against HIV and AIDS. This plan shows a gendered awareness of the impact and challenges women face in regards to HIV and AIDS and serves as a positive example of the types of planning, policy and legislation that need to be adopted throughout the SADC region.

Source: National Plan of Action for Women and Girls and HIV and AIDS 2008



Economic empowerment reduces vulnerability in Zimbabwe. *Photo: Colleen Lowe Morna*

Evidence suggests that HIV prevention programmes may be having an impact on sexual behaviours: In southern Africa, UNAIDS has found a trend towards safer sexual behaviour among both young men and young women (15-24 years old) between 2000 and 2007 (Gouws et al., 2008). In South Africa, the proportion of adults reporting condom use during the most recent episode of sexual intercourse rose from 31.3% in 2002 to 64.8% in 2008 (Shisanaet al., 2009). The 2008 modes of transmission study and epidemiological synthesis report in Swaziland suggested that the percentage of men having multiple partnerships may have fallen in response to a public information campaign (Mngadi etal., 2009).



Source: Gender Links. See Table 7.1 for list of sources.

PMTC uptake is uneven: Throughout the SADC region, an average of 55% of pregnant women receives PMTCT. However, this ranges from 99% in Seychelles to 4% in the DRC and 1.8% in Madagascar showing the massive disparities in access to PMTCT in the region. Of the fifteen SADC countries, an impressive thirteen of the countries have a PMTCT programme in place (the DRC and Madagascar being the exception). Mother-to-child transmission continues to account for a substantial, though decreasing, portion of new HIV infections in many African countries. In Swaziland, children were estimated to account for nearly one in five (19%) new HIV infections in 2008 (Mngadi et al., 2009).



Children join in the red ribbon campaign
Photo: Colleen Lowe Morna

Mother and child



In ***Botswana***, a PMTCT programme is in place and since 2001 its services have been available in all public health facilities. There has been an increase in testing amongst pregnant women from 64% in 2003 to 83% in 2004, which is most likely to be contributed to the implementation of routine and rapid HIV testing in all antenatal settings. ART treatment has increased from 36% in 2003 till 61% in 2004 (Ministry of Health / UNFPA (2007).

For ***Malawi***, one of the most prominent interventions on women and HIV and AIDS has been PMTCT. A fifth of women attending antenatal clinics in Malawi are HIV positive. In 2001, two PMTCT clinics were piloted with support from UNICEF and MSF.



Following this successful experience, PMTCT services were expanded to 15 sites in 2003. In June 2003, a national PMTCT programme was launched, and by March 2008, there were 431 sites located in the country's 524 hospitals and health centre's offering PMTCT services. Led by the Ministry of Health with support from development partners, the PMTCT Acceleration Plan intends to reach all maternal and child health facilities in order to ensure that every pregnant woman knows her HIV status and receives the proper care (Ministry of Health, 2008).



In ***Zambia***, the government recognises that PMTCT is critical to reducing the risk of transmission and PMTCT services have been rolled out to all the 72 districts of Zambia. The scaling up of PMTCT services has resulted in an increase in pregnant women who have completed prophylaxis from 14,071 in 2005 to 25,578 in 2006 and by September 2007 the figure had reached 35,314.

It is almost mandatory now for every pregnant woman to undergo HIV testing so that if she is found positive, she can quickly be put on treatment to reduce the levels of infecting the baby. However, there are issues for some Zambian women who refuse to know their results when tested. This could be attributed to inadequate counseling before a pregnant women undergoes testing and fear of stigmatisation and discrimination (Zambia country report, multi sectoral AIDS response monitoring & evaluation biennal report (2006-2007)).

In ***Lesotho***, the governments works with civil society organisation 'Elizabeth Glaser Pediatric AIDS foundation' on PMTCT and focuses on certain interventions such as the nutrition of children and prevention of mother to child transmission. They also offer psycho-social support to HIV positive mothers and PMTCT services.





Inadequate knowledge about the availability of prevention services in antenatal settings often impedes their uptake. In ***Tanzania***, only 53% of women and 44% of men reported awareness that medications and other services are available to reduce the risk of mother-to-child HIV transmission (Tanzania Commission for AIDS et al., 2008).

Women are more likely to be aware of their HIV status: HIV testing, counseling and prevention services in antenatal settings offer an excellent opportunity not only to prevent newborns from becoming infected but also to protect and enhance the health of HIV-infected women. In numerous countries in which testing data have been reported, women are significantly more likely than men to know their HIV serostatus, in large measure due to the availability of testing.

Access to Voluntary Counselling and Testing (VCT) services and usage remain patchy: A number of countries have established VCT centres and programmes to encourage HIV testing. These services are often subsidised or free of charge. Yet, the scale at which they are provided is very low in comparison with the need in the country. As anti-retroviral (ARV) treatment increases, the need for VCT will also increase. There is a need to scale-up VCT services. The services are provided equally to both men and women, however more information and research is needed on the different challenges between men and women using VCT centres. There is very little data on VCT throughout the SADC region and so research needs to be conducted to see if there are gender gaps on this subject.

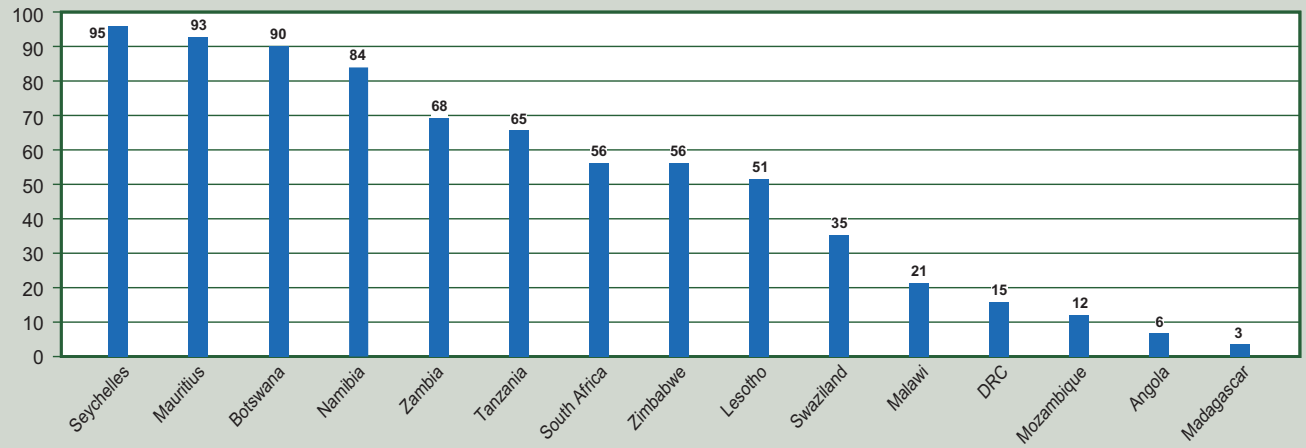
Several countries in the region have taken steps to scale up medical male circumcision for HIV prevention, including Botswana and Namibia (Forum for Collaborative HIV Research, 2009). For example, Botswana is integrating male circumcision into its national surgery framework, with the aim of reaching 80% of males aged 0-49 by 2013 (Forum for Collaborative Research,

2009). As of March 2009, Swaziland had drafted a formal male circumcision policy (Mngadi et al., 2009). A recent analysis determined that the scale-up of adult male circumcision in 14 African countries would require considerable funding (an estimated US$ 919 million over five years) and substantial investments in human resources development, but that scale-up would save costs in the long run by altering the trajectory of national epidemics (Auvert et al., 2008).[10]

Treatment

The Protocol requires state parties to ensure universal access to HIV and AIDS treatment for infected women, men, boys and girls.

Figure 7.5: Percentage of those receiving ARVs



Source: Gender Links. See Table 7.1 for list of sources.

Universal access to ART treatment has not been achieved anywhere: Across the SADC region coverage ranges from 3% to around 95%, with the lowest percentages being Angola and Madagascar. The highest percentages can be found in Seychelles and Mauritius where 95% and 93% respectively, of the HIV infected population is benefiting from ART. There is little gender disaggregated data on the uptake of ART by sex but it is clear that there are gender gaps and challenges in accessing treatment across the SADC region:



Madagascar: In Madagascar Act 2005-040 pertains specifically to HIV and AIDS control and protects the rights of people living with HIV and AIDS in reaffirming their human rights and fundamental freedoms. It grants each citizen access to services for the prevention and treatment of HIV and AIDS. Women benefit from special provisions in their capacity as a vulnerable group. Regarding access to treatment, those who are tested HIV

[10] UNAIDS 2009 AIDS Epidemic Update. http://data.unaids.org/pub/Report/2009/JC1700_Epi_Update_2009_en.pdf (accessed 30 July, 2010)

positive receive the same services. However, it is clear from the low percentage of people currently receiving ART in Madagascar that this Act has not yet been put into practice and more work needs to be done on the implementation of these measures.



Malawi: There is no legislation on HIV and AIDS but the Law Commission has completed work on the recommendation to enact a HIV and AIDS related Act of parliament. The HIV and AIDS policy makes provision for universal treatment , care and support in that there shall be access to affordable, high quality ART and prophylaxis to individuals who have tested HIV positive; ensuring that vulnerable groups actively participate in designing, developing and implementing a national plan for universal access to treatment. Women are not specifically mentioned but they fall in the generic term of vulnerable group as defined under the policy.



Namibia: In Namibia, the policy on the access to HIV and AIDS treatment forms part of the national policy of HIV and AIDS. There is a significant gender gap in terms of who receives ART in Namibia as it is mostly women who go for voluntary testing and PMTCT treatment and therefore receive ARTs.



Zambia has a strategy and policy to promote equal access for women and men for comprehensive HIV and AIDS treatment, care and support. The national HIV and AIDS policy recognizes the bigger role treatment plays in prolonging lives of people living with HIV and AIDS. Men, women, youths and children are all mentioned as beneficiaries in the treatment, care and support of HIV and AIDS. Currently more women (52.4%) than men (48.3%) access ARVs. The reasons among others are that they are more women accessing voluntary counseling and testing services; thus they know their status more often. Despite more women on treatment; there are a number of challenges that hinder both men and women from accessing treatment as desired. Some of the challenges are that there are long distances to health facilities especially in rural areas which make it difficult for people to access treatment. Low uptake of VCT, human resource shortages and poor nutrition are other hindrances to accessing treatment. Women face specific barriers which stop them from accessing ART services in Zambia such as lack of information and literacy on treatment issues and are subjected to a culture where the husband, as the head of the family and the breadwinner, has priority access to treatment when household funds only permit one person to receive ART. It was observed that public health services in Zambia are accessed more by women than men only when they are free; this lends to the theory that the gender imbalance in access to health and ART services stems from the gender imbalance in financial resources.



Mauritius: In Mauritius, which is second highest access rate, there is no legislation that mentions women as a specific beneficiary group as treatment and medication are free for both men and women. At the last National Aids Meeting, the Prime Minister highlighted that there must be more programmes focused on women as the HIV and AIDS prevalence rates for women are gradually increasing. The Ministry of Women and the National Women's Council have set up a National Advocacy Committee to work with all District Councils and Village Councils so that at least 155 women's organisation can be trained in raising HIV awareness. The 50 Family Support Officers that have been trained can now encourage women to go for voluntary testing and counseling and to deal with stigmatisation. The caravan of health invites the population at large to go for screening for non communicable diseases as well as for HIV testing. *(NWC, 2007)*



Tanzania: The key challenges facing access to treatment in Tanzania are inadequate implementations of pro-poor policies, weak health infrastructure,, limited access to quality health services, inadequate human resource,, shortage of skilled health providers, lack of equipments and supplies, weak health management, low utilization of modern family planning services, social cultural beliefs and practices, gender inequality, weak educational sector, inadequate community involvement and participation in planning, implementation monitoring and evaluation of health services. The attempt in Tanzania to address these challenges has been among others to review the health policy in 2003, the health sector reforms and the health sector strategic plan (2003-2007), the reproductive and Child Health Strategy and the National Road Map to Accelerate Reduction Maternal and Newborn Mortality in Tanzania (2006-2010 and 2008-2015).



Mozambique: In Mozambique, the cost of treatment is the major challenge for women and the availability of the treatment in the rural areas, where the majority of the population live. The government is expanding its reach to rural areas but at very low speed.

Post Exposure Prophylaxis - PEP is provided for in policies but not easily accessible: UNAIDS and UNIFEM reports recognise gender based violence as one of the leading factors for HIV infection due to lacerations, fistula and other trauma caused. Treatment can help to reduce the likelihood of infection after sexual violence and it is an important factor in caring for women and girls who have been sexually abused.

Twelve of the SADC countries (excluding Angola, Lesotho and Zimbabwe) have policies requiring that health facilities administer Post Exposure Prophylaxis (PEP) after a sexual assault and thirteen countries have policies aimed at preventing sexually transmitted infection after sexual assault. However, there are various barriers to women effectively receiving PEP. Although there is no international time guideline, it is generally thought that PEP should be administered 24-36 hours after possible exposure to HIV through rape or unprotected sex. In rural areas, this is not always possible due to distance and lack of transport infrastructure.

Furthermore, women may lack financial means and the information to on how to obtain PEP and where to obtain it and may fear reporting the assault and seeing health care professionals because of the risk of stigmatisation to rape victims.



The red and white ribbon campaign symbolises the intersection between HIV and AIDS and gender violence.
Photo: Colleen Lowe Morna

Care work

The Protocol requires Member States to develop and implement policies and programmes to ensure the appropriate recognition of the work carried out by care-givers; the majority of whom are women, to allocate resources and psychological support for care-givers as well as promote the involvement of men in the care and support of people living with AIDS.

The "appropriate recognition" of care work is further strengthened by conclusions reached at the 53rd Session of the Commission on the Status of Women (CSW53) in March 2009; the meeting's focus being on "The equal sharing of responsibilities between women and men, including care-giving in the context of HIV and AIDS." The session brought together government bodies, non-government organisations, multi-laterals and community-based organisations to address the challenges faced by care-givers and strategise on how governments and donors can support these individuals, as well as increase men's participation in care work. The global community put forward a number of recommendations to help influence and strengthen government policies on care work.

Community home based care-givers and organisations are leaders in the fight against HIV and AIDS in Southern Africa. Government entities, community, faith and non-government organisations, private companies, practitioners and traditional healers all service the industry. Significant evidence shows that care-givers have relieved overburdened healthcare systems and provided valuable psychosocial and medical support to People Living with HIV and AIDS (PLWHA). The burden of care typically falls on women, including the elderly and young girls. Reasons for this include cultural beliefs that care work is "women's work", as well as the fact that many men are "family breadwinners" and cannot afford to volunteer. Gender inequality is a key determinant to the continued blindsiding of the needs of women in the field of care work. If policies are updated and the abuse of traditional laws and religious beliefs are abolished, this would give way to less burden of care for women and sharing of responsibilities with men. With few resources and little government assistance, these unsung heroes are turning the tide in the AIDS epidemic.



Rose Thamae (right) founder of the Lets Grow care-givers network in Orange Farm, South Africa *Photo: Gender Links*

Their services include some form of personal care (including dispensing medication etc.), housework, cooking or other such assistance, psychosocial support to patient as well as care and support to children in the home. Typically, care-givers in Southern Africa are not compensated for their work. Care-givers may act independently or as members of broader community organisations. Care workers may fall into one of the following categories:

- Primary care-givers, who are typically family members (children, spouses or grandparents) and are often socially obligated to provide care.
- Secondary care-givers, who are typically associated with an organisation that provides care work as a service.



Care-givers do not receive remuneration for their unselfish care work.
Photo: GEMSA

- Secondary care-givers may work for formal institutions such as government run clinics, informal groups such as religious or community home based care organisations.

This work that women frequently engage in has no visible economic output and so is not measured in employment statistics. Because there is no monetary value attached to unpaid care work, and because society does not pay for it, policy makers often assume that there is a limitless supply. However, women who engage in care work perform a massive assistance to the state but lose hours of economic productivity that they are frequently not compensated for. The only countries in the SADC region to offer any financial incentive to care-givers of those infected with HIV and AIDS are Botswana, Swaziland and Lesotho.

Some care-givers do receive some form of recognition in their community for the work they do as they are sometimes elected by the community to provide the service and are identified as leaders, as in the case of Namibia, Botswana, Mauritius and some other SADC countries. Other times though, they are faced with the stigma that pervades the HIV and AIDS epidemic and gain no social status as a result of their efforts.

There is a need for formal recognition of the contribution of care-givers for a great host of reasons, including: ensuring community recognition for their efforts; the practical needs of earning a living (many care-givers drop out of programmes as a result of needing to earn money for their own families); poor retention rates lead to a weakening in the standard of care; and ensuring that girls can remain in school (many drop out of school when family members become ill and are required to take care of them). There is a need for accurate statistics on how many care-givers are doing this type of work in the field and this could be more accurately captured if there was a regulation of the industry on a national level; to regulate a standard of care and ensure norms of these standards are met (in an effort to protect both the patient and the care-giver); to provide training so care-givers are better empowered to do their work and remain abreast of the changes in the virus and methods of treating it; and to accurately monitor and evaluate the work being done in the field.

In April 2009, the Gender and Media Southern Africa (GEMSA) Network conducted a "policy analysis" of care work in the following twelve countries: Botswana, Democratic Republic of Congo (DRC), Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe. GEMSA researchers and partners studied existing policies/guidelines and have identified gaps in care work provisions.



Drawings depicting care work by pupils from SOS Children's Village in Waterfalls, Harare.
Photo: Loveness Jambaya

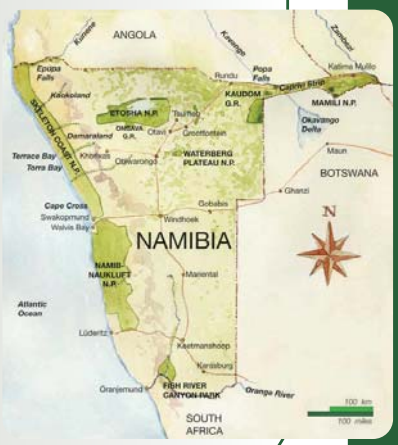
Care work policies in the SADC region: GEMSA found that so far in the SADC region, thirteen countries have implemented a policy on care work in an attempt to meet the SADC Protocol targets. In an assessment of these policies; the findings were as follows:

Country	Rating
Namibia	Excellent
Botswana	Good
Tanzania	Good
Zimbabwe	Good
Swaziland	Fair
South Africa	Fair
Zambia	Mediocre
Malawi	Mediocre
Lesotho	Poor
Mozambique	Poor
Mauritius	Poor
DRC	Poor

The detailed table on overleaf provides the basis for this scoring and these findings. Table 7.2 shows the following:

No government remunerates care givers: Currently no government in the SADC region has a policy that remunerates care workers for their contribution to health care. Remuneration is a key determinant for this industry; it is the right of people doing the work of government to be financially rewarded for their efforts. Many programmes are at risk of faltering as a result of volunteers leaving to be able to earn income to support their own families. As these valuable resources are lost, so too is a valuable skill set and the health care sector falls short of adequately caring for its citizens. In addition, it is argued, that if there was some form of remuneration more men would enter the care work field which would partially ease the burden of care-giving on women and girls and increase the gender equalities that are at present virtually non-existent. Paying volunteers will also add perceived value to the work being done and increase awareness for care-givers and the services they offer.

The Namibian Care Work Policy, rated as excellent, requires that all care-givers have an identity card, T-shirt, shoes, umbrella, a home-based care kit, some form of transport, communication funds and a monthly, monetary incentive of up to N$500 a month. Care-givers will also be trained using a standardised manual and accredited through the Namibia Qualifications Authority. The most progressive thing about the Namibian care-giving policy, however, is that it openly acknowledges the gender disparity in care work and encourages the involvement of men.



Some provide logistic and material support: Some governments in the region provide CHBC kits; these are crucial for service delivery and care-givers throughout the region advocated for adequate and replenished kits as a necessity for quality service delivery. In additional, CHBC incentives that have been raised include uniforms for identification in the community, bicycles transport, food packs, monthly monetary allowances, soap, free medical treatment, financial support for income generating projects, raincoats, umbrellas, agricultural inputs, part time employment in hospitals, funeral assistance, stationary and transport allowances. There is cause to explore fundraising means to meet the costs of logistic and material needs of care-givers. These incentives also need to be standardised in order to establish cohesion among CHBC initiatives within a country.

Training and professional recognition are patchy: Training is typically carried out within the region but few governments have policies

TABLE 7.2: GEMSA'S DETAILED ASSESSMENT OF

Country	Remuneration	Logistic and Material Support
Namibia: Excellent CHBC policy	New CHBC policy calls for a monthly incentive of N$250-N$500 (roughly USD 31-62).	Under the new policy, all care-givers will require an identity card, t-shirt, shoes, umbrella, a home-based care kit, some form of transport, communication funds and a monthly, monetary incentive.
Botswana: Good CHBC policy	At present only donor organisations provide financial incentives for CHBC volunteers working at NGOs. The government feels that by remunerating care-givers, the spirit of volunteerism would be compromised.	Government provides CHBC volunteers with transportation allowances of P151 (roughly USD 22) per month and clinical supplies.
Tanzania: Good CHBC model	No policy	Tanzania Commission for AIDS gives funds to registered CHBC organisations to sustain their projects and CHBC kits.
Zimbabwe: Good CHBC model	No policy. Government recommends communities mobilise funds for care-giver costs. The government feels that by remunerating care-givers, the spirit of volunteerism would be compromised.	The new CHBC guidelines recommends incentives to include uniforms, bicycles, food packs, monetary allowances, free medical treatment, support for income generating projects, raincoats, umbrellas, part time employment in hospitals, and funeral assistance.
Swaziland: Fair CHBC policy	The current CHBC policy calls for a monthly incentive of E200 (roughly USD 25) for Registered Health Monitors (RHMs). However, Baphalali Red Cross Society care-givers are remunerated E100-E110 monthly, and are paid in kind or through donations.	All RHMs and care-givers receive CHBC kits and uniforms as a requirement for easy identification within the community, an identity card, t-shirt, shoes, umbrella, a home-based care kit, and a monthly, monetary incentive as above.
South Africa: Fair CHBC policy	There is a policy framework document that exists however, the extent of implementation in this area is not known.	The Department of Social Development (DSD) gives food supplements and parcels.
Zambia: Mediocre CHBC model	No policy	No policy
Malawi: Mediocre CHBC model	No policy	Limited support for CHBC from government.
Lesotho: Poor CHBC model	No policy, however, the Prime Minister has ordered that a monthly stipend of 300 Maloti (roughly USD 37) be paid to all Community Health Workers (CHWs).	Registered CHW's get access to resources such as health kits.
Mozambique: Poor CHBC model	The operational manual suggests that care workers should receive an amount calculated as 60% of the minimum national salary.	The operational manual mentions the volunteer kit and allocation of some basic materials. In practice though neither the Ministry of Health (MoH) nor the donors provide this material for care workers.
Mauritius: Poor CHBC model	No specific policy for HIV and AIDS. Policy exists for government officials who work with elderly.	HIV and AIDS National Strategic Framework (NSF) makes provision for improving training, equipment and staffing capacity of government structures.
DRC: Poor CHBC model	No policy	No policy

Source: GEMSA Care Work Policy Analysis 2009

CARE WORK POLICIES IN EACH SADC COUNTRY

Training/Professional Recognition	Psychosocial Support	Gender Equality
Under the new policy, the government will re-train all care-givers using a standardised manual. Government will accredit those who pass the training through the Namibia Qualifications Authority.	The new policy attempts to address the psychological needs of care-givers. In the draft guideline, the Ministry of Health and Social Services requests that all CHBC organisations promote stress management techniques, help care-givers adjust to the pace and approach to work, provide peer counseling, and establish a support network.	The new policy acknowledges the gender disparity in care work and encourages the involvement of men.
Government currently has no mandated, minimum level of training. Nurses train CHBC volunteers at the clinics on issues of tuberculosis, adherence, diet and how to care for patients. Normally the training lasts about a week. As new issues arise, the clinic provides care-givers refresher courses. Many care-givers working for NGOs receive training from either clinics or other civil society organisations.	The government provides psychosocial support through supervisors at the clinic or through the social welfare office. Moreover, as part of Ministry of Health's monitoring of CHBC, government representatives often visit volunteers to discuss their challenges. CHBC organisations often facilitate discussions for volunteers to share their challenges and frustrations.	No policy
The Ministry of Health and Social Welfare (MoHSW) last trained care-givers in 2005 and training continues to be the same despite the changes in the area of care work. Care Work is not recognised as a profession in Tanzania.	There is no policy document that exists on psychosocial support for care-givers. The evaluation report on CHBC has looked into support for care-givers. MoHSW requests that all CHBC organisations promote stress management techniques, help care-givers adjust to the pace and approach to work, provide peer counseling, and establish a support network.	No policy
The new CHBC guidelines espouse for training on basic care using adult learning techniques and utilising a standardised training procedure. Also noted is the need for prevention education in terms of accidental exposure such as pricking and TB/HIV infection.	The new CHBC guidelines recognise that care-givers need appropriate psychosocial support to prevent stress and burn out.	No policy.
The Ministry of Health and Social Welfare (MOH&SW) last trained care-givers in 2005 and training continues to be the same despite the changes in the area of care work. Care work is not recognised as a profession in Swaziland.	There is no policy document that exists on psychosocial support for care workers. The evaluation report on CHBC has looked into support for care-givers. MOH&SW requests that all CHBC organisations promote stress management techniques, help care-givers adjust to the pace and approach to work, provide peer counseling, and establish a support network.	No policy.
DSD and Department of Health (DOH) need to make this training and professional recognition criteria clear as it seems ambiguous at present.	There is a document within the policy framework though the extent of implementation is unclear.	Gender inequality is noted within the policy framework documents for CHBC.
No policy that recognises care- givers as professionals except the third line of care- givers (professionals like nurses, clinical officers etc). Care-givers are trained by qualified trainers from the Ministry of Health (MoH) and other organisations. Care-givers receive a certificate of attendance after training. CHBCs are registered under the Registrar of Societies. CHBC organisations are also required to register with the DHMT in their area of operation.	No policy	No policy
Existing training and standardised training manual.	Commitment demonstrated on paper for CHBC by government.	No policy.
Government is planning to train all CHW's including care- givers in order to professionalise the cadre and afford it recognition.	The National Guidelines on CHBC recognises the challenge of emotional, physical strain and stress experienced by care-givers; the lack of resources and care-givers' inability to diagnose symptoms. The guideline calls for income generating activities which can support CHBC.	The National Gender and Development Policy advocates for the improvement and expansion of gender-sensitive home-based health care.
The operational manual mentions training and capacity building however little is known of implementation.	No policy.	No policy
No policy. NSF makes provision for training of government officials involved in HIV and AIDS.	No policy	No policy
No policy	No policy	No policy

that standardise and regulate this training. Thus, care-givers currently receive training from a number of different sources and it varies in length and curricula. Government would be wise to create protocols of training and accreditation through a governing body within the country; and regulate and standardise the training through this body. In addition, training should be ongoing and curricula updated regularly to stay abreast of the changes in the HIV and AIDS arena and fully empower care-givers in being able to do their work with up to date information. A variety of issues need to be addressed in training that would require the joint and collaborative efforts of a variety of ministries, including health, education, agriculture etc. This will help to raise the standard and quality of care provided.

Some of the challenges facing this initiative include logistical and resource deficiencies: Many care-givers operate in remote parts of their countries, and Ministries will have to identify these individuals and ensure they have access to the training. Additionally new training may require certain standards of literacy. At present, many care-givers are elderly women without much education. It is highly likely that they will be left out of this kind of system of CHBC. Thus, to allow maximum inclusiveness, Ministries will have to strategically determine the minimum education requirements. They will also have to provide greater clarity on what will happen to care-givers who do not qualify for training.

Many in this area need training: This should be carried out for care-givers but also managers, supervisors and ministers to help sensitise the decision and policy makers to the full extent of the nature of the work of care-givers.

Psychosocial support is lacking: The strains on those caring for people with HIV and AIDS are enormous. The quality of care that care-givers provide and their ability to do so over a sustained period depend on the protection of their own well-being and morale. But although this is well recognised in principle, care for the carers is rarely given the priority it deserves, and "burnout" is a serious problem[11].

"I think of our work like holding up a candle of hope to other people. But unless we also protect that candle, it will burn out." Care-giver, Namibia[12]



Making care work count: A policy drive

By Masimba Birawashe*

Following the launch in 2006 of the GEMSA "Making Care Work Count" campaign and analysis of existing policies, the network has mounted a drive to get SADC governments to adopt stand-alone policies in line with the provisions of the Protocol. This initiative is a partnership with Voluntary Service Overseas (VSO) - Regional Aids Initiative Southern Africa (VSO-RAISA).

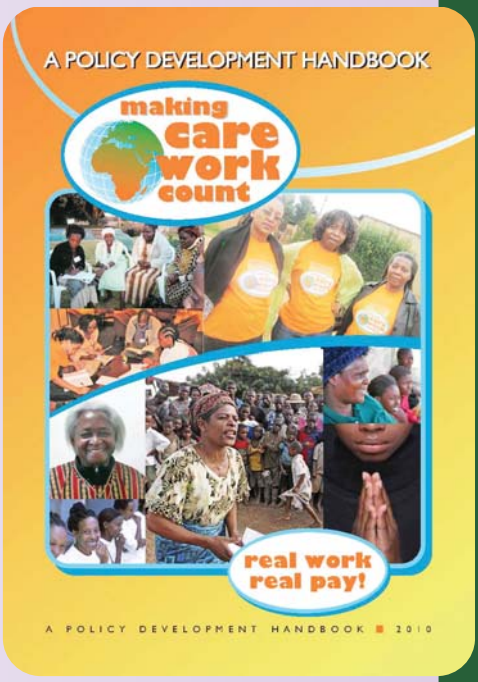
In 2008/2009, VSO-RAISA and WHO Africa conducted extensive consultations with key actors in nine countries - Malawi, Mozambique, Namibia, South Africa, Zambia and Zimbabwe and Botswana, Lesotho and Namibia on care work. According to the research[13], the feminisation of TB, HIV and AIDS has resulted in women and girls bearing the burden of infection, care and support in the region. This is compounded by the absence of national volunteering frameworks and policies across the SADC region, as well as the lack of standardised ongoing training and support for care providers. In May 2009, GEMSA and VSO-RAISA signed a Memorandum of Understanding to advance care work in the SADC region's policy making processes.

[11] UNAIDS (2000). Caring for carers: managing stress in those who care for people with HIV and AIDS. Case study, Geneva, UNAIDS.
[12] WHO (2002). Community Home Based Care in Resource Limited Settings: A Framework for Action. Geneva, WHO
[13] VSO-RAISA and WHO Africa, 2009. 'Scaling up HIV Prevention, Treatment, Care and Support in Community and Home-based Care Programmes and Reducing the Burden of HIV and AIDS Care on Carers in SADC'

The evidence collected by GEMSA and VSO-RAISA both points to the need for policy and legal frameworks that concretely ensure support to care providers, mainly women and girls. While countries in the region have policy instruments on C&HBC, there is very little consideration of the gendered dynamics of care work that further marginalises and impoverishes women and girls in the SADC region.

Policies and programmes that both raise the visibility of the plight of millions of women and girls in care work as well provide much needed financial and material support are required to stem this anomaly.

The two organisations have developed a handbook, that will be launched at the SADC HOS summit in Windhoek in August 2010 to guide the development of stand alone care work policies. Local facilitators who can make use of this handbook come from civil society organisations, PLWHA, labour, lawyers, women's groups etc and individuals who may be interested in promoting the economic and social rights of care providers.



The handbook is written in such a way that it assists different countries to develop policies that are informed by local realities, political and cultural sensitivities but at the same adhering to key principles that will facilitate the lobbying for policy and legal frameworks to ensure that care providers receive material and financial support required to effectively do their work.

Key principles identified to inform care work policies include:

1. ***Remuneration:*** People doing the work of government have a right to be financially rewarded. On a practical level, programmes are likely to fail and standards of care to drop if care providers leave to earn income to support their own families. In addition, it is argued that if there was remuneration more men would enter care work which would ease the burden on care provision on women and girls and increase gender equality.

2. ***Logistic and Material Support:*** Community home-based care (C&HBC) kits are crucial for service delivery. In many countries, there is no policy to provide kits and care providers often lack a regular supply. Other support that would improve the quality of care and the lives of care providers include informs for identification in the community, bicycles, food packs, monthly monetary allowances, soap, free medical treatment, financial support for income generating projects, raincoats, umbrellas, agricultural inputs, part time employment in hospitals, funeral assistance, stationery and transport allowances.

3. ***Training and Professional Recognition:*** Few governments have policies that standardise and regulate the training provided to care providers. Training varies in length and content. There are also gaps in quality control and supervision. This puts both patients and care providers at risk of harm. Protocols of training and accreditation should be developed through a governing body within the country to regulate and standardise the training.

4. ***Psychosocial Support:*** Care for care providers is rarely given the priority it deserves, and "burnout" is a serious problem. The best way to prevent burnout is to reduce stress. Much of the stress experienced by care providers working with people living with HIV is related to the nature of the illnesses that people face compounded by stigma; stress may also be caused by organisational factors such as the way a community home-based care programme is designed and managed.

5. ***Gender Equality:*** The gender dimensions of HIV should be recognised and catered for. Women are more likely to become infected and are more often adversely affected by the HIV epidemic than men. Therefore, more equal gender relations and the empowerment of women are vital to successfully prevent the spread of HIV infection and enable women to cope with HIV. Greater participation of men in care provision needs to be an integral component of HIV and AIDS care work programmes.

6. ***Public Private Partnerships:*** There is a need to advocate for stronger Public Private Partnerships (PPP) in the delivery of PHC services through C&HBC programmes and to facilitate stronger linkages between these programmes on one hand, and the providers of special support and social protection programmes, on the other, in the SADC region.

GEMSA and VSO will roll out the "Making Care Work Count" policy initiative in nine target countries in the SADC region. Country Facilitators will be trained on how to use the Handbook; the facilitators will be responsible for coordinating country-based civil society coalitions that will be built to support the policy advocacy processes. The facilitators will also be responsible for ensuring that care providers are properly represented in lobbying for progressive care work policies.

*(*Masimba Birawashe is manager of the GEMSA Making Care Work Count Project).*

Children and care-giving: care-givers may look after the needs of the sick and dying but there must be provisions in place for the children left behind. The tables below indicates the high numbers of HIV and AIDS orphans in the SADC region and the HIV and AIDS prevalence among children:

Table 7.3: Children orphaned by AIDS

(<18 yrs old) 2007[14]

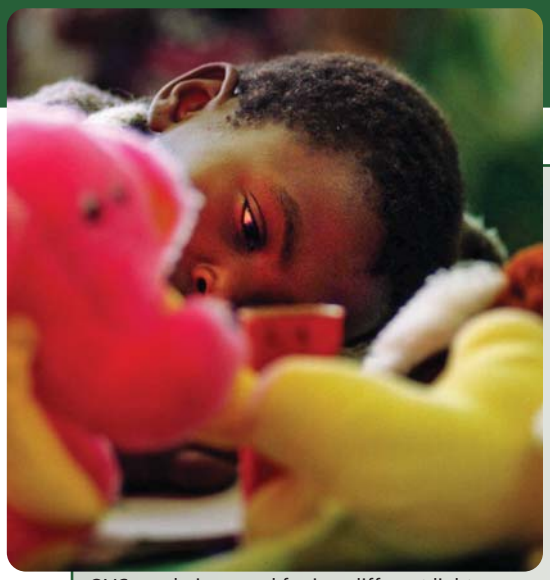
Rank	Country Name	Number
	Global	**15,000,000**
1	South Africa	1,400,000
3	Zimbabwe	1,000,000
4	Tanzania	970,000
6	Zambia	600,000
7	Malawi	560,000
9	Mozambique	400,000
14	Lesotho	110,000
16	Botswana	95,000
19	Congo	60,000
21	Namibia	66,000
22	Swaziland	56,000
38	Mauritius	< 500

(<15 yrs old) 2007[15]

Rank	Country Name	Number
	Global	**2,000,000**
1	South Africa	280,000
3	Tanzania	140,000
5	Zimbabwe	120,000
6	Mozambique	100,000
7	Zambia	95,000
9	Malawi	91,000
15	Botswana	15,000
15	Swaziland	15,000
16	Namibia	14,000
17	Lesotho	12,000
21	Congo	6,600
36	Mauritius	< 100

Evidence suggests that orphans have a higher vulnerability to HIV infection than other children: For example, recent studies have indicated that girls who have lost their mothers are significantly more likely to become infected with HIV than their non-orphaned peers. In addition, these girls frequently drop out of school to take care of dying relatives. Thus there is an additional protective factor of care-givers in terms of benefitting children and their potential risk of HIV infection.

[14] Kaiser Family Foundation, www.kff.org) accessed July 4, 2009)
[15] Ibid



OVCs are being cared for in a different light
Photo: Gender Links

Taking OVCs seriously

In ***Madagascar***, the situation of orphans and vulnerable children (OVC) in relation to HIV is such that it had to be included among the priorities of the HIV and AIDS control programme. A study in 2006 has allowed for increasing the availability of psychosocial and legal care of OVC at the community level. The partner organisations have integrated support for OVC in their activities and provided support to children through nutritional assistance. Host families who care for orphans and vulnerable children are receiving economic support through the assistance of the Global Fund (SE/CLNS 2007). A national policy for the protection of OVC has been developed but has not yet been validated (MINPOP 2009).

In ***Lesotho***, the government has undertaken to integrate orphans and vulnerable children into the HIV and AIDS policy through:

- Introduction of the free primary education for every child to attend school;
- Establishment of the District Child Protection teams. These teams ensure that OVC have access to education, provide mechanisms for support and protection of child headed households and promote and strengthen programmes to safe guard food security for OVCs;
- Master of the high courts; deals with property rights and inheritance of the OVCs;
- Psychosocial, nutritional, medical and financial support (National HIV and AIDS Policy, 2006).

The Angolan government addresses the issue of children infected by HIV and AIDS and places children into the following vulnerable groups: street children, orphans, children with HIV infected family members and children exposed to infected health care professionals. It estimates that approximately 16,282 children younger than 15 are currently suffering from HIV and AIDS and access to treatment is very much a question of geography. For example, of 236 children with HIV and AIDS monitored in Luanda, 226 of them were receiving treatment. In more rural regions such as Cabinda, 61 children with HIV and AIDS were being monitored but only 3 of these children were receiving treatment.

A committee and policy has been established, headed by MINARS (Ministry of Social Affairs) to establish a law for the protection of the basic social needs of orphans and vulnerable children. Committees such as these are of great importance to HIV and AIDS suffering populations in Angola, given that in 2003 around 15% (160 000) of Angolan orphans were as a result of loosing one or both parents to HIV and AIDS. This figure is expected to rise to up to 35% in 2010. This policy will facilitate the protection of the rights of orphans and vulnerable children, improve their access to basic facilities and help to create an environment of non-discrimination.

There is also work being done in Angola to address the negative connotations of the label 'AIDS orphan', as anecdotal evidence in Angola suggests that these children are discriminate against, stigmatised, abandoned and separated from the family environment.

Aside from the this, there is also work being done in Angola by the Ministry for Education and the Ministry of Health in partnership with UNICEF and local NGOs to increase the level of HIV and AIDS knowledge and awareness among 590,000 children of ages 9-18, allowing children to make informed choices about their attitudes and behaviour and to create a dialogue on HIV and AIDS in Angola among the people who are most vulnerable to the threat of HIV and AIDS. With a population where over 50% are under 25 years old, it is Angola's youth who stand to benefit most from these kind of sensitisation campaigns.

(MINARS 2006)

Key elements of a progressive National Community Home-Base Care Policy:[16]

Primary Principles

Equity, availability and accessibility, affordability, community involvement, sustainability, justice, inter-sector collaboration, multi-disciplinary and collaborative research, monitoring and evaluation, and quality of care.

Strategies

- Support for community health care providers (this includes accredited training, resources, supervision, recognition and reimbursement for costs).
- Promotion of self care and recognition of stress involved in care work (training in managing the stress of the work and methods of self care, creation of peer support groups, ensure continuity of care for care-givers).
- Promotion of community involvement and participation.
- Engage men in CHBC: through information and awareness-raising, government can promote care work as everybody's responsibility; holding men's forums and requesting the church, traditional leaders and other respected male community authorities to discuss the important role of men in care work.
- Strengthening of human resources such as:
  - Guidelines and supervisory tools.
  - Training of trainers. Courses to be accredited by the National Qualifications Authority.
  - Re-fresher training.
  - Performance and attendance certificates, and an agreement between the CHBC organisation and the community home care provider (CHCP) of duties and incentives.
  - Resource mobilisation.
  - Appropriate guidelines and practices on decentralisation and integration of CHBC.
- Integrated management of CHBC services, improved monitoring and co-ordination, as well as greater decentralisation.
- A strengthened CHBC and welfare information data bank within the Health Information System (HIS) in order to reflect a true profile of the community needs and developmental activities.

Responsibilities of Other Ministries

- Ministry of Education
  - Approve unit standards for training which can then be accredited by the National Qualifications Authority.
  - Make provisions for older care workers who have experience in lieu of education.
  - Sensitise and mobilise community members on health issues.
  - Promote health information literacy.
  - Ministry of Agriculture, Water and Forestry.
  - Provide technical support on agricultural and development issues and sensitise communities on clear water and nutritious foods.
  - Promote food security and nutrition initiatives.
- Ministry of Regional and Local Government, Housing and Rural Development
  - Support and monitor CHBC activities.
  - Co-ordinate linkages between communities and different service providers through Regional Co-ordinating Committees.
- Ministry of Gender Equality and Child Welfare
  - Identify families in need of health care.
  - Provide technical support concerning women and children.
  - Provide additional assistance for OVC.
  - Promote and actively recruit men to be involved in care work.
- Ministry of Defence
  - Provide assistance to CHCPs.
- Ministry of Information and Communication Technology
  - Promote awareness of CHBC and government policies related to care work.
  - Show weekly/monthly CHBC programmes by facilitating discussions.
  - Promote gender equality in care work.
- National Planning Commission
  - Strengthen the partnership between government and civil society organisations involved in care work.

Funding/Support

- All ministries must mobilise resources, as well as support from community and private organisations and development partners to fund the CHBC programme.
- Gender sensitive budgeting should be considered.
- Funding for CHBC organisations is the responsibility of all stakeholders.
- Permanent staff members trained in supportive supervision will manage, support, supervise and evaluate all CHCPs. This individual and their team will provide technical, emotional, spiritual and administrative support.
- Ministries will regularly replenish training tools, as well as the home-based care kits (which has basic medications and supplies).

Provisions for CHCPs

- Recognition and rewards from the CHBC service organisations, government and community leaders.
- An identification card and other means of identification e.g. a T-shirt, hat, and umbrella etc. which boost community confidence and promote the programme.
- A contribution towards expenses incurred, e.g. transporting clients/ communication costs.
- Agreed description of duties and expectations.
- Remuneration that is agreed upon with the CHBC organisation and reflects the level of quality services provided and hours served.

Monitoring and Evaluation

- All CHBC groups should develop appropriate indicators and tools for monitoring and evaluating change. Ideally organisations should track the policy's guiding principles of community involvement, gender equality, psychosocial support, training and collaboration between partners. They should also report the number of patients reached, the quality of service delivery, the satisfaction of care workers and what impact the work has achieved.

Source: GEMSA, Making care work Count Audit

[16] This model heavily references policies/guidelines of Namibia, Zimbabwe and Botswana.

Next steps

In order to meet the 2015 targets, SADC governments must increase their efforts to provide treatment and address the ways in which HIV and AIDS prevalence is gendered. They must work with civil society organisations to raise awareness and support those providing care to HIV sufferers. Specific actions include:

Gender dimensions need to be recognised: The gender dimensions of HIV and AIDS should be recognised and catered to. Women are more likely to become infected and are more often adversely affected by the HIV and AIDS epidemic than men due to biological, socio-cultural and economic reasons. The greater the gender discrimination in societies and the lower the position of women, the more negatively they are affected by HIV (including experiencing greater stigma and discrimination). Therefore, more equal gender relations and the empowerment of women are vital to successfully prevent the spread of HIV infection and enable women to cope with HIV and AIDS.[17] Strategies need to be found that will identify strategic entry points to provide comprehensive care, which reduces the burden on women and girls, and ensures that men and the state take more responsibility for providing care.

Greater participation of men in care-giving should be encouraged by holding more sensitisation meetings to help society see the value of this work and the specific benefits of men's involvement in care work as well as requesting the church and other respected community authorities to discuss the important role of men in care work. Ministries could stipulate active recruitment and engagement of men on CHBC. Secondly, provision of material help and financial support to care-givers would encourage men to join.

Inter-sector collaboration and information dissemination: There seemed to be a lack of information dissemination and inter-sectoral collaboration across all policies researched by GEMSA. There needs to be better co-ordination of assistance, national ownership through the closer alignment of international support with national priorities, and the deliverance of assistance under a framework of mutual accountability. In addition, ministries need to be communicating effectively with each other and present policy as a united front. Information should flow effortlessly between national, regional and district levels and back up again.

Monitoring and evaluation: A single set of standardised monitoring and evaluation indicators endorsed by all stakeholders can track progress, or lack of progress, in achieving programme results. This should be accompanied by a system to routinely share information among national, district and local stakeholders. A monitoring and evaluation system should integrate gender equality indicators and methods of assessment.[18]



Dorothy Bwalya, an HIV positive woman in Zambia, leans on former president Kenneth Kaunda *Photo: Gender Links*

[17] International Labor Organisation, ILO (2001). *An ILO code of practice on HIV and AIDS and the world of work*. Geneva. (www.ilo.org, retrieved July 5th, 2009)

[18] UNIFEM (2008).Transforming the National AIDS Response: Mainstreaming gender equality and women's human rights into the "three ones". New York, USA, UNIFEM



"Nicole" *Anushka Virahsawmy*

CHAPTER 8

Peace building and conflict resolution

Article 28



Women in the South African National Defence Force that are playing a key role in peacekeeping efforts in the SADC region. *Photo: GCIS*

KEY POINTS

- The security sector is shrouded in secrecy; information is scanty and data is generally not gender disaggregated.
- There are no special measures in place to ensure women's representation and participation in security services. The SADC Female Police Officers Network has a target of 50/50 representation in the National Police Services but all member countries are far from achieving this. Defence, police and correctional services are still a male domain.
- Where they are present, women occupy lower ranks.
- With 24% women in the defence force and 21% women in the police force, South Africa leads the way both in providing gender disaggregated data and showing that change is possible.
- Women are still way below the UN target of 10% women on peacekeeping missions, let alone the 50% parity target set by SADC at all levels of decision-making. Namibia has been most exemplary with 46% of its forces deployed in peace keeping missions in the period reviewed being women, but most of these are at junior levels.
- Lack of access to training and seminars and the existence of systematic barriers to their participation and integration into peace operations are the two greatest challenges facing female security officers.
- Gender does not feature prominently in the SADC Secretariat Security Organ yet this has huge bearing on the sub-region's human security decisions.
- Women do not feature as key players in peace negotiating processes.
- Violence against women, especially rape is used as a weapon in times of conflict.

"War is gendered" and peace and post-conflict reconstruction processes that do not include women and address their specific concerns "will fall short of delivering effective and sustainable peace and development dividends.[1]" The specific targeting of women during conflicts, their exclusion from peace processes and their differential treatment in disarmament, demobilisation and reintegration programs have all led to the perpetuation of gender inequality in the post-conflict phase.



A South African Police Service woman participates in International Women's Day. *Photo: Trevor Davies*

Recognising the interconnection between gender, peace and security, the United Nations Security Council passed Resolution (UNSCR) 1325 in 2000. It calls for the prevention of gender based violence, the protection of women during conflict, their participation in peacemaking, peacekeeping and peace-building, as well as the promotion of a gender perspective within these processes.

According to the Secretary General's 2004 Report on Women, Peace and Security the "Resolution 1325 holds out a promise to women across the globe that their rights will be protected and that barriers to their equal participation and full involvement in the maintenance and promotion of sustainable peace will be removed. We must uphold this promise."

In attempting to uphold the promise, many regional organisations have sought to redress gender inequality in the sphere of peace and security through legal frameworks. Article 28 of the SADC Protocol on Gender and Development on peace building and conflict resolution draws Member States attention to UNSCR 1325 as the reference point.

In collecting this baseline data, access to information proved to be a major limitation. The security sector, in general, is not one known for its transparency and openness. The cloak of national security also dubbed national interest is often used as a scapegoat to prohibit access to basic information such as the number of personnel and their conditions of service.

This chapter has used a number of different sources to try and piece information together. But overall it was difficult to gain accurate data on the number of women employed in the defence sector. This poses a serious impediment to tracking women's participation in the security services in Southern Africa let alone their contribution to peace building in a holistic manner.

This should be read in tandem with the United Nations Department of Peacekeeping Operations (DPKO) International Campaign titled The Power to Empower, which aims at increasing the number of female police officers in peacekeeping missions from 8 to 20 % by 2014. This will help track whether SADC States will meet these targets. This campaign is directly linked to the need to implement UN Security Council Resolutions 1325, 1820, 1888 and 1889 on women, peace and security (Pearson training centre, seminar report, women in peacekeeping forces, October 12-13 2009, Zambia).

Structural visits and interviews with female police officers, conducted by the Pan African Capacity Building Program (PAPCBP) in the Southern African Development Community (SADC) region in March and April 2009, pointed to two specific challenges facing female police officers - lack of access to training and seminars and the existence of systematic barriers to their participation and integration into peace operations.

The baseline research is taking place when the SADC region is enjoying relative peace except for some sporadic unrest in the eastern Democratic Republic of Congo and fragile governments in Madagascar and Zimbabwe. In Angola the war is over. However media reports show that sexual violence remains rife in these countries, especially in Angola and the DRC.

[1] See the concept paper of the UN Security Council Open Debate on Women and Peace and Security, 5 October 2009.

The Protocol calls on State Parties to ensure that, by 2015, women have equal representation and participation in key decision-making positions in conflict resolution and peace building processes by 2015 in accordance with United Nations Security Council Resolution 1325 on Women, Peace and Security.

Policy provisions for women's representation and participation

An emerging trend globally, including in SADC countries, is the shift away from a purely state-centric view of security towards a human security perspective in which the security needs of women are taken into account. Legislation governing state security service providers is an entry point for examining the extent of governments' commitment to promoting gender sensitivity and gender equality in the security sector and protection of women and girls from a human security angle.

Table 8.1: Analysis of gender provisions in relevant security services legislation

	Constitution Reflects gender equality clause	Defence White paper / Act	Police Act	Correctional Services/Prisons Act	Special Unit for rape victims at police stations
Angola	Yes	-	-	-	-
Botswana	No	Defence Act chapter 21:05 No specific mention of gender equality. Refers only to he/him. Women only entered the defence force in 2008.	Police Act chapter 21:01 No gender equality specific clause.	Prisons Act Chapter 21:03 No gender specific equality clauses though refers to the treatment of women prisoners.	Yes
DRC	Yes	In process of developing White Paper on Defence.	Establishing a legislative framework for police reform.	Formulating a Strategic Plan on Prison Reform and Training - addresses the issue of sexual violence within prisons and gender employment equity.	No
Lesotho	Yes	National Security Service Act 11 of 1998. No mention of gender equality.	Police Act no 7 of 1998 (cannot access).	-	Yes
Madagascar	No	-	-	-	-
Malawi	Yes	Malawi Defence Force Act of 2004. Commits itself to maintaining a healthy well trained equipped disciplined and gender sensitive ready force.	Malawi Police Service Act - (cannot access).	Prisons Act of 1966 - commits itself to a responsive and equitable service. Strategic Plan commits itself to mainstreaming cross cutting issues such as HIV, Gender and Environment.	-
Mauritius	No	No Defence Force.	-	-	-
Mozambique	Yes	Defence and Security Act 17 of 1997 (cannot access).	No Act.	No Act.	Yes
Namibia	No	Defence Act of 2002 (cannot access).	Police Act no 19 of 1990. No mention of gender.	-	Yes
Seychelles	No	-	-	-	-
South Africa	Yes	White Paper Article 11:14 - 'the SANDF shall develop a non-racial, non-sexist and non-discriminatory institutional culture'. It acknowledges the right of women to serve in all ranks and positions, including combat roles.	SA Police Services Act, 1995 (no specific gender clause) The White Paper on Security and Safety of 1998 notes that 'The White Paper on Affirmative Action outlines the additional corrective steps which must be taken in order to ensure that those who have been historically disadvantaged by unfair discrimination are able to derive full benefit from an equitable employment environment. Also notes that Specific guidelines for use at station level should be developed to ensure that in cases in which women have been victims of sexual offences, rape or domestic violence, they are treated with extra dignity, compassion and care.	Correctional Services Act 111 of 1998 chapter 7 states 'the assessment of persons shall be based on level of training, relevant skills, competence and the need to redress the imbalances of the past in order to achieve a dept broadly representative of the SA population, including representation according to race, gender and disability.	Yes
Swaziland	Yes	-	Police Act No. 29 of 1957 (cannot access).	Prisons Act of 1964 (cannot access).	-
Tanzania	No	National Defence Act of 1966. Code of service discipline indicates that' In its application to female persons may be limited or modified by defence forces regulations.	Police Force and Auxillary Services Act of 2002 (cannot access).	Prisons Act of 1967. Says nothing about gender equality in employment of staff but refers to prisoners noting that Women prisoners shall only be employed on labour which is suitable for women.	-
Zambia	No	Defence Act [Vol 8 Chapter 108] - no gender equality specific clause. Only refers to he/him in the ACT.	Police Act [Vol 8 Chapter 107] - no gender specific clause - but does say that women are eligible for pension if they resign or get marry.	Prisons Act [Vol 7 Chapter 97] Section 75 states that women prisoners shall not be employed outside of prison except on the recommendation of the medical officer.	Yes
Zimbabwe	No	-	Police Act Chapter 11:10 - no gender equality mentioned.	Zimbabwe Prisons Act Chapter 7:11 does not indicate specific gender equality clauses but section 76 no.2 refers to female prisoners 'shall not be employed outside a prison except on the recommendation of a medical officer only on such labour as may be proscribed.	Yes

Sources: 1. On constitutions - SADC Gender Protocol Baseline Barometer, Chapter 1 on 'Constitutional and legal rights' 2009
2. Defence White papers/Acts for Botswana, Lesotho, Malawi, Mozambique, SA, Tanzania and Zambia retrieved from online sources.
3. Police White Papers/Acts - Botswana, Malawi, Namibia, SA, Zambia and Zimbabwe from police websites of respective countries and the African Police Resource Network www.aprn.org.za
4. Correctional Services White Papers/Acts - Botswana, Malawi, South Africa, Tanzania, Zambia and Zimbabwe from the respective department websites.
5. Information for the rape victims units sourced from the respective countries police websites. Accessed July 2010
6. Additionally The World Law Guide 2009: legislation http://www.lexadin.nl/wlg/legis/nofr/legis.php, accessed in July 2010 for legislation

Table 8.1 shows that, where data could be obtained, most countries are silent on the inclusion and or recognition of the need for special legal provisions to bring more women into the defence, police and prison services. This is a strong indicator of the need to redress gender imbalance in a predominantly male environment.

Defence Act/White paper: Only Malawi, South Africa and Tanzania either recognise women's special needs or their right to participate in the defence sector. Malawi commits itself to "maintaining a healthy well trained, equipped disciplined and gender sensitive ready force". South Africa on the other hand acknowledges "the right of women to serve in all ranks and positions, including combat roles". Tanzania takes women into account in its Code of Service where application of discipline measures to women may be limited or modified to suit their needs. The DRC however, presents an opportunity to mainstream gender because the country is in the process of developing a white paper on defence.

Police: Of the seven countries where data could be obtained, no country has gender specific clauses in the Police Act that promotes women's representation or participation. Zambia's only reference to women is that they are eligible for pension if they resign or get married. The South Africa's white paper provides for affirmative action and outlines the additional corrective steps to address historically disadvantaged groups to derive full benefit from an equitable employment environment. The DRC is in the process of establishing a legislative framework for police reform. This provides the opportunity to mainstream gender in the forthcoming Police Services Act.

Correctional Services Act: Only Malawi's 1966 Prison's Act commits itself to a responsive and equitable service and has a strategic plan aimed at mainstreaming cross- cutting issues such as HIV, Gender and the Environment. South African legislation mentions gender in the context of redressing historical imbalances. Botswana, Tanzania, Zambia and Zimbabwe have specific provisions on the treatment of women prisoners.

Special unit for rape victims at police stations: Seven of the 15 SADC countries - Angola, Lesotho, Mozambique, Namibia, South Africa, Zambia and Zimbabwe have special units for rape at police stations.

Representation

The security sector is shrouded in secrecy, information is scanty and data is not gender disaggregated: The defence forces have been reluctant to reveal the number of women working in the sector. Very little data was obtained through formal enquiries by the ISS to the region's defence attachés based in South Africa in 2008 and to the human resources department of the respective defence forces. Data for overall personnel is reflected in the 2010 military balance but not disaggregated by gender. With gender disaggregated data from only five of the fifteen SADC countries, Table 8.2 highlights the need for access to accurate gender disaggregated data in a sector meant to serve the public.

Countries with a history of liberation struggle tend to have a higher proportion of women: From the data available, it would appear that countries with a history of liberation struggle have a higher proportion of women in the defence forces.



Few policy provisions for women in the police force. *Photo: GCIS*



Amongst the five countries where gender disaggregated data could be obtained ***South Africa*** leads the way with 24% women in the South African National Defence Force. South Africa also has 25 women Brigadier Generals.



Zimbabwe is also doing relatively well, second to South Africa, with an estimated 20% women in the defence force. The country has a relatively high number of women ex-combatants, some of whom went on to serve in the army.



Malawi's defence force opened its doors to women in 1999 and now has approximately 5% women.



Botswana only admitted women into their Defence force in 2008, hence the tiny proportion (0.1%).



The statistics from ***Madagascar*** show that women have only just entered this domain. They occupy the lower ranks and "soft skills" sector in the human resources and soft skills sector.

Table 8.2: Representation of women in the defence sector within Southern Africa

Country	Number of males	as %	Number of females	as %	Total
Angola	-	-	-	-	107000
Botswana	8991	99.9%	9	0.1%	9000
DRC	-	-	-	-	140000
Lesotho	-	-	-	-	2000
Madagascar	13482	99.87%	18	0.13%	13500
Malawi	5035	95%	265	5%	5300
Mauritius	-	-	-	-	No defence force
Mozambique	-	-	-	-	11200
Namibia	-	-	-	-	9200
Seychelles	-	-	-	-	200
South Africa	47182	76%	14900	24%	62082
Tanzania	-	-	-	-	27000
Zambia	-	-	-	-	15100
Zimbabwe	23200	80%	5 800	20%	29 000

Source: Total force size from the International Institute for Strategic Studies, 'Military Balance 2010 : The annual assessment of global military capabilities and defence economics.' Routledge 2010.
Number of women in the Defence Forces from Malawi field research in 2008 and for Madagascar and Botswana responses from human resource departments to inquiries in 2008.
The number of women in SA defence calculated at 24% of total from the military balance.

Women occupy lower ranks: The highest ranking woman in the Defence forces in Southern Africa is Major General Memela-Motumi in the SANDF. In Southern Africa as a whole, there needs to be much more concerted effort to attract women to the defence force and to make this a more enabling environment for women. In the last ten years Southern Africa has only had three women ministers of defence: Joyce Mujuru (for two months in 2001 in Zimbabwe), Cecile Manorohanta (2007-2009 in Madagascar) and Lindiwe Nonceba-Sisulu (since 2009 in South Africa).

Police services

Information is scanty but police women are organised: Not much is publicly known about the number of women in the respective police forces in Southern Africa. But police women in SADC appear to be better organised than their counterparts in the defence forces. There is a SADC Female Police Officers Network which is linked to the Southern African Regional Police Chiefs Co-operation Organization (SARPCCO). It aims to unite all female police officers from the SADC member countries. They gathered in Angola in March 2010 for the first SADC women police officers training. SARPCCO has also been instrumental in providing police officers in the region courses on human rights, HIV/AIDS and sexual violence. Some countries, most notably South Africa and Angola have police women's associations.



To the extent that gender disaggregated data could be obtained, ***South Africa*** leads the way, with 21% women in the police force. Four of the 26 (15%) of the top management positions in the police are occupied by women while 132 out of 601 (22%) women occupy senior management positions. The police form a core component in peace-keeping missions. SANDF has hosted a series of women's peace talks to discuss the issues affecting women in the defence forces in the region.



Women constitute 18% of the police force in ***Botswana***, second to South Africa. Of the 13 top police managers in the country, three (20%) are women. Eight of the 28 senior managers (28.5%) are women.

Table 8.3: Women representation in the police force in SADC

Country	Male	Female	Total	% women
Angola	-		9472	
Botswana		1169	6497	18%
DRC			38 000	
Lesotho			2 404	
Madagascar			3000	
Malawi				
Mauritius		650		
Mozambique		1400	20 000	7%
Namibia		3 500*	11 323	
Seychelles				
South Africa	113 990	31 180	145 170	21%
Swaziland	-	-	-	
Tanzania			29 204	
Zambia	10 685*	2 187	12 872	17%
Zimbabwe			25 000	

Source:"The Security Sector in Southern Africa" C, Hendricks and T, Musavengana- Unpublished ISS Monograph; SAPS Annual Report 2008/2009;

**The Zambia Inspector General of Police aims to have 30% women in the Zambia Police Service by end of 2010.*

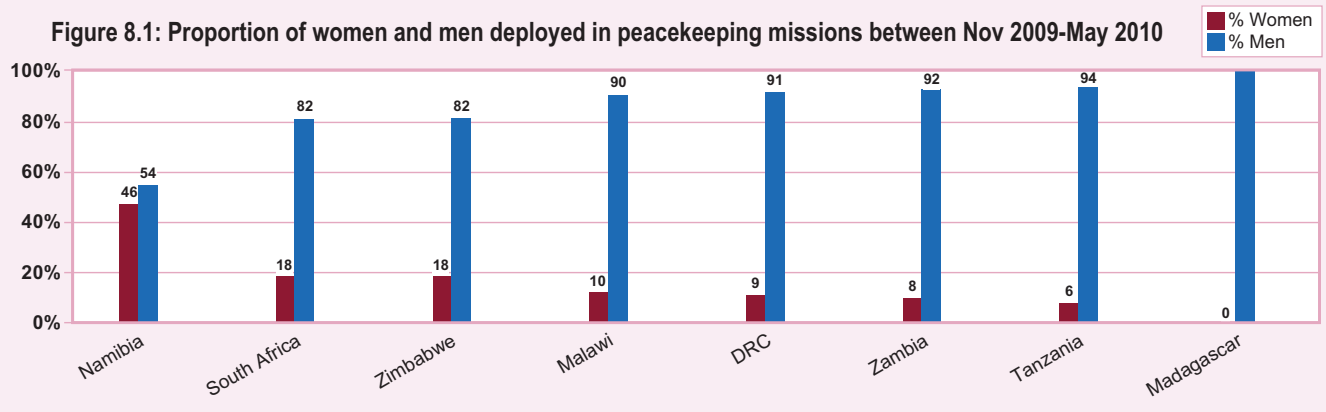
Correctional/Prison services

There is very little information on correctional services in Southern Africa, an area of neglect in security studies. Human rights organisations have paid some attention to the issue, most notably from the perspective of human rights abuses within prisons. Correctional services personnel are also deployed to peace-keeping missions and there is therefore a need to keep a close eye on what is transpiring within our prison systems both from the point of view of employment, training and the treatment of prisoners. With 27% females in the service, South Africa is the only country that was able to provide gender disaggregated data for this survey.

Peace keeping missions deployed from SADC

The disaggregation of gender statistics for UN missions is a relatively recent phenomenon. The Barometer tracked a six-month period starting in November 2009 and ending in May 2010. Troops usually rotate every six months and UNDPKO tracks presence on a monthly basis.

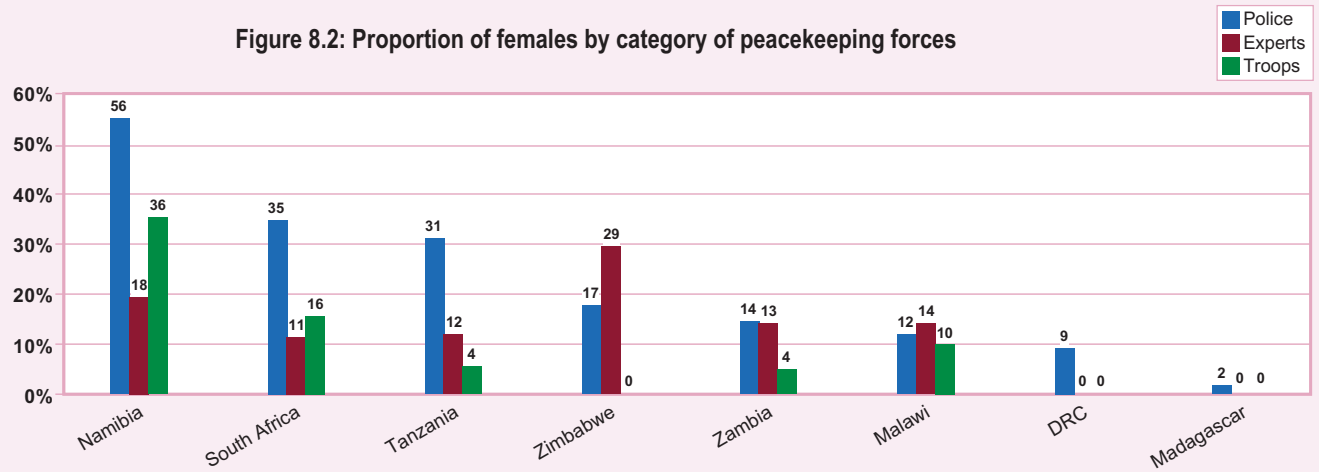
Figure 8.1: Proportion of women and men deployed in peacekeeping missions between Nov 2009-May 2010



Source: UN Department of Peacekeeping Operations: Monthly Summary of Contributors of Military and Police Personnel. Retrieved June-July 2010. http://www.un.org/en/peacekeeping/contributors/

In most countries, women still way below the UN 10% target for peacekeeping missions: Of the nine countries where data could be obtained, only four countries (Malawi, Namibia, South Africa and Zimbabwe) exceeded the UNDPKO recommendation of at least 10% female representation when deploying peace keepers. This falls far short of the SADC Gender Protocol target of at least 50% target of women in the peacekeeping forces.

Figure 8.2: Proportion of females by category of peacekeeping forces



Source: UN Department of Peacekeeping Operations: UN Department of Peacekeeping Operations: Monthly Summary of Contributors of Military and Police Personnel. Retrieved June- July 2010. http://www.un.org/en/peacekeeping/contributors/



Namibia is the best performer with women comprising 46% of its deployed forces. A closer analysis shows that more women are deployed in the lower ranks of the peace keeping forces. For example, of the 67 police officers deployed 56% were female. This is above the 50% parity target but of the three categories it is the lowest of the ranks. In contrast, of the 22 expert officers deployed there were only 18% females and of the 11 troops sent off only 36% were females.

South Africa has the largest absolute numbers of women in the security services and peacekeeping in Southern Africa (second in the world), but only 18.7% women were deployed in peacekeeping over the six-month period under consideration.





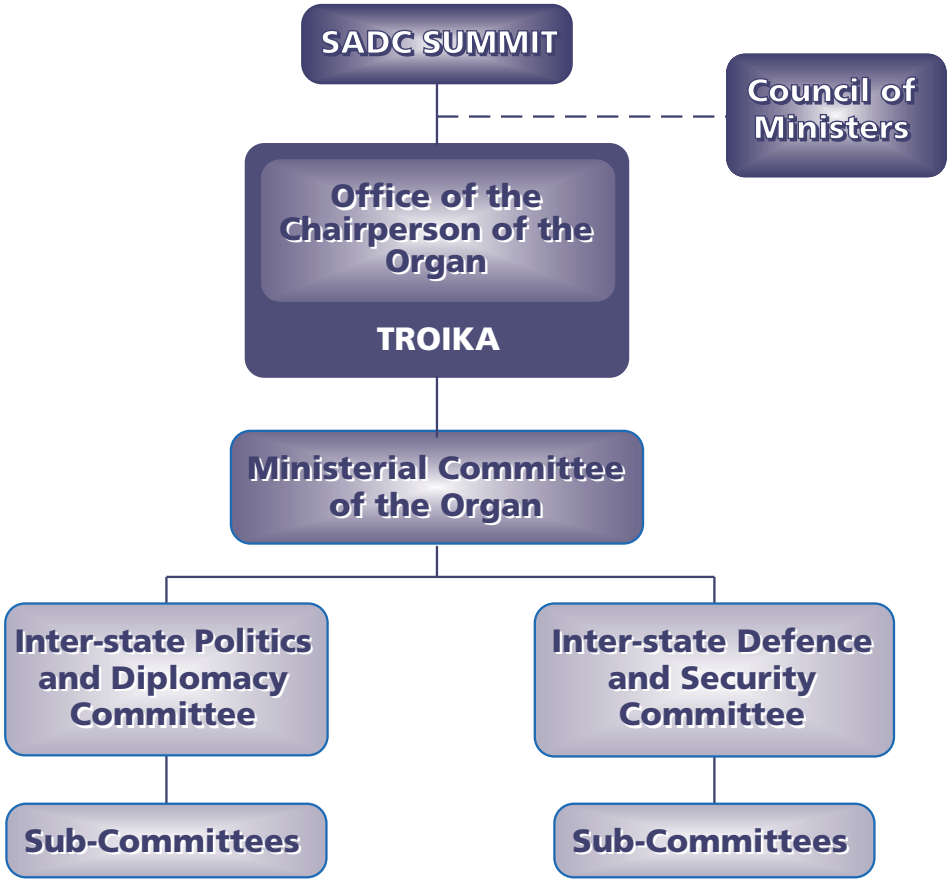
Mozambique was the worst performer with a 100% male deployment in the six months under review. Overall, its contingent of peace-keepers was small.

Corrective measures to be taken: The Regional Peacekeeping Training Centre based in Harare has indicated that for 2010 it will have a 30% uptake of women in its training courses. This is an important area for monitoring and evaluation over the coming year.

Representation and participation of women in the SADC security structures

The Protocol on Politics, Defence and Security co-operation establishing the Organ does not mention of the promotion of gender equality by the Organ, nor is it specifically reflected in the Strategic Plan of the Organ. The SADC Organs objectives, however, do indicate the need to promote overall human rights in line with other existing continental and international human rights agreement and to promote the development of democratic institutions and practices within the territories of State Parties.

Figure 8.3: Structure of the SADC Security Organ



Women are scarce in the official SADC security structures: Figure 8.3 illustrates the structure of the Organ created by SADC to oversee security matters. The key structures and their gendered components are as follows:

- ***Summit:*** This consists of Heads of State and Government and is the supreme policy-making institution of SADC. It meets twice a year and elects a Chairperson and a Deputy Chairperson on a rotating basis for one year. The Summit also elects the Chairperson and Deputy Chairperson of the Organ. Because there are no female Heads of State in SADC, no woman is part of the Summit.

- ***Chairperson of the Organ:*** The Chairperson, in consultation with the Troika, is responsible for overall policy direction and for the achievements and objectives of the Organ during its one year tenure. Again there has been no female chairperson by virtue of the fact that there has been no female Head of State in SADC in the 30 year history of SADC.

- ***Troika:*** This consists of the incoming, current and outgoing chairpersons of the Organ form the Troika. It functions as a steering committee. There has been no female representation in the SADC Troika to date since 1980.

- ***Ministerial Committee (MCO) and Sub-Committees:*** The MCO consists of the Ministers of Foreign Affairs, Defence, Public Security and State Security from each of the state parties. It is responsible for the co-ordination of the


South Africa's Nkosazana Dhlamini Zuma. *Photo: GCIS*

work of the Organ and its structures and reports to the Chairperson. The Inter-state Politics and Diplomacy Committee (ISPDC) consists of the Ministers of Foreign Affairs from each of the state parties. The ISPDC reports to the MCO and meets at least once a year. Ministers from the same country as the chair of the MCO and ISPDC serve for a one year period on a rotational basis. These ministries are traditionally male dominated. Exceptions are the ministers of foreign affairs in Malawi and South Africa; the defence minister in South Africa; and ministers of public security in Malawi, Madagascar and Zimbabwe. South Africa's Nkosazana Dhlamini-Zuma, now Minister of Home Affairs, was one of the longest serving women foreign ministers in the region.

- ***The Directorate of the Organ on Politics, Defence and Security, no commitments to gender equality:*** The directorate acts as the secretariat for the Organ. Within the Directorate of the five sectors namely; Politics and Diplomacy, Defence, Public Security, State Security and Policing there are two women, one responsible for Public Security and one for Politics and Diplomacy. The Ministers of Defence, Police and Foreign Affairs would make up the various ministerial committees.

Women identified as a vulnerable group and not part of the structures that promote peace in the region: The Memorandum of Understanding for the establishment of the SADC Standby Brigade, also has no particular focus on gender in peace keeping, save to refer to "humanitarian assistance to alleviate the suffering of civilian population in conflict areas and support". Article 5 of the MoU regarding the role of the civilian component of the brigade refers to the need for the "protection of human rights including women and children." The MOU therefore only addresses women as part of a vulnerable group: not their role in promoting peace-keeping throughout the region. On a positive note South Africa's Brigalia Bam is a member of the African Union (AU) Panel of the Wise and Graca Machel was part of the Kenya mediation.


Graca Machel. *Photo: Nonqaba Msimang*

No gender and peace keeping training on offer: There are currently no courses on gender and peacekeeping being offered at the RPTC, although they indicate that they will be introducing a one week course towards the end of 2010.

Women missing from peace negotiations: As illustrated in the case studies below, the upshot of the gender blindness in policies and structures for promoting peace in the region is that women are missing from the negotiations that have been taking place in the region.



After a lengthy mediation process conducted by SADC, ***Zimbabwe***'s main political parties, the Zimbabwe African National Union/Patriotic Front (ZANU-PF), Movement for Democratic Change led by Morgan Tsvangirai (MDC-T), and MDC led by Arthur Mutambara (MDC-M) finally signed the Global Peace Agreement in 2008. The three leaders of the respective parties who signed the agreement were men: Robert Gabriel Mugabe (ZANU PF), Tsvangirai (MDC-T) and Mutambara (MDC-M). Figure 8.3 shows that of the Zimbabwe delegates, only two (18%) were women with one having only observer status.

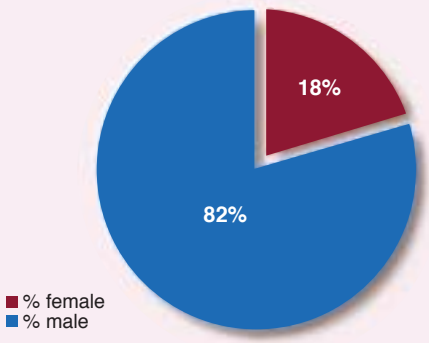
There were two mediation teams sent by the SADC Secretariat. The first, led by former South Africa President Thabo

Mbeki, resulted in the signing of the agreement. This comprised one woman out of a six member team (17%). Current South African President Jacob Zuma led the second team constituted following difficulties in implementing the agreement. The four member team included one woman (25%).

Four male leaders of political parties in Madagascar signed a peace agreement dubbed the Maputo Accord in 2009. All of the witnesses were also all men.

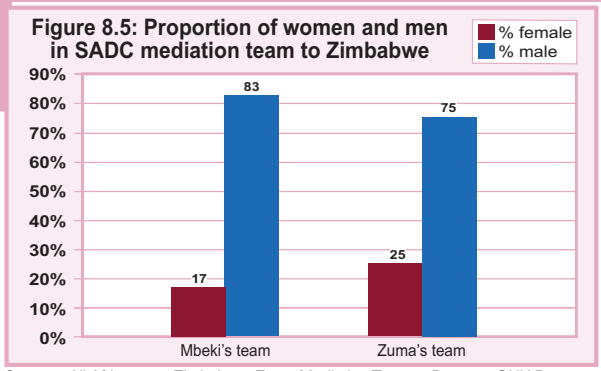


Figure 8.4: Proportion of women and men in Zimbabwe Global Peace Agreement negotiations



Source: NewsZimbabwe.com: MDC, Zanu PF talks enter second day http://www.newzimbabwe.com/pages/mbeki97.18477.html.Retrieved: 2 August 2010

Figure 8.5: Proportion of women and men in SADC mediation team to Zimbabwe



Sources: All Africa.com: Zimbabwe: Zuma Mediation Team to Pressure GNU Partners. 26 November 2009. http://allafrica.com/stories/200911270901.html : Retrieved 2 August 2010(Mbeki team) The Zimbabwe Situation: Mbeki races against time: http://www.zimbabwesituation.com/may27b_2007.html Retrieved: 2 August 2010

A Charter of the Transition as well as a Charter of Values were signed by the four camps and stipulated that the following institutions must be set up:

- 1 president of the transition
- 1deputy president of the transition
- 1 prime minister
- 3 deputy prime ministers
- 28 ministers
- 65 members of the High Transition Council
- 258 members of the Congress of the Transition
- 72 members of the Economic and Social Transition Council
- 9 members of the National Reconciliation Council

Table 8.4: Signatories to the Madagascar Maputo accord

Signatories	Witnesses
Andry Rajoelina	Joaquim Chissano (SADC)
Didier Ratsiraka	Tiebile Drame (UN)
Marc Ravalomanana	Edem Kodjo (AU)
Albert Zafy	Ablasse Ouedraogo(Pour l'Organisation Internationale de la Francophonie)

Accord politique de Maputo http://www.madagascar-tribune.com/Accord-politique-de-Maputo,12484.html

Madagascar: Women activists call for 30% women in transitional government

Women activists made a mark during the transitional phase by demanding women's representation and providing names of possible candidates that could be nominated to key decision-making positions so that it is not used as an excuse.

The National Malagasy Women Movement "Vondrona Miralenta ho an'i fampandrosoana VMLF" mobilised women to press for inclusion of women in the transitional government. The group of women demand that:

- 30 % of the posts are occupied by women during the transition, for each political camp. If need be, the Women Group has the bio data of potential candidates.
- The voices of women should count and be listened to.
- Women should occupy 30% in the National reconciliation Council.
- Women should be 30% of all the executive and legislative bodies to be formed.

At the time of going to press, the new Constitution was being debated at district level.



Women in Madagascar seek meaningful involvement in the country's future.
Photo: Colleen Lowe Morna

Protocol @ work

During the ***Democratic Republic of Congo*** Dialogue in 2002, women comprised 30 of the 300 delegates (10%). But a group of 40 women "experts" assisted the delegates. They were not part of the formal processes but drafted a declaration by women read out at the Dialogue. Article 51 of the DRC peace agreement specifically addresses the needs of women.



Women are often not recognised in demobilisation processes: Examples below show that women are still treated as minors even when they contribute equally in the security forces. Very few have been officially recorded.

Angola went through several demobilisation phases (1992; 1997 and 2003). Women were classified as 'dependents' and therefore needed to be linked to a soldier (as a wife or a daughter) in order to benefit from family packages.



Of the 90,000 troops demobilised in ***Mozambique*** from 1992 - 1994 only 482 (0.5%) were recorded as female ex-combatants.





In South Africa (1994 - 1996) all former combatants were first integrated into the army and then given the option to be demobilised. A total of 11 575 men and 1830 women were integrated. A further 7081 were demobilised but there are no statistics as to how many of these were women.

Of the 94 000 demobilised armed forces in the DRC from 2004 - 2009 women constituted only 2600 (2.9%) of the ex-combatants.



Human rights abuses during time of armed and other forms of conflict

The Protocol states that State Parties shall, during times of armed and other forms of conflict, take such steps as are necessary to prevent and eliminate incidences of human rights abuses especially of women and children, and ensure that the perpetrators of such abuses are brought to justice before a court of competent jurisdiction.

Human rights abuses, especially of women and children, are rife during periods of conflict. This is because women usually stay at home with children on their own while male family members go to the battle front or seek employment in safer cities. Empirical evidence shows that rape and other forms of sexual violence are used as weapons of war. Recent civil wars that have taken place in SADC in countries such as the DRC bear testimony to this.

> *Sexual violation of women erodes the fabric of a community in a way that few weapons can.*
>
> *- The State of the World's children, 1996. UNICEF report*

Although the war in the ***Democratic Republic of the Congo*** is formally over, women and girls remain targets for violence. The threat of and the use of violence are constants. As before the war, discrimination against women and girls underlies the violence perpetrated against them. The current climate of impunity allows the many forms of gender-based violence, including sexual violence, to flourish.



All armed groups involved in the conflict have perpetrated sexual violence. Today, several armed

groups still use sexual violence as a weapon of war in the DRC. Further, international actors, including UN personnel, have been implicated in perpetrating sexual violence in the DRC. Armed actors systematically violate women and girls in the streets, fields, and homes. The armed actors in the DRC have perpetrated gender-based violence through various forms, including sexual slavery, kidnapping, forced recruitment, forced prostitution, and rape. The Congolese victims of sexual violence include men and boys, who have also suffered rape, sexual humiliation, and genital mutilation.

Many survivors of sexual violence suffer from grave long-term psychological and physical health consequences, such as traumatic fistula and HIV. However, health infrastructure in the DRC is almost entirely absent. Shortage of medical services is particularly critical given the prevalence of sexually-transmitted infections and HIV among soldiers and irregular combatants.

Survivors of sexual violence face enormous barriers in securing justice through the courts or more informal, community-based mechanisms. At the community level, survivors usually suffer in silence, fearing stigma and ostracism if their ordeal is made public. Following her visit to the Great Lakes Region, the UN High Commissioner for Human Rights noted that "while victims (of sexual and gender-based violence) were stigmatised and socially ostracised, there was virtually no stigmatisation of perpetrators."

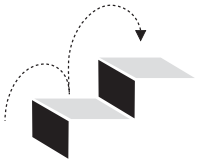


WFP distribution to IDPs at Mugunga camp, 15 km west of Goma, eastern DRC, The Democratic Republic of Congo, September 2007.
Photo: Copyright: WFP/Marcus Prior

Corrupt, under-capacitated justice systems hamper survivors' attempts to bring perpetrators to justice through formal legal processes.

The extent of gender-based violence in the DRC can only be estimated, though sexual violence is understood to be widespread. In the province of South Kivu alone, local health centres report that averages of 40 women are raped daily. Sexual violence in Congo is vastly underreported due to insecurity in or inaccessibility to many areas and the physical or material inability of some victims to travel. Further, survivors may fear reprisals by perpetrators if they were to come forward.

"Sexual violence is regarded as the most widespread form of criminality in Congo... The government that is elected will be challenged to implement the principles of the constitution and address discrimination against women, in particular sexual violence."
Source: VDAY until the violence stops: http://www.vday.org/drcongo/about



Next steps

From this first gender audit of the security sector for the Barometer it is commendable that the discourse is beginning to shift from the state-centric view of security and guarding national interests to foregrounding human security. However women continue to be viewed as a vulnerable group rather than part of the solution to peace building and conflict resolution. For this to be achieved by 2015, a number of steps need to be taken including:

- ***Review legislation to ensure that it is gender sensitive and does not discriminate against women:*** States must ensure that the Police, Defence and Correctional or Prison Services Acts are gender sensitive and in particular provide for women's special needs.

- ***Countries undergoing transitional politics to use opportunity:*** Countries like the DRC have an opportunity to mainstream gender into new laws and White Papers for the security

services sector. For example South Africa has affirmative action to bring in more women and other previously disadvantaged groups.

- ***The laws must be accompanied by special measures and incentives to attract women to join the security services sector:*** Unless there are incentives and retention packages for women to join and stay the course, this sector will remain male dominated. To achieve this, an enabling environment has to be created. For example women should be able to balance time spent on peace missions or combat roles with family responsibilities particularly where young children are involved.



Balancing army and family responsibilities in Swaziland. *Photo: UNDP*

- ***Record keeping should be gender disaggregated:*** It should be the mandate of all SADC States to keep gender disaggregated data for the sector so that it is easier to monitor whether by 2015, progress would have made towards equal representation and participation in key decision making positions in conflict resolution and peace building processes. Currently data is scarce or officials are reluctant to release the information.

- ***A SADC plan for mainstreaming gender in the SADC Organ:*** A key step is to ensure that women are incorporated in the higher levels of decision-making at the SADC Organ level. Gender equality needs to be included in the new strategic plan of the organ. Women must form part of the SADC Brigade and the envisaged mediation unit.

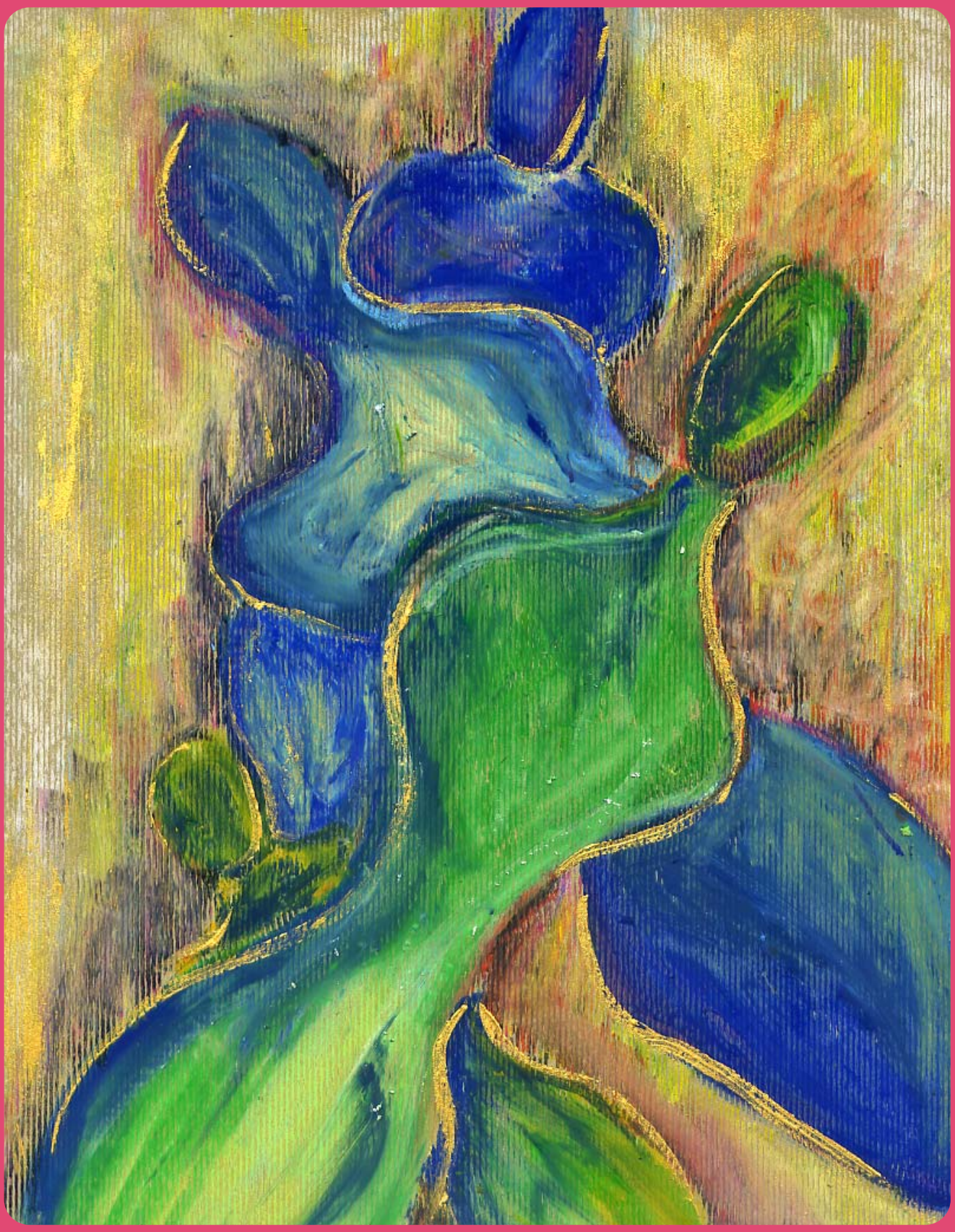
- ***Women to be regarded as part of the solution in peace building processes and appointed as mediators:*** The population is affected differently by conflict and there are differences between the way men and women experience and cope with conflict. It is therefore important for Member States to ensure equal representation of women and men in key decision- making positions during peace building. More women should be appointed as mediators as they bring a different perspective to the table. In many instances these positions are appointees rather than elected so there are no excuses for not including women. The three cases studies (DRC, Madagascar and Zimbabwe) show that women are often in the minority of peace missions yet these are the very structures that determine the fate of citizens, the majority of whom are women. Women have proven themselves to be good negotiators in difficult circumstances. It is vital for these skills to be used.

- ***Increasing access to training:*** The SADC Female Police Officers Network should facilitate ongoing training for females in the security sector to sharpen women's knowledge and skills and build self esteem so that they can be equipped to move up the ranks to the higher levels of decision making. For example a simple issue identified during a training session for women in peace operations held in Zambia in October 2009 identified women's inability to drive as one of the hindrances to their deployment in peace keeping missions. A sector skills audit to identify women's needs would be a practical exercise that could be conducted by the Network.

- ***Making gender training compulsory:*** All levels of personnel including senior management should receive gender training to challenge those cultural stereotypes that perpetuate gender discrimination.

- ***Sharing good practices:*** Countries that are doing well across the sector such as South Africa (even though they are nowhere near achieving gender parity) should share knowledge on how to bring more women into the sector and be more gender responsive in practice.

- ***Enhancing sector coordination:*** The security sector has received little attention. Civil society needs to be organised to support gender mainstreaming in the security sector across the region, for example by creating a gender, peace building and conflict resolution cluster under the Southern Africa Gender Protocol Alliance.



"Growing up" *Anushka Virahsawmy*

CHAPTER 9

Media, Information and Communication

Articles 29-31

KEY POINTS



Loga Virahsawmy, president of Media Watch Organisation Mauritius being interviewed by the Mauritian Broadcasting Corporation (MBC) *Photo: Colleen Lowe Morna*

- Media laws and policies have weak gender provisions. A key tool for holding regulatory authorities accountable is consumer activism. Media Watch Organisation (MWO), the Mauritian chapter of the Gender and Media Southern Africa (GEMSA) Network has registered several successes in getting sexist adverts removed. An increasing number of regulatory authorities are adopting gender codes of practice.
- By mid 2010, 184 newsrooms (90% of the original target of 204) had adopted gender-aware HIV and AIDS policies as part of the Media Action Plan on HIV and AIDS and gender led by the Southern African Editor's Forum (SAEF). Gender Links (GL) is following up on this initiative and using the findings of the Glass Ceiling research to develop at least 100 gender policies each year with media houses over the next two years.
- The *Gender in Media Education (GIME)* audit that is being launched at the Gender and Media Summit in October 2010 reveals that while there is a higher proportion of women than men media students (61%), there are fewer female (36%) than male educators. Few media training institutions have stand alone gender policies and gender is not well mainstreamed in the curriculum.
- The *Glass Ceilings in Southern African Newsrooms* study shows that while women constitute about 41% of all media workers, women are absent from boards and top media positions.
- There has been a paltry 2% increase in women sources in the media from 17% in the 2003 Gender and Media Baseline Study (GMBS) to 19% in the Gender and Media Progress Study (GMPS). While countries with more advanced media like South Africa, Namibia and Mauritius have remained static, smaller and more socially conservative countries like Lesotho and Malawi have demonstrated remarkable progress.
- There has been an encouraging increase in the proportion of women sources in "hard" news beats like sports, politics and economics that have been the target of training and media activism.
- While there has been an overall decline in the proportion on HIV and AIDS coverage, the proportion of UN and expert sources has declined while that of persons affected has increased dramatically.

The media has been one of the less hotly contested yet critical areas of concern in the lobbying and advocacy on the SADC Protocol on Gender and Development. Gender activists have long recognised the critical importance of the media in changing attitudes and mindsets, but have not always known how to engage with the fourth estate.

Figure 9.1: Entry points for gender in the media

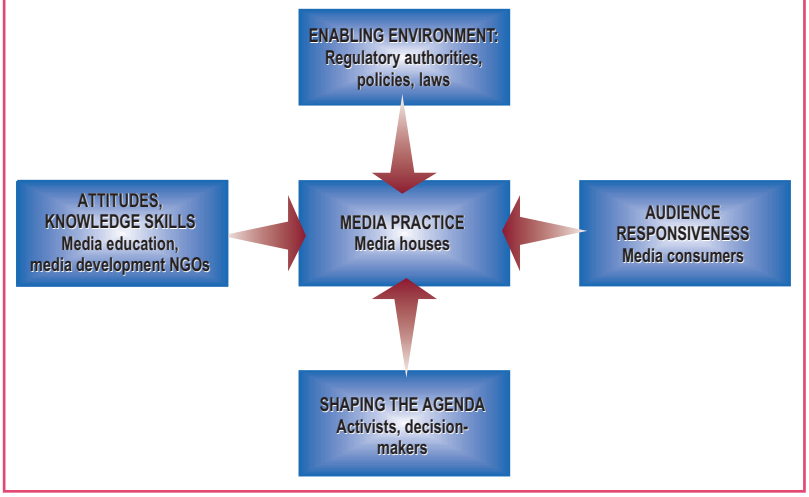


Figure 9.1 demonstrates the different entry points for gender and the media. This begins with gender aware policies and laws, implemented by regulatory authorities. Audiences through taking up complaints make these policies and laws a reality. Media education and media development NGOS have the capacity to influence attitudes, skills and knowledge of media practitioners, particularly at the entry level, but also through on going courses. Activists and decision-makers, especially women decision-makers, help to set the gender and media agenda through well co-ordinated campaigns, and a proactive approach to the media. Ultimately the ball is in the court of the media to change. This change needs to be within the media - that is in its institutional make up - as well as in media content.

A marked improvement on the 1997 SADC Declaration on Gender and Development (SDGD) which "encouraged the mass media to disseminate information and materials in respect of the human rights of women and children" the Protocol contains wide ranging provisions against which progress can now be measured. These include the broad policy and legal framework; institutional make up and practices as well as editorial outputs of the media.

There is only one time bound media target in the Protocol: the achievement of gender parity in media decision-making by 2015. The wording of the provisions is careful not to be prescriptive or make assumptions about the extent to which government can regulate or influence the media (especially the private media). However, the provisions are significant in that:

- They cover both media content and the institutional make up of the media.
- They touch on both policy and training.
- They touch on both the sins of omission (the absence of women's voices and need to give women equal voice) as well as the sins of commission (the perpetuation of gender stereotypes in the way in which women are covered; especially the coverage of gender violence).
- The provisions are consistent with freedom of expression. Indeed, they underscore the argument that gender and media activists have been making: that the subliminal silencing of women in the media is - the world over- one of the worst violations of freedom of expression.

The data established in this Barometer draws from several existing studies that have arisen from the unprecedented gender and media activism in Southern Africa driven by Gender Links (GL); the Gender and Media Southern Africa (GEMSA) Network and the Media Institute of Southern Africa (MISA). These three partners have, since 2004, organised three Gender and Media Summits every two years.

The third summit in 2006 witnessed the launch of the Gender and Media Diversity Centre (GMDC), a partnership between media education institutions and development NGOs committed to "collecting, connecting and collaborating" on gender, media and diversity issues. The fourth summit, to take place in October 2010, will be on the theme: *Taking stock: Gender, Diversity Media and Change.*

Key research studies that have been undertaken in the region, that form the basis of advocacy and training efforts, and are key to monitoring progress in this sector are summarised in Table 9.1:

Table 9.1: Summary of Gender and Media research conducted in the SADC region

RESEARCH	YEAR	WHAT THIS COVERS	WHO
Laws and Policies			
Legally yours	2007	Audit of media policies, laws and regulations.	GEMSA
Gender in media education			
Gender in media education - Southern Africa	2010	Audit of gender in media training institutions	GMDC, GL
Gender in media development NGOs			GL, Swedish International Development Agency
Gender within the media			
Glass Ceilings: Gender in Southern African media houses	2009	Representation and participation of women and men within the media, its hierarchy, different beats and occupational areas	GL
Gender in media content			GL, MISA, Media Monitoring Project (MMP)
Gender and Media Baseline Study (GMBS)	2003	Gender disaggregated monitoring of 25,000 news items over one month to determine who speaks on what as well as how women and men are portrayed in the media.	
Global Media Monitoring Project	2005	One day monitoring of Southern African media in thirteen countries as part of global monitoring, used to benchmark progress since GMBS.	GEMSA
Mirror on the Media: Who talks on Radio Talk Shows	2006	Gender disaggregated monitoring of hosts, guests, callers in Lesotho, Malawi, South Africa and Zimbabwe.	GL
HIV and AIDS, Gender and the Media	2006	Gender disaggregated data on coverage of HIV and AIDS including overall coverage; topics and sub topics; types of sources consulted.	GL, Southern African Editors Forum (SAEF) and MMP
Mirror on the Media: Gender and advertising	2007	Gender disaggregated monitoring of who is heard and depicted in advertising in Mauritius, South Africa, Zambia and Zimbabwe, and how women are portrayed.	GL, GEMSA country chapters
Mirror on the Media: Gender and Tabloids	2008	Gender disaggregated monitoring of who speaks on what as well as how women and men are portrayed in tabloids.	GL, GEMSA country chapters
HIV and AIDS, Gender and the Media Francophone Study	2008	A combination of the GMBS and the HIV and AIDS, Gender and the Media Study, introducing new parameters, like media practice.	GL Francophone Office
Gender and Media Progress Study	2010	Gender disaggregated monitoring of over 30,000 news items over one month to measure progress since the GMBS, covering general practice; gender; HIV and AIDS and gender violence.	GL, GEMSA, MISA
Global Media Monitoring Project	2010	One day monitoring of Southern African media in fourteen countries as part of global monitoring, which will be used to benchmark progress in the region against global trends.	GEMSA
Gender and audiences			
My views on the News	2005	How women and men in Southern Africa engage with and respond to the news.	GL, MISA, GEMSA, MMP

Source: Gender Links

Mainstreaming gender in policies, laws and training

The Protocol calls on Member States to ensure that gender is mainstreamed in all information, communication and media policies, programmes, laws and training in accordance with the Protocol on Culture, Information and Sport.

The regulatory framework

The new and emerging democracies in Southern Africa provide exciting opportunities and spaces to develop and adopt media laws, policies and regulations that respond to the principles of democratisation and transformation.

Media regulatory frameworks in the different SADC countries are emerging from strong constitutional provisions for media freedom and an understanding that this goes beyond challenging censorship in the traditional sense to giving voice to all citizens: women and men.

The 2006 GEMSA audit of existing media laws and policies in SADC countries covered 12 SADC countries including Botswana, Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe. The salient points are summarised below:

Freedom of expression and universal access to information is guaranteed in most constitutions: The right to freedom of expression is guaranteed in all 12 countries including Botswana, Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe. Universal access to information is guaranteed in 10 countries and under discussion in Lesotho and Zimbabwe. The constitutional frameworks provide a solid base to develop progressive regulatory provisions for the media. Some of the researchers did mention the gap between the constitutional provisions and the real situation on the ground not mirroring the intent of the constitution. The media in some countries operate under repressive conditions. This is an opportunity for independent media regulators to play a critical role by lobbying and advocating for making the constitutional provisions a reality on the ground.

Citizen views are being heard: Another encouraging finding was that citizens, women and men, in seven of the 12 countries were consulted on policy formulation. Some of the consultative processes included a grassroots constitutional review processes in Malawi and public commissions in Zimbabwe.

Broadcasting and ICT policies are largely gender blind but there are some exceptions: The review of broadcasting and ICT policies showed that with few exceptions, these do not make direct or indirect reference to the role of the media in advancing gender equality. For example, Tanzania has a National Information and Communications Technologies Policy that recognises the use of ICT in economic development. It aims to empower Tanzanian citizens and makes no specific reference to women, in contrast to the Broadcasting Act of South Africa (see alongside).



Staff of the Tanzania Communications Regulatory Authority at a gender workshop *Photo: Gender Links*

The Broadcasting Act (1999) of South Africa states that broadcasters must: contribute to democracy, development of society, **gender equality** *[our emphasis]*, nation building, provision of education and strengthening the spiritual and moral fibre of society

- Encourage ownership and control of broadcasting services through participation by persons from historically disadvantaged groups;
- Cater for a broad range of services and specifically for the programming needs in respect of children, **women** [our emphasis], the youth and the disabled;
- Encourage the development of human resources and training, and capacity building within the broadcasting sector especially amongst historically disadvantaged groups.

Example of broadcasting licence conditions

The following is an example of licensing conditions required by the Act of the South African Broadcasting Corporation (SABC):

- "The licensee shall provide programme material that caters to interests of all sectors of the South African society, including men and women, people living with disabilities and people of all age groups."[1]
- " The licensee must undertake to ensure their programming does not:
  - Promote violence against women.
  - Depict woman as passive victims of violence and abuse.
  - Degrade women and undermine their role and position in society.
  - Reinforce gender oppression and stereotypes.
- "The licensee must demonstrate its commitment to reflecting and portraying women in their positive societal roles - as independent intellectual beings, as leaders, decision-makers, academics, agents of change etc - and to award representation of men in roles that do not bolster gender ascendancy and stereotypes."[2]
- "The licensee must endeavour wherever possible to increase the number of programmes for, by and about women and must submit every three years to the regulator a programme of action aimed at implementing such pledge."

Gender disaggregated data on information produced by government is largely absent: Of the 12 countries surveyed only Mozambique had any gender disaggregated data on information produced or disseminated by government information services. This is cause for concern as government is one of the major information providers in all countries.

No gender units in Ministries of Information and Communication except in South Africa: Only South Africa had a gender focal point in the Ministry of Communications. This raises an important question about who is responsible for prioritising gender issues within government communication departments.

Mixed responses on whether government's information targets or includes women: Six of the twelve of countries surveyed believed that government information was targeted to both women and men. A similar number believed that promotional information on the country included women's achievements and statistics on women in decision-making positions.

Universal access policies in place or being developed but access points are limited and usage is not disaggregated by gender: Universal access to policies for ICTs is high on the agenda of Southern Africa countries; however specific access for women has not been prioritised.

[1] Note this would have to be adapted for a commercial licensee which might for example be targeting only youth.
[2] South African Broadcasting Corporation Code of Conduct.

The *Malawi Communications Sector Policy Statement (1998)* makes reference to universal access, without specifying access by women: "The policy aim is to ensure that a full range of modern services is accessible by all the population of Malawi. To achieve this aim, the policy focuses on the efforts of service providers more closely and need to restructure existing institutions in the sector in order to meet challenges that lie ahead."

In South Africa, the Telecommunications Act (1996) provides for the "regulation and control of telecommunications matters in the public interest. Objects of the Act include the promotion of universal service and affordable provision of telecommunication services. Other provisions include *(g)* the needs of local communities and *(h)* disabled people are duly taken into account.

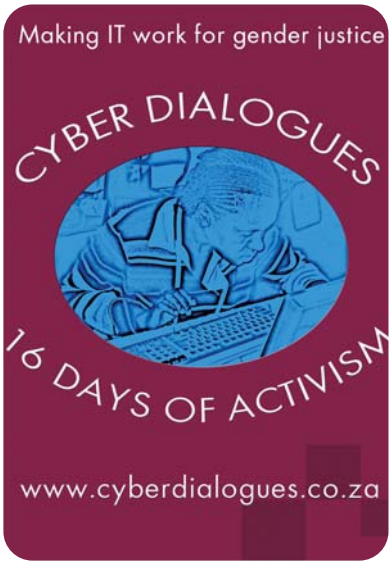
Access by women is recognised in the Objects of the Act: *(q)* promote the empowerment and advancement of women in the telecommunications sector and the Amendments to the Act (2001) include the following provision: *(s)* develop the Information, Communication and technology (ICT) strategy for the republic, in order to bridge the digital divide.

Some gender awareness is also apparent in the Mauritius the National Telecommunication Policy 2004 provides for universal access, with a view to expanding the availability of affordable telecommunications and ICT services to the public irrespective of gender, ethnicity, socio-economic level or geographic location.

Not all countries have telecenters and their use by women and men is not monitored: Malawi, Mauritius, Namibia, Seychelles, South Africa, Swaziland and Tanzania have telecentres to the public. The lack of such facilities in the other countries limits women's access to ICTs. None of the telecentres collected gender disaggregated data about who uses their services and how their services are used. It is therefore difficult to assess if women are enjoying their right to universal access to ICTs and to have a targeted roll out of services.

Licensing, public awareness and advertising: Criteria for licenses and complaints generally do not include gender. Public awareness around the mandates and how regulatory structures may be used by the public is limited. There is a need for more countries to establish regulatory bodies to monitor advertising.

Civil society activism in these areas is on the rise: While governments have not always taken a gender aware approach to ICTs, a number of women's organisations in the region have been active in influencing policy development; access, capacity building and using the internet as a tool for advancing gender equality. GL and GEMSA have pioneered cyber dialogues, or on-line chats, as a way of getting policy makers, activists and citizens engaged in debates on key gender issues. These include the Sixteen Days of Activism campaign that is held from 25 November to 10 December every year; the campaign for the adoption of the Protocol as well as during major UN conferences including Beijing Plus Ten, Beijing Plus Fifteen and Commission on the Status of Women meetings.



Media regulators

Most SADC countries have a regulatory body for the media and/or broadcasting. Those for broad-casting are generally statutory, as airwaves need to be regulated. Press bodies are generally self regulated, although there have been efforts in some countries to bring these under government control.

Regulatory authorities have a responsibility to incorporate gender considerations into

ethical standards and to monitor that they are complied with: For example, the Canadian regulatory authority for broadcasting decreed in 1986 that it expects the public broadcaster to show leadership in providing a more equal representation and a more diverse portrayal of women in the media. The Canadian Broadcasting Authority is required to submit an annual report to the Commission on efforts to eliminate sex role stereotyping both on and off air, with the knowledge that these reports will be put on a public file. Such stipulations are rare in SADC.



Zambia has one media regulatory body - the Media Ethics Council of Zambia (MECOZ). Media organisations in Zambia are encouraged rather than required to have gender policies and there is no requirement by any authority for media organisations to set targets for achieving diversity in ownership, employment and content to be consistent with the demographics of the country.



In ***Malawi***, regulatory authorities do not require, through licensing conditions, that media houses demonstrate or set targets for achieving diversity in ownership, employment and content consistent with the demographics of the country. However, for the electronic media, the licensing does spell out the obligations for fairness, objectivity, extra care in order to accommodate various sensitivities in the audience. But there is no explicit mention of gender criteria.



In ***South Africa***, the Independent Communications Authority of South Africa (ICASA) regulates broadcasting and telecommunications (previously the subject of separate regulatory bodies: the Independent broadcasting Authority (IBA) and the South African Telecommunications Regulatory Authority (SATRA)). The powers of the regulator are contained within the ICASA Act 13 of 2000. Complaints received are not disaggregated by sex.

Work with media regulators has started: Based on its audit of gender and media policies, GEMSA has developed a handbook and checklist on gender and media regulation. Over the last three years, GL has worked with the Tanzania Communications and Regulatory Authority (TACRA); Media Council of Tanzania; the Higher Media Authority (HAM) in the DRC; the Botswana Press Council and the Association of Advertising Agencies (AAA) in Mauritius. HAM adopted its gender Code of Ethics during the SADC Heads of State Summit in the DRC last year. The Media Council of Malawi (MCM) developed a draft gender code of ethics with the assistance of GL in September 2009. The MCM got the support of the World Bank to conduct road shows to popularise the gender code of ethics before it is sent for adoption at the organisation's annual general meeting.

Critical citizens, responsive media

There are differences in the media preferences of women and men: The Gender and Media Audience Study (GMAS) 2006 found that women are more inclined towards the "soft" news beats, such as health and education, which receive far less attention in the media than the "hard" news beats - like politics and sports - preferred by men.

And especially strong views on the use of sexual images of women: Amongst the women sampled, 42% found sexual images of women in the news "uncomfortable" and 43% found them "insulting". The comparative figures for men are 35% and 33% respectively. This finding, which is mirrored across all countries, is echoed in the response to the question of what women and men would like to see less of in the news, in which sexual images featured highly, along with topics such as violence and war. The two findings together challenge the widely prevailing view that sexual images of women sell the news, and especially newspapers. The extent to which audiences, and especially women, viewed such images as demeaning should be pause for thought for media decision-makers who defend the use of sexual images on grounds that this is vital too.

Taking the media to task: Over the last three years, GL and GEMSA have been conducting gender and media literacy courses designed to empower citizens, especially women, to take up complaints that reinforce the work of media regulators on policy, as illustrated in the two case studies, from Namibia.

Citizen's strengthen media regulation

By Loga Virahsawmy*

Media Watch Organisation-GEMSA is the only organisation that has taken sexist complaints to the Association of Advertising Agencies (AAA) of Mauritius and the Independent Broadcast Authority (IBA). The public in general do not know where to take complaints to and they contact MWO-GEMSA. The Mauritian chapter of GEMSA has had twelve advertisements removed from the airwaves and billboards.

An example of a recent advert concerns the "Pride Mark: Get Dressed" advert promoting "hot hot, hot, sales" from the 26 February to 14 March 2010 through a woman with green fingernails opening the zipper of her mini-shorts. In a letter to the director-general, copied to the Ministry of Women's Rights; the Attorney General's Office and the Director of the Sex Discrimination Division, MWO-GEMSA stated:

"Members of the public, both men and women, as well as young people, are distressed with such an advertisement being displayed so prominently in newspapers. There was a general consensus among those who have seen this advertisement that such a provocative image was very offensive and harmful to the image of women at large… We believe that women do not have to be objectified to promote products. We are therefore writing to you in the hope that your organisation will refrain from using such offensive advertisements to promote its products and sales events in the near future."



Loga Virahsawmy making her point.

Photo: Colleen Lowe Morna

MWO-GEMSA is seeking to ensure that its successes in challenging sexist advertising are built into policy. At the time of going to press, the organisation had submitted comments to the IBA on a draft a Code of Advertising Practices requesting that advertisements not:

- Be obscene, sexist, racist or where the content is deemed inappropriate; sex, nudity and offensive language should not be used.
- Portray women as sex objects and in advertisements that have nothing to do with them and stereotyping that perpetuate damaging misconceptions and put women in an inferior position.
- Cause prejudice to human dignity, humiliate, stigmatise or undermine identifiable groups of people.
- Use children as objects and in advertisements that have nothing to do with them.

Media houses

Over the period 2003 to 2004, GL worked on pilot projects with three media houses (Kaya FM, a commercial radio station) in South Africa, the Times of Zambia, and the Mauritius Broadcasting Corporation in developing gender policies. These were presented at the first GEM summit, where media managers shared some of the simple practical steps they had taken to improve gender balance and sensitivity in the news.

These included, in the case of Kaya FM, rotating the gender beat so that every reporter had a turn on it (and learned to mainstream gender in all coverage); requiring that each reporter on the beat contribute at least four women sources to the data base; that all reporters consult at

least one woman out of every three sources and that progress be reviewed at the weekly editorial meeting. A favourite example of the then news editor, Portia Kobue, is the day she assigned a reporter to do a story on farming and he immediately phoned the white male spokesperson of the commercial farmers association. She sent him back to the field to find a black woman farmer who told a far more interesting story!

In an attempt to cascade efforts on the policy front, in 2005 media NGOs joined forces with the Southern African Editor's Forum (SAEF) to launch the Media Action Plan (MAP) on HIV and AIDS and Gender. An audit undertaken by GL, which is responsible for the policy leg of MAP, showed that out of 350 media houses surveyed, only 10% had HIV/AIDS policies and 8% gender policies. These mostly related to work place issues rather than editorial content. The HIV and AIDS and Gender Baseline Study mentioned earlier pointed to the content gaps that urgently needed addressing.

Among the objectives of MAP were to ensure that 80% of media institutions have workplace *and* editorial policies and programmes on HIV/AIDS and gender by the end 2008. This leg of the MAP work was led by GL and MISA who have developed a handbook called *Diversity in Action, HIV/AIDS and Gender Policies in Newsrooms.*

The Southern African Media Action Plan on HIV and AIDS & Gender

Table 9.2 illustrates that by June 2010, 138 media houses and 184 newsrooms or 90% of the original target of 204 newsrooms had been met. If the ten draft policies are added, the total comes to 194, or 94% of the target. A further 22 media houses had started but not finished the policy process.

Of the 125 media houses surveyed in the *Glass Ceiling Study* described later in this chapter, 16% said they had gender policies. GL has a target of ensuring that 100 media houses develop gender policies by 2011.

Table 9.2: Progress in gender aware HIV and AIDS policies roll out

Country	Media houses	News rooms	In progress	Draft	Complete	News rooms
Botswana	1	1	-	-	1	1
DRC	17	17	-	-	17	17
Lesotho	13	14	-	-	13	13
Madagascar	17	17	2	1	7	7
Malawi	24	24	3	3	18	17
Mauritius	11	38	-	-	9	36
Mozambique	26	40	3	2	17	18
Namibia	13	19	3	1	5	11
Seychelles	7	7	2	2	-	-
South Africa	7	101	5	1	1	1
Swaziland	6	6	-	-	6	6
Tanzania	30	49	-	-	30	45
Zambia	20	25	4	-	14	11
Zimbabwe	12	13	-	-	-	-
Total	**204**	**371**	**22**	**10**	**138**	**184**

Source: Gender Links

Until 2009, most media houses in the region had opted for gender aware HIV and AIDS policies, but not stand alone gender policies. Spurred on by the Glass Ceiling research and willingness expressed during advocacy workshops to engage in policy processes, the GL contracted facilitators to roll out gender policies in The Democratic Republic of Congo (DRC); Madagascar; Malawi and Tanzania in December 2009, with satellite offices in Mauritius and Botswana handling the roll out process in these countries, and the GL headquarters managing South Africa and Zimbabwe. GL revised the facilitators' guide to strengthen monitoring and evaluation.

With a target of 68 media houses and 198 newsrooms, the facilitators especially in Malawi; Mauritius; Zimbabwe and DRC managed to get 33 media houses to the stage of draft and or adopted gender policy. Progress in the DRC and Madagascar is especially heartening. In Botswana, South Africa and Tanzania there are positive signals that buy-in will be achieved soon and the process will move on to the workshop and drafting stages.

Media development NGOs

In 2006 the Swedish International Development Agency (Sida) commissioned a study on gender in media development NGOs globally including four in Southern Africa. The major findings of the audit are summarised in Table 9.3. They include:

Gender is an important consideration for all the media organisations reviewed but policies are the exception: Virtually all organisations reviewed cited gender as an important consideration in media for development and freedom of expression work. Only MISA had a gender policy.

Excerpts from the MISA gender policy

"Gender equality is implicit in the notions of a "pluralistic press"; "reflecting the widest possible range of opinion within the community"; "the fulfilment of human aspirations"; "freedom of the press" and "freedom of association" as espoused in the Windhoek Declaration on Promoting an Independent and Pluralistic African Press (1991). But the failure to state this explicitly has led to the gross gender disparities in the media not receiving adequate attention."

1. As one of the main shapers of public opinion, the media has a critical role to play in the advancement and attainment of gender equality.
2. As an agenda setter, the media has a duty to portray not just what is, but what could be; to be exemplary in its own practices; and to open debate on the complex issues surrounding gender equality.
3. MISA wishes to state clearly that gender equality is intrinsic to a pluralistic and diverse media; giving voice to all members of the community; realising human aspirations as well as freedom of association. It is therefore one of the important indicators for measuring whether each of these is being achieved.
4. Gender-based violations such as sexual harassment should be recognised as an impediment to the work of media practitioners.

Table 9.3: Audit of gender in media NGOs in Southern Africa

Partner	Stand alone gender policy	Gender is integrated into existing policies	Gender specific projects	Gender integrated into all projects	Gender composition of org: % women			Gender structure	Gender training*
					Overall	Board	Director		
PANOS SOUTHERN AFRICA	NO	N/A	YES. Radio listening clubs	NO	43%	50%	M	NO	YES
MISA	YES	YES, constitution, sexual harassment policy	Gender and media support	YES				YES, gender focal person	YES
SAMSO	NO	NO	The Images Training Manual developed by Gender Links, Mainstreaming Gender in Entry Level Journalism by PON	NO	30%	0%	M	NO	YES
AMARC	NO	YES, strongly so	Regional gender programmes that promote gender equality in community radio through diverse initiatives, e.g. listeners clubs	YES	57%	50%	F	YES, the regional gender programme and management	YES, but on an adhoc basis and not scheduled

Source: Gender Links



MISA member in Zambia *Photo: Derick Sinjela*

MISA has amended its policy in line with the Protocol: In line with the SADC Gender Protocol, MISA has increased it quota for women in all chapters, bodies and structures from 30% to 50%.

Media under the spotlight

By Fungai Machirori*



It was termed by many present as one of the most "controversial" issues on the agenda of this year's (2010) annual general meeting of Zimbabwe's Media Institute of Southern Africa (MISA) chapter members. And it wouldn't be the first time that the subject has caused a stir.

When MISA Zimbabwe chairman, Loughty Dube, informed the membership of a proposed amendment to the gender clause in the MISA Zimbabwe constitution, a debate about its significance ensued.

The amendment, as a result of resolutions made at the regional MISA annual general meeting last year, will see a previous 30% female gender quota moved up to 50% in line with the regional gender representation. The implication is that all chapters, bodies and structures within MISA will be guided by the 50-50 representation.

"Why do you need to entice them [women] to join?" questioned Wycliff Nyarota, a MISA member. "While we need the female journalists, we need to look at their credibility. Of eight representatives in any body, let us have even six females if they are credible."

Nyarota alluded to an important issue around quotas - that of sacrificing competence for compliance. A long-held view of quotas, be they race or gender-related, is that they promote a physical trait (that of being male, female, black or white) over suitability for a job. No doubt, many of those chosen to fill positions have the requisite credentials, but under an unbiased selection process might not be the best candidate for the work.

Through the SADC Gender and Development Protocol, member nations have been tasked to ensure that by 2015, at least 50% of decision-making positions in the public and private sectors are held by women. And to ensure this, affirmative action measures creating a conducive environment for such participation, have been recommended.

Indeed a conducive environment is important - an environment in which women can be esteemed as colleagues and counterparts, and not as mere objects for abuse and ridicule. But this environment must be complemented by the desire of women to become more visible.

As Dube, himself a lecturer with one of Zimbabwe's prominent university media departments, noted, the lack of female representation is counter to the trend in tertiary media institutions where female students often outnumber their male counterparts. While there are no current official figures on this, many in the membership - themselves products of these same institutions - agreed with Dube's observation. "What happens when it comes to practice?" he asked.



Debating gender and the media in Zimbabwe. *Photo: Colleen Lowe Morna*

In adopting the amendments, it was agreed, however, that the process of reform would have to be gradual. A clear example of why was shown by the female representation in the nine, five-member MISA Zimbabwe advocacy committees present. Only one of these is chaired by a woman, with most struggling to reflect equitable representation of women.

"There is need to go into universities and newsrooms and embark on membership drives for women," noted Stanley Kwenda, another member. Advocacy committees tasked themselves with fanning throughout the country to mount gender sensitisation campaigns at tertiary and professional media institutions.

**(Fungai Machirori is a freelance Zimbabwean journalist and contributor to the GL Opinion and Commentary Service that offers fresh views on every day news).*

There are several ad-hoc initiatives on gender, but gender mainstreaming is weak: The study yielded several examples of ad-hoc initiatives on gender. The media NGOs surveyed are more able to cite examples of gender specific work that they are doing than of mainstreaming gender considerations throughout their work. This included projects for and about women, as opposed to gender perspectives on topical development issues (such as the Millennium Development Goals). The review cited many examples of "missed" or potential opportunities for bringing gender perspectives to topics such as HIV and AIDS, globalisation and the environment.

Gender analysis of publications and productions is especially weak: The organisations reviewed produce many productions and publications, some with large audiences. However, none of the organisations had undertaken a gender content analysis of their products (similar to the GMMP) although many said they would welcome simple in-house monitoring tools for doing so.

Scope for strengthening gender considerations in the work place: Media NGOs, their staff and boards, have achieved greater gender balance and sensitivity in their institutional structures and practice than the media industry generally. However, there are still imbalances at the highest decision-making levels that need to be addressed through deliberate policies, as well as work place practices that need strengthening; especially the adoption of Codes of Conduct on sexual harassment.

Gender management systems need a boost: Only the organisations that have gender policies have dedicated gender officers and those that are considering adopting gender policies have formed working groups. In other instances, there are no specific gender structures or staff capacity dedicated to the task of gender mainstreaming in the organisations surveyed. Gender is generally not "embedded" in key management tools such as job descriptions, performance agreements, monitoring and evaluation. The result is that for those responsible gender becomes a "labour of love" rather than part of institutional culture and norms and of work that is quantified and valued in the organisation.

Training

Pressure is mounting: A Media Training Needs Assessment conducted by the NSJ, a then regional media training institute based in Maputo in 2000 found that: "Trainers are under increasing pressure to mainstream a variety of social concerns into training - race and gender sensitivity, HIV AIDS, and a human rights perspective more broadly. Responses indicate that there is an increasing awareness of the importance of integrating gender awareness into training but that approaches for doing so remain ad hoc. Most of the training institutions (for example MIJ, NSJ, IAJ, AIA) offer specific courses on covering gender issues. The NSJ gender course is rated the most popular of its courses (interview, Phiri). However, unlike other courses where women are in the minority, very few men attend the gender courses, which thus fail to reach a key target. More importantly, gender awareness needs to permeate all training. At present this is happening haphazardly, and often at the insistence of donors."

Each year, GL runs training courses on different themes with media training institutions around the region: These have included covering gender violence; HIV and AIDS and gender; as well as gender and elections. Currently, GL is running a series of training workshops on gender and economic reporting using its training manual, Business Unusual. This includes a series of workshops on the economic provisions of the Gender Protocol linked to Soccer 2010 and the SADC Heads of State Summit (see Chapter four).

A variant of in-service training is in-house training (or training conducted in the newsroom). While this is labour intensive, it has several advantages. One is able to work with practitioners in their environment (which can often be an impediment to new ways of reporting) with their managers (who are frequently the biggest barrier to change) and with their specific medium and focus. GL piloted this approach in election training in 2004 and 2005 documented during the first GEM Summit in the outcome report Getting in Right (Lowe Morna, ed. 2004, 108). The gender, election and media workshops continued in all SADC countries that held elections in 2009/2010, with GL conducting newsroom training and GEMSA monitoring election coverage from a gender perspective (see Chapter two on governance).

In the longer term, there are no shortcuts to mainstreaming gender in entry level media education: Working with GL the Polytechnic of Namibia undertook a three year gender mainstreaming project in which gender was integrated into every facet of entry level journalism and tested in a student news agency for the 2005 Namibia elections. The student's sensitivity to diversity resulted in high quality, issue-based coverage documented in a final evaluation. A primer on the process and outcomes (Gender in Entry Level Media Education) is being used as a basis for work with a network of media trainers committed to integrating gender in their curricula.

The Gender in Media Audience Study (GIME) will be launched at the GEM summit in October 2010: The GIME report, covering the media studies departments of 25 tertiary institutions audited in the 13 countries, has now been completed and will be launched at the GEM summit in October 2010. The key findings are summarised in Table 9.4.



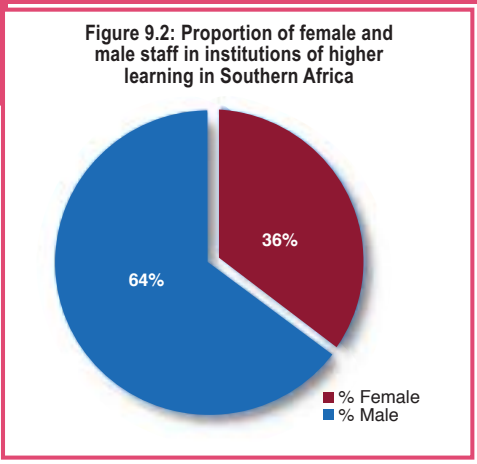
Gender and media training at Stellenbosch University. *Photo: Colleen Lowe Morna*

Table 9.4: Summary of key gender indicators for institutions of higher learning in the GIME research

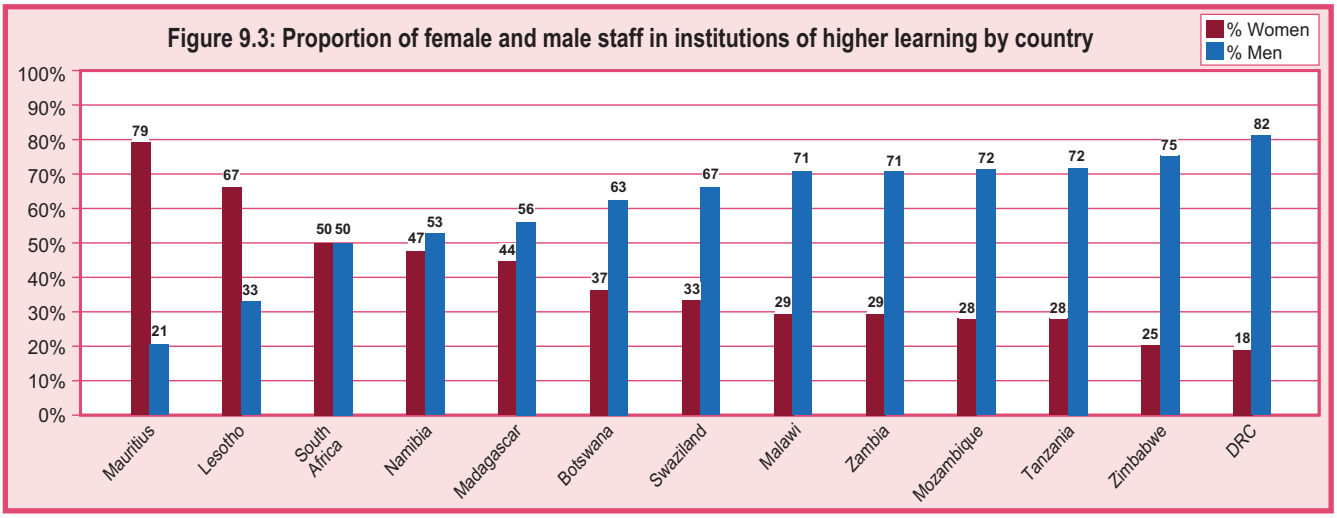
Institution	Staff		Students		Policies		Curriculum	
	% Female	% Male	% Female	% Male	Gender	Sexual harassment	Gender considered in curriculum review	Committee/ individual responsible for gender mainstreaming
Region	**36**	**64**	**61**	**39**	**28%**	**44%**	**46%**	**13%**
Botswana								
University of Botswana	37	67	54	46	Yes	Yes	Yes	Yes
DRC								
Institut Facultaire des Sciences de L'information et de la Communication	18	82	77	23	No	No	No	No
Lesotho								
National University of Lesotho	67	33	73	27	No	No	Yes	No
Madagascar								
Antananarivo University	44	56	71	29	No	No	No	No
Malawi								
Malawi Institution of Journalism	29	71	50	50	No	No	No	No
Mauritius								
University of Mauritius	79	21	82	18	No	No	No	No
Mozambique								
Eduardo Mondlane	20	80	26	74	No	No	No	No
Higher School of Journalism	21	79	19	81	No	No	No	No
School of Journalism	38	62	28	72	No	No	No	No
Namibia								
Polytechnic of Namibia	50	50	58	42	No	No	No	No
University of Namibia	43	57	62	39	No	No	No	No
South Africa								
University of Fort Hare	43	57	57	43	Yes	Yes	No	No
University of Johannesburg	89	11	78	22	Yes	Yes	No	No
University of Limpopo	33	67	51	49	Yes	Yes	No	No
Stellenbosch University	33	67	62	38	No	Yes	Yes	No
University of Venda	60	40	47	53	No	Yes	No	No
University of Witswatersrand	75	25	69	31	Yes	Yes	Yes	No
Swaziland								
University of Swaziland	33	67	37	63	No	Yes	No	No
Tanzania								
SJMC	30	70	60	40	Yes	Yes	Yes	Yes
Zambia								
Evelyn Hone	36	64	65	35	No	No	No	No
University of Zambia	31	69	56	44	Yes	Yes	No	No
Zambia Institute of Mass Communication Education Trust	25	75	67	33	No	No	Yes	Yes
Zimbabwe								
Midlands State University	36	64	64	36	No	Yes	No	No
National University of Science and Technology	25	75	49	51	No	No	Yes	No
Harare Polytechnic	27	73	49	51	No	No	No	No

Source: Gender Links

Male trainers are in the majority: Data provided in this audit shows that females comprise 36% of the academic staff, while males are 64% of the academic staff in the departments of journalism and media.

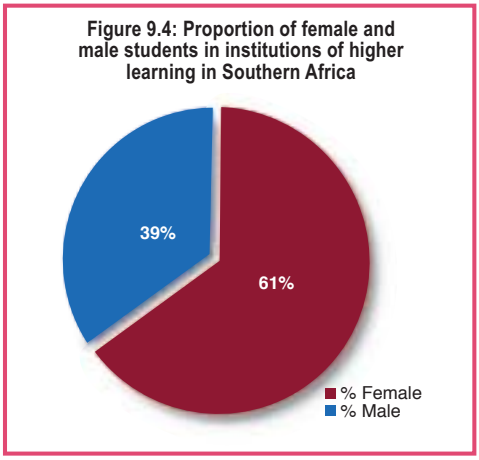


Source: Gender Links



Source: Gender Links

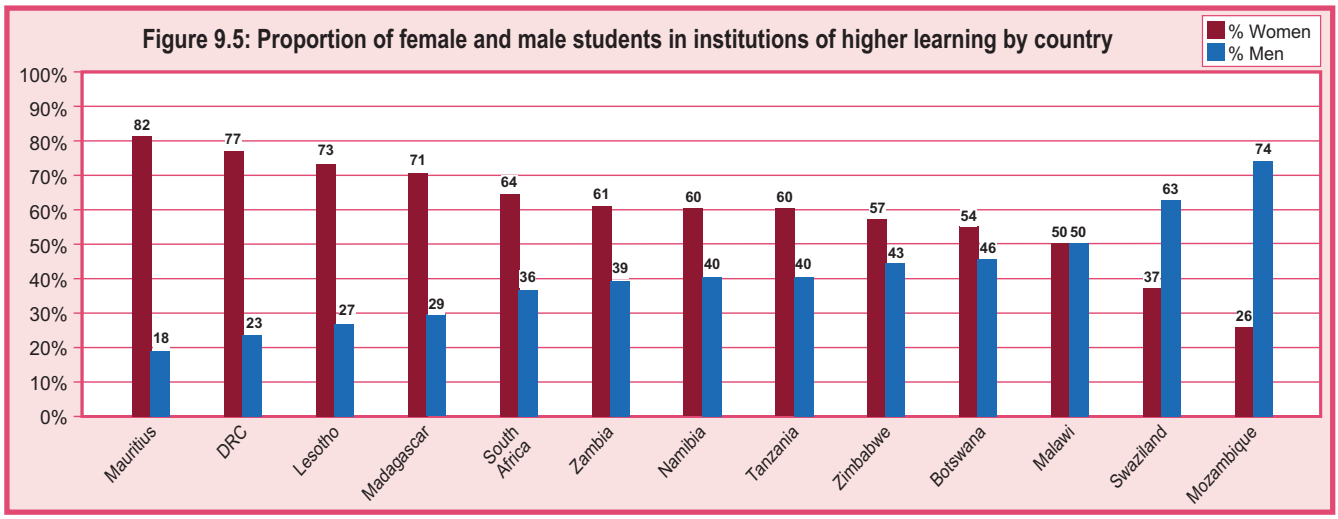
But this varies among countries: At the University of Mauritius, for example, which does not have a gender or Affirmative Action Policy, 79% of the academic staff are females. Lesotho also has a higher percentage of females (67%) than males. As evidenced in the *Glass ceilings: Women and men in Southern Africa media*, Lesotho had the highest proportion of female employees (73%) in the media in Southern Africa. South Africa has achieved parity in the number of female and male staff in institutions of higher learning in Southern Africa. This country has also reached parity in its proportion of female staff in the media.[3] The lowest proportion of female staff is in Zimbabwe (25%) and the DRC (18%). These figures mirror the findings of the *Glass ceiling: Women and men in Southern Africa media*. Both Zimbabwe (13%) and the DRC (22%) had the lowest proportion of female staff in the media houses surveyed.



Source: Gender Links

[3] Glass ceilings: Women and men in Southern Africa media.

There are more women than men in media studies: While men are the majority of the academic staff, figure 9.4 shows that the majority of the students in the departments of media education and journalism training in the 25 tertiary institutions audited are female (61% compared to 39% male students).



Source: Gender Links

In many countries this is by a wide majority, but in a few women are still in the minority: Figure 9.5 shows that ten of the countries in the sample have exceeded parity in the representation of female students. These include Mauritius (82%), DRC (77%), Lesotho (73%), Madagascar (71%), South Africa (64%), Zambia (61%), Namibia and Tanzania (60%), Zimbabwe (57%) and Botswana (54%). MIJ in Malawi has achieved gender parity (50/50) among students. In two countries, Swaziland and Mozambique, females constitute 37% and 26% of the students in institutions offering journalism and media education and training.

The predominance of female students mirrors global trends: Statistics in the United States, for example, show that in 1977, and for the first time, women were statistically the majority of the undergraduates studying journalism. In 1978 they were about 53%, in 1984 about 59% and in 1992, about 61%.[4] And a similar trend was noted in Britain. By the 1990s the majority of trainee journalists, about 52%, were women.[5]

But large numbers of women in media education and journalism classrooms does not translate into large numbers of women in newsrooms as demonstrated in the findings of the Glass Ceilings research that is discussed later in this chapter.[6]

Gender gaps in areas of specialisation: Female students in the School of Journalism at the University of Dar es Salaam, like those in the School of Journalism in Mozambique are highly concentrated in the Public Relations and Advertisement degree programme. Female students are 30% of the students in the degree programme in journalism, and 80% of those enrolled for the B.A. in Public Relations and Advertisement in Dar es Salaam.

There are very few institutions with policies or other special measures to achieve gender equality: Only seven (28%) of the 25 institutions in the sample have stand alone gender policies. The University of Dar es Salaam in Tanzania had a stand-alone gender policy to provide a blueprint for the attainment of gender equity in staffing

[4] Deborah Chambers, Linda Steiner and Carole Fleming, Women and Journalism,Routledge, New York. 2004.76.
[5] Deborah Chambers, Linda Steiner and Carole Fleming, Women and Journalism,Routledge, New York. 2004.80.
[6] Pat Made and Colleen Lowe Morna, editors, Glass Ceilings: Women and men in Southern African media, Gender Links. 2009. 10-11.

at all levels, student enrolment in all faculties and departments and for mainstreaming gender in teaching, curriculum development and research. A few institutions - for example, Midlands State University (MSU) and the National University of Science and Technology (NUST) in Zimbabwe - have draft gender policies that have not been formally adopted by the institutions. At several other institutions, affirmative action policies and procedures provide the institutional guidelines for achieving gender and other forms of diversity, while some respondents pointed to a country's National Gender Policy as the guiding framework for institutional gender practice.



Mainstreaming gender in media education at the Polytechnic of Namibia.
Photo: Colleen Lowe Morna

Almost half of the institutions have sexual harassment policies: Of the total number of institutions 44% have sexual harassment policies. The University of Botswana, National University of Lesotho, Stellenbosch University and University of Zambia are members of the Southern African Network of Higher Educational Institutions Challenging Sexual Harassment and Sexual Violence (NETSH). Institutions that did not have stand-alone policies included sexual harassment as a transgression within their Disciplinary Codes of Conduct. But, the staff and students at the institutions do not have good knowledge about the policy and its provisions.

Gender is considered in curriculum policies and processes at institutional or departmental level: According to the data gathered 46% of the institutions in the sample consider gender in curriculum review processes. Only the University of Dar es Salaam in Tanzania has a policy that stipulates gender as one of the criteria for curriculum development in all faculties and departments. In the other institutions it is voluntary. This finding does not reflect in the actual content of the courses on offer. Gender is largely absent from curricula.

Media and journalism students receive limited theoretical grounding in gender: Very few institutions in the region offer core courses on gender, or gender and the media. Gender is a core course requirement at the University of Namibia (UNAM) and at Midlands State University in Zimbabwe.

Models for mainstreaming: There are models at institutions within the region that illustrate how gender can be systematically incorporated into journalism and media education training, through institutional policy frameworks and departmental programmes. The University of Dar es Salaam's Gender Policy, the University of Namibia (UNAM's) HIV/AIDS Policy and the Polytechnic of Namibia (PON's) Pilot Project with Gender Links on mainstreaming gender into entry-level journalism education, for example, serve as models for mainstreaming gender in teaching, research and other activities of the media education and journalism training departments.

Gender is missing in student and staff assessments: Gender is not incorporated as a standard in any systematic way in the journalism and media education and journalism training departments' assessments of courses. Gender is not a standard in the assessment of staff performance.

Academic research on gender, media and diversity issues could be broadened and deepened: While there are examples of students' theses and special projects on gender and media issues, as well as projects on women's representation and gender stereotypes in the media, gender and the media has not become an area of academic research and scholarship among the lecturers within the institutions' media education and journalism training departments.

Table 9.5: Equal representation of women and men in media houses in Southern Africa

CATEGORY	REGION %		BOTSWANA %		LESOTHO %		DRC %		MADAGASCAR %		MALAWI %		MAURITIUS %		MOZAMBIQUE %		NAMIBIA %		SWAZILAND %		SOUTH AFRICA %		TANZANIA %		ZAMBIA %		ZIMBABWE %	
	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M
Percentage of employees by sex	41	59	46	54	73	27	22	78	33	67	23	77	33	67	27	73	40	60	40	60	50	50	36	64	33	67	13	87
OCCUPATIONAL LEVELS																												
Non-permanent	36	64	38	62	0	0	17	83	60	40	17	83	52	48	21	79	24	76	56	44	56	44	55	45	33	67	7	93
Unskilled	29	71	67	33	74	26	28	72	58	42	23	77	30	70	29	71	47	53	36	64	23	77	39	61	21	79	16	84
Semi-skilled	55	45	98	8	78	22	34	66	26	74	41	59	35	65	61	39	57	43	57	43	55	45	0	100	67	33	45	55
Skilled technical	45	55	32	68	45	55	23	77	17	83	31	69	22	78	19	81	42	58	50	50	51	49	25	75	54	46	18	82
Professionally qualified	31	69	28	72	57	43	15	85	46	54	15	85	40	60	28	72	33	67	21	79	42	58	38	62	37	63	30	70
Board of directors	28	72	24	76	47	53	18	83	10	90	27	73	36	64	25	75	39	61	33	67	38	62	22	78	27	73	38	62
Senior management	28	72	39	61	50	50	8	92	20	80	26	74	22	78	35	65	35	65	29	71	35	65	30	70	33	67	10	90
Top management	23	77	30	70	56	44	18	82	13	88	19	81	25	75	17	83	42	58	33	67	25	75	21	79	11	89	13	88
CONDITIONS OF EMPLOYMENT																												
Part-time	23	77	100	0	0	0	16	84	60	40	23	77	40	60	29	71	33	67	56	44	61	39	35	65	40	60	5	95
Full-time, fixed term contract	37	63	25	75	0	0	20	80	42	58	31	69	31	69	21	79	48	52	23	77	55	45	24	76	10	90	50	55
Freelance[7]	43	57	22	78	25	75	22	78	50	50	35	65	53	47	40	60	21	79	33	67	54	46	59	41	38	62	22	78
Full-time open-ended contract	42	58	51	49	74	26	23	77	26	74	23	77	26	74	23	77	42	58	41	59	49	51	36	64	30	70	18	82
DEPARTMENTS[8]																												
Human resources	44	56	81	19	100	0	21	79	44	56	75	25	32	68	51	49	67	33	0	100	74	26	68	32	32	68	58	42
Advertising/Marketing	57	43	38	62	36	64	34	66	62	38	36	64	38	62	43	57	56	44	63	38	61	39	32	68	46	54	40	60
Finance & administration	54	46	67	33	80	20	33	67	58	42	21	79	46	54	26	74	70	30	71	29	59	41	56	44	49	51	25	75
Editorial	42	58	36	64	48	52	29	71	31	69	28	72	39	61	27	73	44	56	35	65	52	48	36	64	38	62	17	83
Design	31	69	38	62	20	80	21	79	10	90	22	78	13	87	19	81	44	56	23	77	40	60	51	49	11	89	50	50
Production	30	70	50	50	0	100	23	77	7	93	22	78	23	77	14	86	39	61	0	0	34	66	33	67	23	77	33	67
Printing & distribution	24	76	50	50	50	50	17	83	18	82	25	75	6	94	11	89	23	77	19	81	33	67	0	100	6	94	0	100
Technical/IT	16	84	0	100	0	100	9	91	0	100	6	94	16	84	3	97	5	95	3	97	23	77	30	70	17	83	0	100
POLICIES																												
Gender policy	16		20		25		0		7		40		33		7		27		0		9		21		22		0	
Sexual harassment policy	28		60		50		20		0		30		56		7		36		0		82		21		11		25	
Want gender policy	68		60		75		100		73		70		78		71		45		33		64		50		78		75	

Source: Gender Links

[7] The conditions of employment refers only to freelancers in the production department of the media house.
[8] The statistics are inclusive of managers within these departments.

Giving equal representation of women and men by 2015

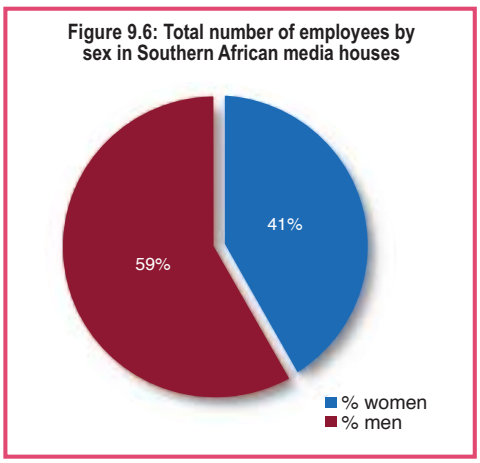
The Protocol urges Member States to take measures to promote the equal representation women in the ownership of, and decision-making structures of the media in accordance with Article 12.1 that provides for equal representation of women in decision-making positions by 2015.

In 2007/2008 GL and GEMSA conducted the most comprehensive survey to date on women and men in Southern African media houses against the above provisions. The study covered 126 media houses and over 23,000 employees in all the SADC countries except Angola. The results, summarised in Table 9.5 show that:

Men are the predominent employees in media houses in Southern Africa: The media sector is largely a male-dominated industry in the region with men constituting 59% of the employees in media houses compared to 41% women. If South Africa, which constitutes 40% of the population in the region and over half the employees in the sample is excluded, the figure for women is 32%.

Only two countries have achieved the parity target: The tiny country of Lesotho has the largest percentage of women(73% women compared to 27% men) employed in media houses, followed by South Africa with equal percentages of women and men (50/50). Seychelles, with 49% women, is a close third. But these figures need to be read in context: Lesotho's media is dominated by a government ministry with a high proportion of women. In the case of South Africa, the figures were not disaggregated by race, due to the regional nature of this study. The 2006 Glass Ceiling report on South African newsrooms showed that black women, who constitute 42% of the population, account for only 18% of newsroom staff.

Figure 9.6: Total number of employees by sex in Southern African media houses

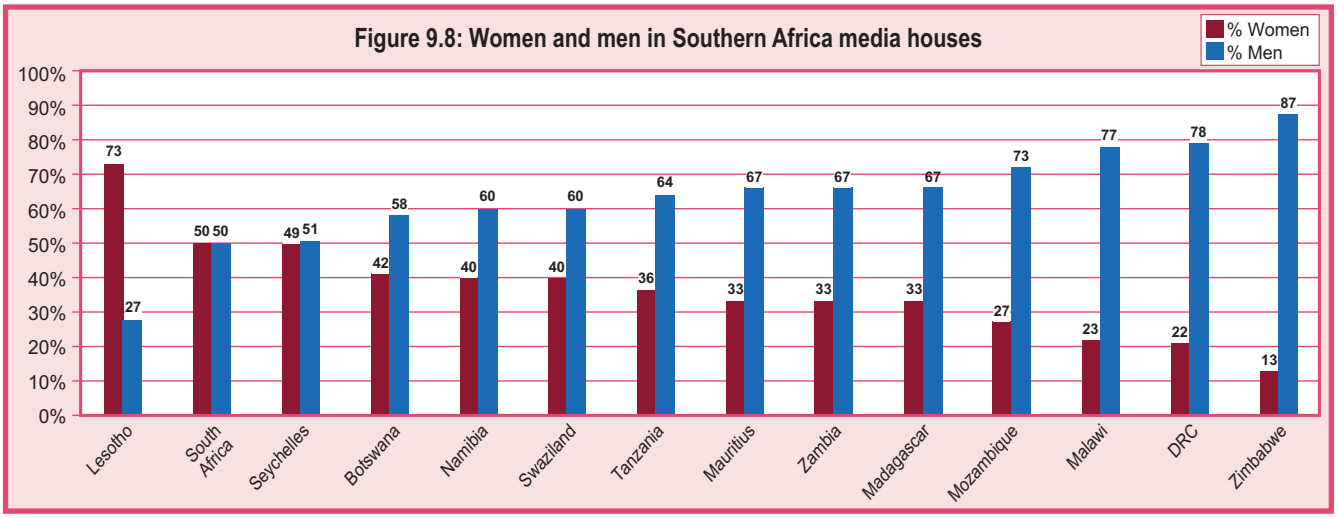


Source: Gender Links

Figure 9.7: Total number of employees by sex in Southern African media houses excluding South Africa



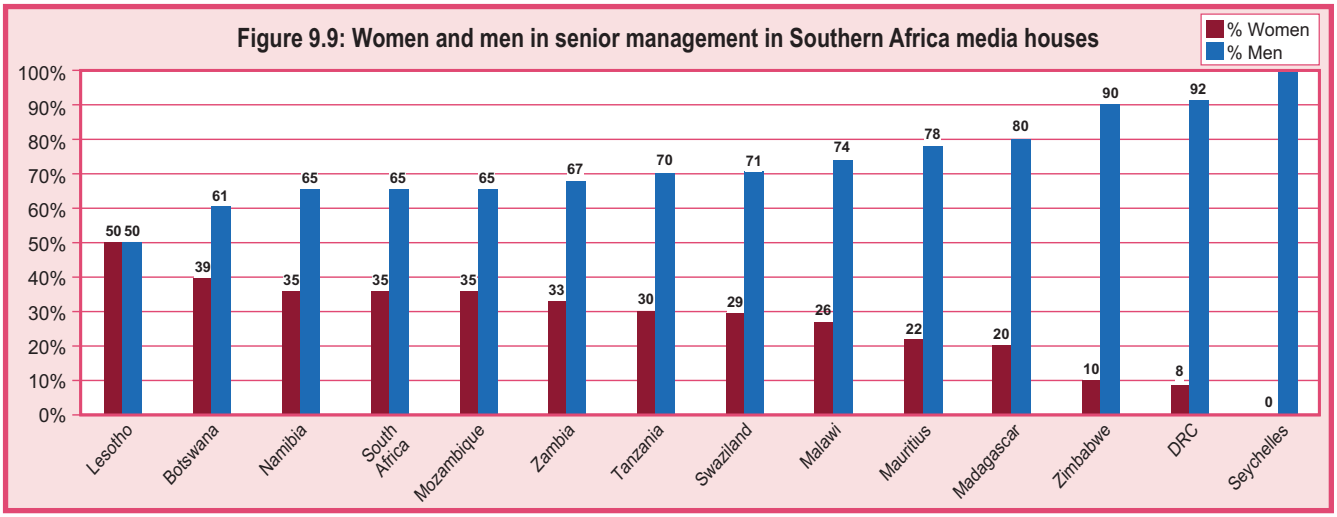
Source: Gender Links



Source: Gender Links

Four countries are below the one third mark: As illustrated in the graph these are Mozambique (27%); Malawi (23%); DRC (22%) and Zimbabwe (13%). The Zimbabwe figures do not include the Zimbabwe National Broadcasting Corporation (ZBC) which declined to participate, with the result that the figures are skewed towards the print media, in which women are typically less well represented than in broadcasting. However, it is a substantial sample, which even the inclusion of the ZBC would be unlikely to significantly alter.

Women constitute a third or less of boards of directors, top and senior managers: The governance structures of media houses in Southern Africa are firmly in the hands of men (72%), with women constituting only 28% of those on boards of directors. Only 23% of the top managers in media houses in Southern Africa are women. The only country in the region with 50% or more women in top management is Lesotho (56%), followed by Namibia with 42% women in top management. Only 11% of the top managers in Zambia are women, and Seychelles, the lowest, has no women in top management. As illustrated in Figure 8.4 women constituted between 20-39% of the senior managers in media houses in 10 of the 14 countries and only one, Lesotho, had 50% women



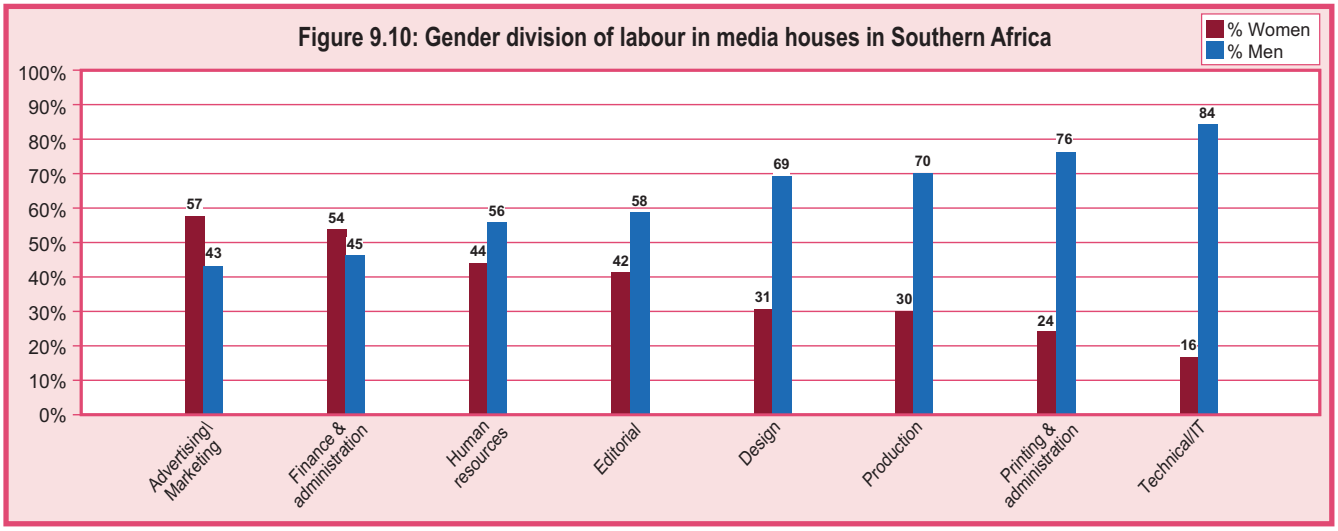
Source: Gender Links

as senior managers. On average, however, women are only 28% of those in senior management positions in the region, pointing to where they meet their first challenge of breaking into the higher echelons of media management.

Men get better working deals: Men (58%) are more likely than women (42%) to be employed in open-ended full time contracts. And, a larger majority of women in the region are semi-skilled (55% compared to 45% men) and are not professionally qualified (31% compared to 69% for men). These factors reflect a much higher level of job insecurity for women than for men in the region.

There is a gender division of labour in the work place: Figure 9.10 shows that production of media content from the beginning of the chain - reporting, editing - right through to production, printing and distribution is in the hands of men, who dominate in the editorial (58%), design (69%), production (70%), printing and distribution (76%) and technical/IT (84%) departments in the region's media houses. Women, on the other hand, are more numerous in areas considered to be "women's work" (clerical and administrative support) in the finance and administration (54%), advertising/marketing (57%) and human resources (44%) departments.

Figure 9.10: Gender division of labour in media houses in Southern Africa



Source: Gender Links

The gender division of labour in beats is still pronounced: Male journalists dominate in what are considered the 'hard beats' such as investigative/in-depth reports (80%), sports (76%) and political stories (75%). Women journalists predominate in coverage of gender equality and gender violence (71% each) and health[9] (59%).

Male chauvinist attitudes abound and sexual harassment is a serious concern: As one male respondent in this study put it: "We expect women to be home at 6pm cooking, and not at press conferences mingling with ministers." Media women across the region complained about being treated as sexual objects in media houses and men showed little appreciation and understanding of what is meant by sexual harassment. Only 28% of media houses said they have sexual harassment policies.

But women journalists are challenging gender stereotypes in some countries. In Botswana, there is gender parity (50/50) in the coverage of sports, while women constitute 40% of sports reporters in South Africa. Women (83%) also dominate in the coverage of economics/ business/finance in South Africa and in Namibia (71%). The study also found that in South Africa, there is gender balance in the coverage of entertainment/arts/culture and of gender equality.

[9] Excludes the coverage of HIV and AIDS.

Table 9.6: Summary of regional findings GMPS versus GMBS/HIV and AIDS and gender study

	GMBS	GMPS
GENERAL MEDIA PRACTICE		
		Percentage
Diversity of sources	N/A	
Single source	N/A	33
Multiple sources	N/A	67
GENDER AND THE MEDIA		
	GMBS % women	GMPS % women
Who speaks		
Overall	17	19
Private media	N/A	19
Public media	N/A	20
Community	N/A	22
Who speaks on what		
Sports	8	12
Politics	9	13
Economics	10	15
GBV	39	41
Children	39	42
Gender equality	43	46
Sex of sources by medium		
Print	N/A	18
Radio	N/A	20
Television	N/A	25
Who is seen		
Images in newspapers	N/A	27
Ages		
20 -34 years	N/A	35
35 - 49 years	N/A	37
50 - 64 years	N/A	20
65 years or older	N/A	0
Personal identity		
Percentage women	11	8
Percentage men	2	4
GENDER IN NEWSROOMS		
Who reports in which medium		
TV reporters	38	42
TV presenters	45	58
Radio reporters	34	30
Print reporters	22	25
GENDER, HIV AND AIDS AND THE MEDIA		
	2006 STUDY	GMPS
	Percentage	Percentage
HIV and AIDS coverage compared to total	3	2
Sub topics		
Prevention	40	26
General	19	37
Treatment	16	12
Care, support and rights	13	14
Impact	5	12
Function of sources		
Official and UN Agencies	42	17
Civil society and NGOs	28	18
Experts	12	17
Traditional and religious leaders	5	3
Person with AIDS	4	4
Person affected	4	41
Other	5	0

Source: Gender Links

Gender awareness in media houses is low among both women and men: Half of all the women and men surveyed thought that gender means women and men. Less than a fifth were aware that the term refers to the socially constructed differences between women and men. Half of all those interviewed did not know the specific target set by the SADC Protocol on Gender and Development for is for achieving gender parity in decision-making.

But there is an appreciation that having a critical mass of women in newsrooms makes a difference: Women and men in the media gave several examples of how having women in the media, especially at a senior level, changes newsroom culture and impacts positively on coverage. Research shows that women reporters are more likely to consult female sources and that they bring fresh perspectives to media creation, a view strongly endorsed by many male media managers.

Gender in media content



The Protocol calls on Member States to encourage the media to give equal voice to women and men in all areas of coverage, including increasing the number of programmes for, by and about women on gender specific topics and that challenge gender stereotypes.

The Protocol urges member states to take measures to discourage the media from:

- *Promoting pornography and violence against all persons, especially women and children;*
- *Depicting women as helpless victims of violence and abuse;*
- *Degrading or exploiting women, especially in the area of entertainment and advertising, and undermining their role and position in society; and*
- *Reinforcing gender oppression and stereotypes.*

In 2003, GL and MISA, with technical support from the Media Monitoring Project (MMP) of South Africa conducted the Gender and Media Baseline Study (GMBS) study (which covered twelve Southern African countries). This study, conducted over one month and covering over 25,000 news items is the largest regional media monitoring study ever to have been conducted anywhere in the world.

Two years later, the thirteen chapters of GEMSA participated in the Global Media Monitoring Project (GMMP) which covered only a day and is therefore not as reliable, but provided a useful benchmarking tool, especially for the more aggregate numbers.

In 2006, GL as part of the MAP partnership conducted the HIV and AIDS and Gender Baseline study, extending this and the GMBS to the DRC, Madagascar and Seychelles the following year. In 2009, GL undertook a sequel to the Gender and Media Baseline Study (GMBS) of 2003 appropriately titled the Gender and Media Progress Study (GMPS). This is a follow up study to measure whether or not the strategies - advocacy, training and the policy roll out process - have assisted in the transformation of some of ethical shortcomings of the media identified in the GMBS. This study was conducted in tandem with the global study (GMMP 2010) providing a further opportunity for global benchmarking. Periodic monitoring of other genres, such as advertising, tabloids and radio talk shows (see Table 9.1) has provided a wealth of data on gender in media content in Southern Africa. Table 9.6 provides a comparison of the key findings of the GMBS and the GMPS, as well as the HIV and AIDS, Gender and the Media Study.

The Gender and Media (GEM) Classification

In the course of the various monitoring projects, GL has developed a matrix for classifying media content that assists in determining the progress towards developing gender aware content. This is summarised in the table below. The classifications are used in the further analysis of findings to date.

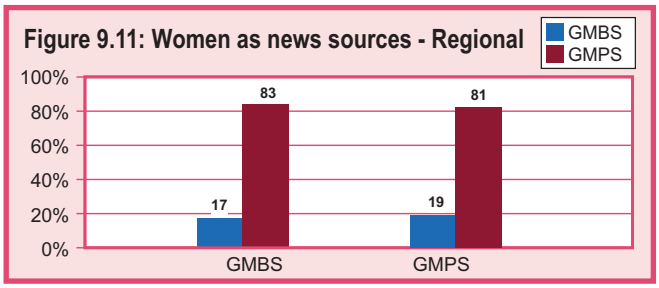
Table 9.7: Gender and Media (GEM) Classification

Gender-blind (GB) and missed opportunities	**Subtle stereotypes**
Articles or images in which there is a lack of gender balance (and therefore of diversity) in sources, resulting in only one perspective being given on an issue.	Articles or images that reinforce notions of women's domestic and men's more public roles in ways that make this seem normal, e.g. a mother's agony, rather than parents agony over a child.
Articles or images that lack a gender perspective in every day issues such as elections or the budget, depriving these stories of new and interesting angles, such as how cuts in grants affect poor women.	Articles or images in which women are referred to according to personal relationships that have no relevance to the story; e.g. a woman minister is referred to as the wife of someone.
Blatant stereotype	**Gender aware**
Articles or images in which women are presented in stereotypical roles such as victims or sex objects.	A. Articles and images that challenge stereotypes and prompt debate on topical gender issues from a human rights perspective, such as women pilots or men care givers.
Articles or images in which men are presented in stereotypical roles such as strong businessmen or leaders.	B. Articles or images that have a gender balance of sources; demonstrating different perspectives/impact on women and men including through use of gender disaggregated data; for example how many women and men receive certain types of grants; what they use them for and why cuts may have different kinds of impact.
	C. Gender specific: Stories that concern inequality between women and men; structures, processes; campaigns to advance gender equality such as glass ceilings in certain types of occupation.

Source: Gender Links

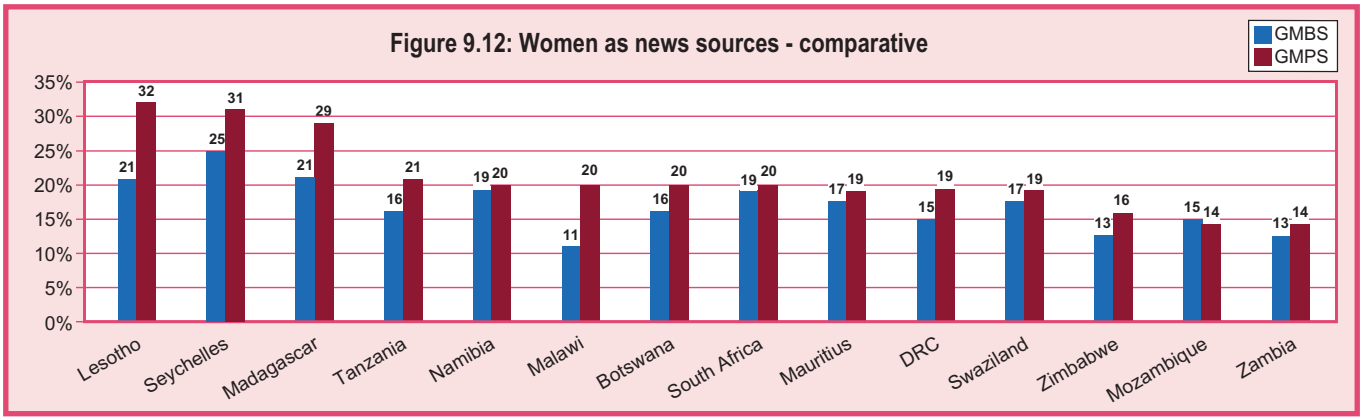
Gender blindness in media content

Gender blindness, sometimes referred to as "missed opportunities" concerns the extent to which women, even when they are present, are overlooked in the media. This is a key indicator of "voice" and an important monitoring tool in gender and media work. The findings to date may be summarised as follows:



Source: Gender Links

Progress in increasing women's views and voices in the media is painfully slow: Figure 9.11 shows that the proportion of women sources in the Southern African media increased by a mere two percent from 17% in the 2003 GMBS to 19% in the GMPS. This figure is the same as the regional average in the 2005 Global Media Monitoring Project (GMMP). This reflects limited and slow progress. The regional average is below the global average of women sources (24%) in the 2010 GMMP.



Source: Gender Links

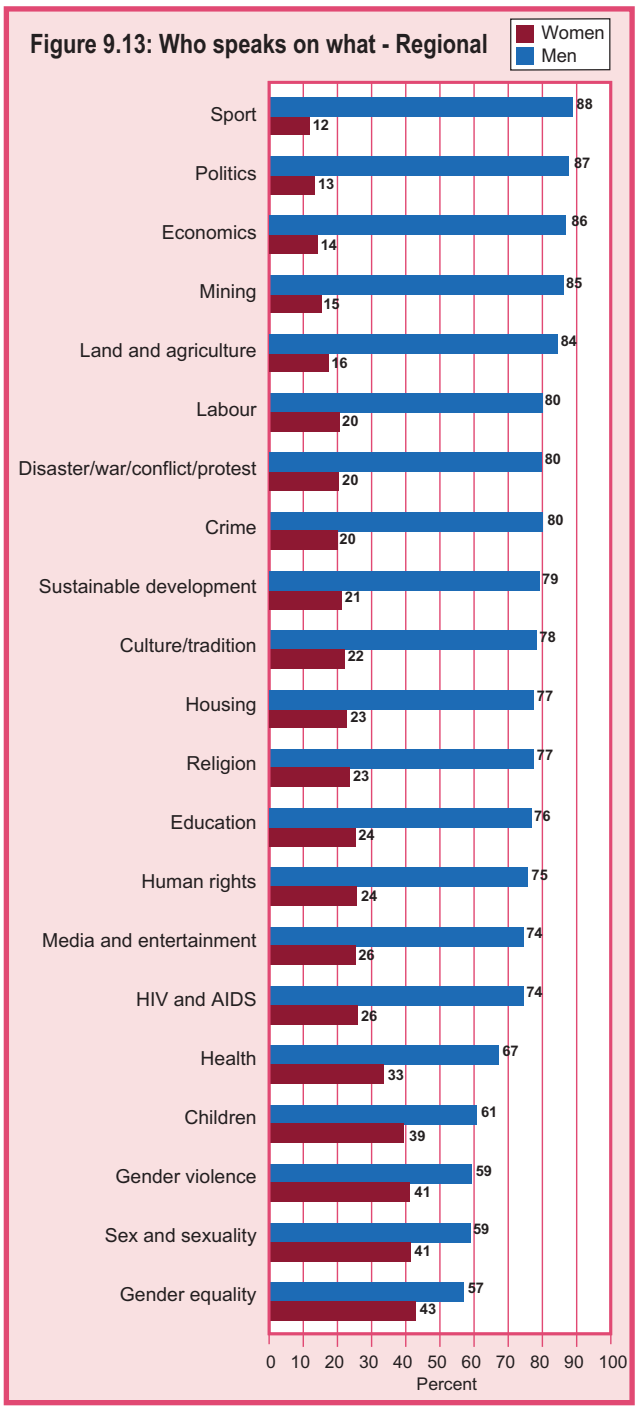
There are significant variations between countries: Figure 9.12 shows that there are significant variations between countries, from 32% women sources in Lesotho to 14% in Zambia.

Countries making rapid strides show that change is possible: The variance chart (table 9.8) shows that only one country (Mozambique) has slipped backwards with regard to the proportion on women sources. Lesotho and Malawi, two small conservative countries, have made significant gains of 11% and 9% respectively. The 4% increase in the DRC from 15% to 19% is also encouraging, considering that gender and media work in the country is relatively new.

Countries lagging behind have a lot to answer for: At the bottom end of the scale, countries like Mauritius, Namibia, South Africa and Zambia that have strong democracies, as well as vibrant gender and media networks, have a lot to answer for. Media in these countries tend to be resistant to external monitoring, believing that while they have the right to watch the rest of society, they themselves are beyond reproach. It is inexcusable that countries in which there has been progress on every other front in relation to the SADC Gender Protocol should lag so sadly behind on giving voice to women in the media.

Community media leads the way: While there was little difference in the performance of private

media (19% women sources) and public media (20% women sources) community media (22% women sources) shows hopeful signs that forms of media that are closest to the people can also be more responsive.



Source: Gender Links

Table 9.8: Variation in women sources by country

Country	GMBS % women sources 2003	GMPS % women sources 2010	Variance
Lesotho	21	32	11
Malawi	11	20	9
Seychelles	25	31	6
Tanzania	16	21	5
Botswana	16	20	4
DRC	15	19	4
Zimbabwe	13	16	3
Mauritius	17	19	2
Madagascar	21	23	2
Regional	17	19	2
Swaziland	17	19	2
Namibia	19	20	1
Zambia	13	14	1
South Africa	19	20	1
Mozambique	15	14	-1

Source: Gender Links

Women's views and voices have increased in the hard beats: Another positive sign is that the proportion of women sources went up in hard beats that have been the focus of media advocacy and training. For example, the proportion of women sources in sports increased from 8% to 12%; in politics from 9% to 13%; and in economics from 10% to 15%. Women's views still tend to be most heard on topics such as gender violence, children and gender equality. It is noteworthy however, that there is still not a single topic code in which women's view predominate. Even in the topic code of gender equality men (54%) had more to say than women (46%).

Subtle and more blatant stereotypes

The regional and global studies have identified various ways in which the media perpetuates subtle and more blatant stereotypes. These include:

Women more likely to be seen than heard: In the GMPS, women constitute 27% of the images as compared to 19% of news sources.

Women more visible in television: Women constitute 25% of news sources in TV (the visual media) compared to 20% of news sources in radio and 18% in the print media.

Older women are virtually invisible: To the extent women's voices are accessed, they are likely to be in the 35-49 year bracket for both print and electronic media. While in the GMPS men between the ages of 50-64 years constitute 45% of news sources the comparative proportion for women is 20%.

Women in the media still carry their private identity more than men: In all countries, women are much more likely to be identified as a wife, daughter or mother than a man is likely to be identified as a husband, son or father. However, this has dropped from 11% for women in the GMBS to 8% in the GMPS and from 2% for men in the GMBS to 4% in the GMPS. This is better than the global average (GMMP 2010) of 19% for women and 4% for men.

Women in certain occupational categories are virtually silent: The only occupational categories in which female views dominated were as beauty contestants, sex workers and home-makers. Male voices predominated even in agriculture, where women perform most of the work.

Women are more likely to be identified as victims than men: Both quantitative and qualitative monitoring yielded many examples from the region, as for the rest of the globe, of blatant and more subtle gender stereotyping. As in the global findings, 17% women in Southern Africa are likely to be identified as victims compared to 7% men. The global figures are 20% for women and 9% for men.

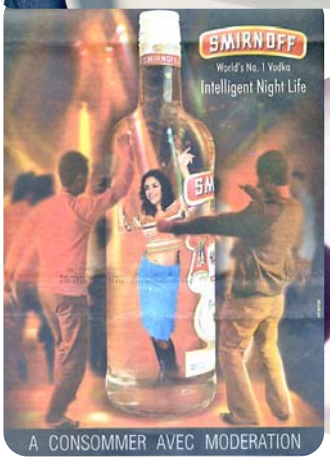
Advertising is a major source of blatant gender stereotypes: As part of its Mirror on the Media series GL in 2006 carried out a study on Gender and Advertising covering four countries (South Africa, Mauritius, Zimbabwe and Zambia). Overall, women constituted 41% of all subjects (those featuring in the adverts as voices and or images) in the advertising monitoring compared to the regional average of 19% news sources in the GMMP (2005). The higher proportion of women in advertisements than as news sources is, however, not a measure of greater gender sensitivity in this area of media practice, but a reflection of the fact that advertising still relies heavily on women's physical attributes as a marketing ploy as illustrated in the examples.

Gender awareness

As part of its campaign to promote gender aware reporting that conforms to the journalistic principles of balance, truth, fairness, challenging stereotypes and prompting debates, GL, MISA and GEMSA run gender and media awards every two years.

The following are some examples of the stories that won awards at the Gender and Media (GEM) Summit in September 2004:







"An explosive cocktail" by Sarah Taylor, Namibia (Runner up, print) Polygamy is alive and well in Swaziland and it brings new concerns in the era of HIV/AIDS. Yet this story shies away from passing judgment or proffering simple solutions. Women and men, young and old, inside and outside such relationships, speak for themselves in a piece that weaves facts, figures, regional and global perspectives between the tales of every day lives, hopes and fears. At no point is culture denounced. Yet the story leaves us with little doubt that culture is not cast in stone.

"Debt and daughters" by Hilary Mbobe, Malawi (Winner, radio) As the world commemorates the day of the African child on 16 June, drought and poverty have led to the revival of an old practice of fathers "selling" off girls as young as ten to pay for their debts in Northern Malawi. The magic of sound in this radio piece takes you to the heart of the village where it would be easy to simply denounce what is going on. Instead, talking to father, daughter, other villagers, and human rights activists, the reporter paints a complex picture of an indefensible practice that nonetheless has its roots in desperate circumstances. Balanced and professional, the piece is a reminder that the struggle for women's rights remains one of the most challenging human rights issues of our time.

"Court Bungling" by Sandy Mc Cowen, South Africa (Runner up, TV) The Sixteen Days of Activism Against Gender Violence could become just another time for making pious promises. This reporter refuses to let it be so. She brings to life the phrase "court bungling" through the story of the Mohale family whose daughter's convicted murderer is at large. This is public broadcasting at its best: taking up the concerns of the public and holding officials accountable during what could so easily be a public relations event.

"Sisters you let us down" by Everjoice Win, Zimbabwe (winner, Opinion and Commentary) It's International Women's Day, but what is there to celebrate, asks a Zimbabwean gender activist who, in a bold piece that cuts to the chase, uses this opportunity to write to her fellow women in South Africa, especially Foreign Affairs Minister Nkosozana Dlamini-Zuma. Measured but firm, making it clear she "believes in other women" but feels let down, the writer gives a feel for what it means to be a woman in a country where the monthly minimum wage is barely enough to buy a packet of sanitary towels. Bringing gender into the mainstream in a highly political and targeted way, this piece does what all good opinion and commentary should: It leaves the audience distinctly uncomfortable.

"Women mineworkers in Welkom" by Puleng Mokhoane, South Africa (Winner, TV) Who would imagine that less than a decade ago women in South Africa could not work underground as miners, thus excluding them from the very foundations of the economy? Watching this news piece one would imagine that women had been miners all their lives. They are at ease, and so are the men that they work with. The story alludes to the double burden of work that women bear in the mines and at home, but also points to changing attitudes among men. Avoiding the trap of being patronising (as often happens in these "wonderful women" stories) this is an excellent example of agenda-setting journalism.



"These "misters" that toddlers call 'miss'" by Marie Geraldine Quirin, Mauritius: This story, about two men in Mauritius who run a day care centre, stood out for its freshness, simplicity and little touches of irony: like the kids who call the "misters" miss. It challenges the stereotype that only women can be care givers without overtly saying so. The story is told through the eyes of the children, their parents, co-workers, the two men, and their partners. Natural, full of colour and quotes, down to the little detail like fixing the radio, this "new man" story makes you wonder what is taking all the others so long to get there.

Coverage of gender violence

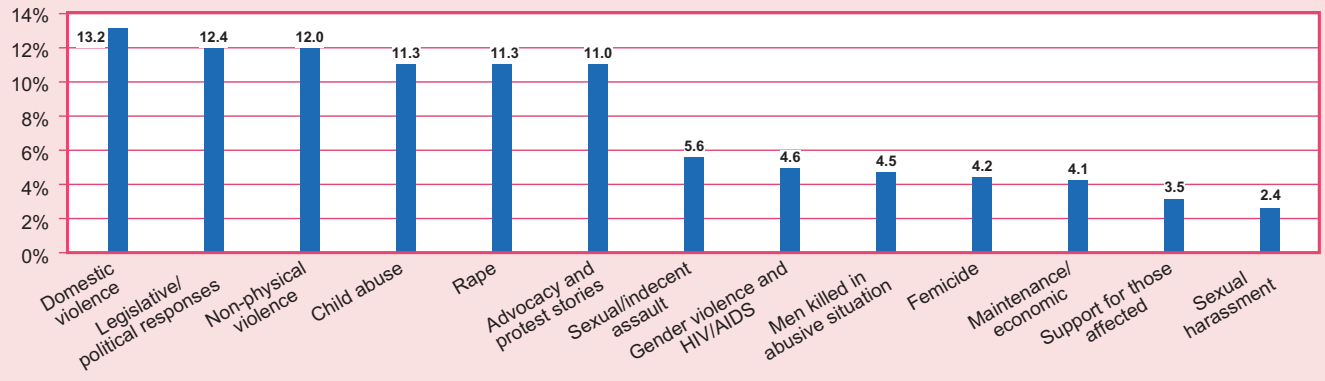
The Protocol calls on Member States to take appropriate measures to encourage the media to play a constructive role in the eradication of gender based violence by adopting guidelines which ensure gender sensitive coverage.

The media is more often than not part of the problem rather than of the solution when it comes to coverage of gender violence: Yet the media has a huge potential role to play in changing attitudes, perceptions, and mindsets where gender violence is concerned. Over the last decade, GL has conducted training workshops with the media in 12 SADC countries and all nine provinces of South Africa. GL and GEMSA have trained gender activists on strategic communications making use of the Sixteen Days of Activism campaign that extends from International Day of No Violence Against Women on 25 December to Human Rights Day on 10 December.

Monitoring reveals common patterns: Coverage of gender violence has been monitored in the regional and global studies. GL has also worked with GEMSA chapters in conducting periodic monitoring of the Sixteen Days of Activism campaign. Key findings emerging from these studies are that:

- To the extent gender issues are covered, gender violence tends to get more coverage. In the GMBS, gender specific issues constituted 2% of all coverage, with GBV constituting half of this or 1% of the total.
- However, gender violence is often treated as relatively minor compared to other kinds of crime.
- Certain types of gender violence get much higher coverage, e.g. sexual assault.
- There is very little coverage of where those affected can get help.
- There is very little coverage of those who protest against gender violence.
- Much of the source information is from the courts. This has a heavy male bias.
- The voices of those affected are not heard.
- Experiences of women are often trivialised.
- Coverage is often insensitive, for example in the use of images, names etc that could lead to secondary victimisation.
- Women are often portrayed as victims rather than survivors.
- Women are often portrayed as temptress (asked for it to happen).
- Men are portrayed as being unable to control their sexual urges.
- There is a tendency to exonerate the perpetrators.
- There is a tendency to sensationalise.
- Most gender violence stories are written by men/court reporters.

Figure 9.14: GBV topic breakdown - Regional



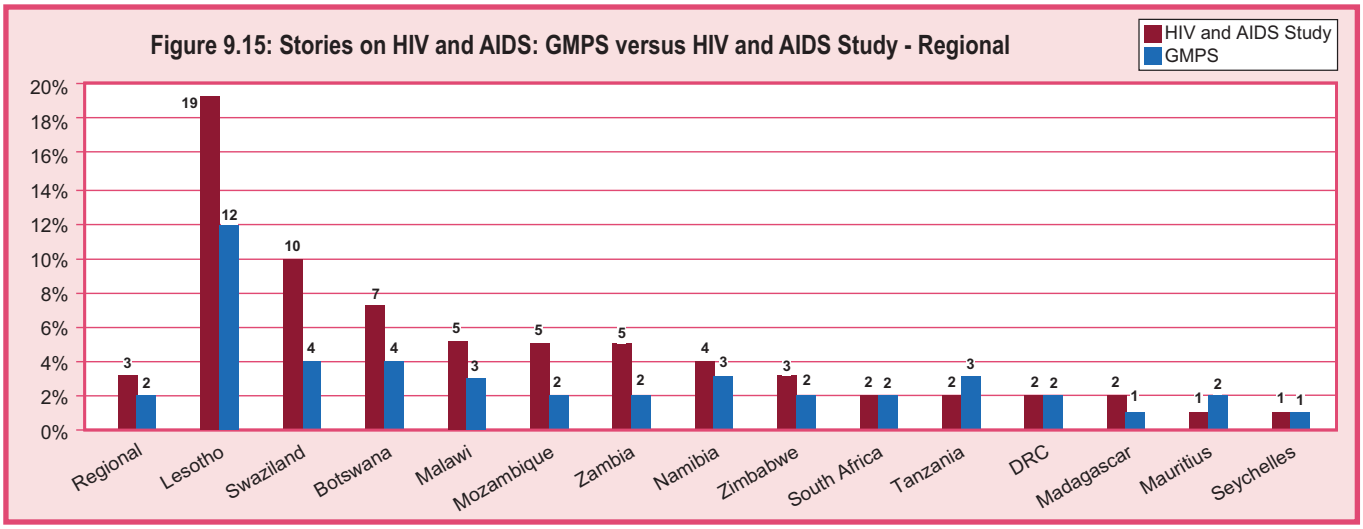
Source: Gender Links

The GMPS devotes a whole chapter to coverage of gender violence: Figure 9.14 shows that domestic violence (13.2%) receives the highest proportion of coverage, while sexual harassment (2.4%) is the lowest. At 3.5% support for those affected is also a low priority in media coverage.



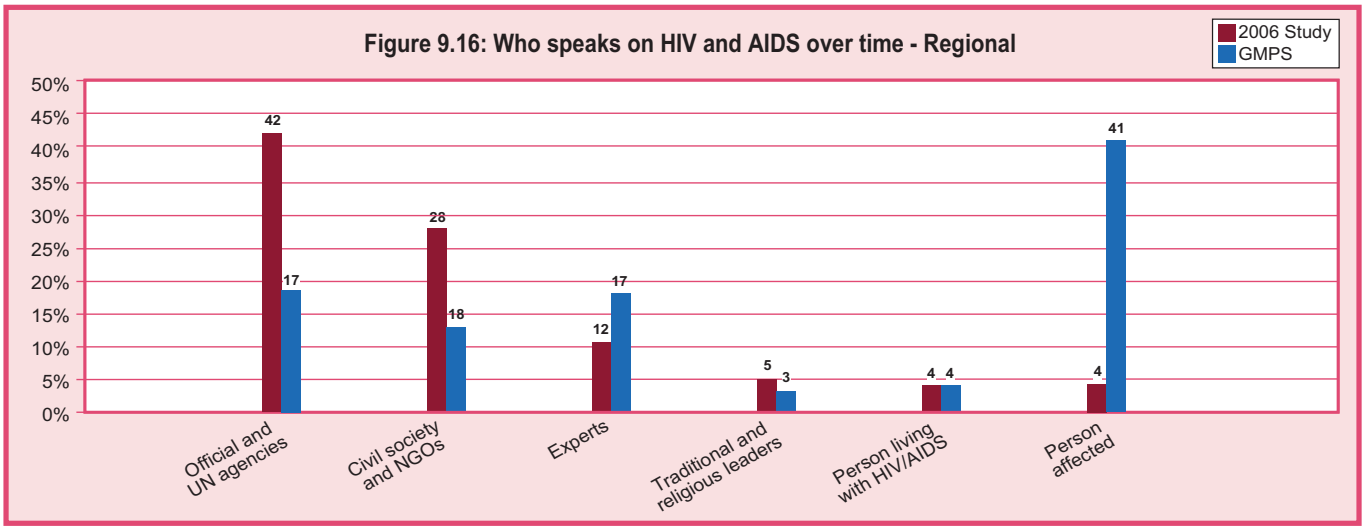
Tabloids often sensationalise gender violence: In 2007, as part of its *Mirror on the Media* series, GL conducted a study on the emergence of tabloids in the region. Out of 178 newspapers in ten countries, 37 (or 20 percent) are regarded by media analysts in those countries as tabloid both in form and content. GL conducted an in-depth study of gender and tabloids in the three countries with the highest density of such publications (South Africa, Mauritius and Tanzania). The study found that women constitute 25% news sources in tabloids and 35% of all images. While "ordinary" women are more likely to feature in tabloids, the study found that blatant gender stereotypes are far more numerous in these publications. Often, these concern gender violence. Typical headlines in tabloids are like the one in *Uwazi* (24 June 2007): *"Aibu Tupu! Wanaume wachapana makonde, mwanamke aingia uvunguni Kujiokoa, suala laripotiwa polisi* - Shame! Two men fight over a woman while she hides underneath the bed!"

Gender, HIV and AIDS and the Media



Source: Gender Links

Coverage of HIV and AIDS is still low: Figure 9.15 shows that despite being the region most affected by HIV and AIDS, the proportion of overall coverage dropped from 3% to 2% between the HIV and AIDS and gender study in 2006 and the GMPS. There is a drop in HIV and AIDS coverage in all countries, except for Tanzania, Mauritius and Seychelles. The drop may reflect the HIV and AIDS "fatigue" that the media frequently complain about.



Source: Gender Links

But there is a dramatic increase in the views and voices of those affected: The extent to which official and UN officials (42%) predominated as sources on HIV and AIDS emerged as a major concern in the 2006 study. The 2010 GMPS shows that while Persons Living with HIV and AIDS still only comprise 4% of total sources, those affected shot up from 4% to 41%, while official and UN sources dropped to 17%. This is a positive reflection on the Media Acton Plan on HIV and AIDS and Gender that stressed the importance of those most affected being at the frontline of speaking out.

Progressive practice is evident in many media houses: The positive impact of MAP, as measured through the annual awards for good institutional practice, as well as qualitative monitoring, is evident in many media houses. These have challenged stereotypes in the work place through speaking openly about HIV and AIDS and starting support programmes for staff. They are also helping to reduce the stigma around the pandemic in the rest of society through "positive talk" programmes. Base FM in Namibia is a case in point.

Protocol @ work



Stella Kavendjii talks to Base FM.

Photo: Colleen Lowe Morna

Namibia: A media that mediates

By Colleen Lowe Morna*

It's late afternoon and a current affairs programme is about to go on air. But not before Namibian singing sensation Stella Kavendjii breezes in unannounced into the Base FM studio, baby in her arms, and does an impromptu interview on her new album about HIV and AIDS.

Such is the homely atmosphere at this woman-led community radio station that if anyone has an issue, they come in and chat about it. And they are never turned away.

On the afternoon in question, station manager Sandra Williams had to rush off to a funeral of a family member who passed away due to AIDS related causes. She assured a visitor that there would be staff at the station able to talk about why it won the 2008 Media Action Plan (MAP) award for the best gender aware policy and practice on HIV and AIDS in the region. She was right.

Base FM, formerly Katutura Community Radio station, is rooted in a community in which, as reporter Jehoiackim Kateve puts it, "HIV is a reality, not just a story." As the station "owned" by the community, Base FM has been at the forefront of fighting stigma, promoting voluntary counselling and testing, and comforting those affected.

So it is with ease and no fanfare that Kavendjii saunters in and is welcomed by one of two female DJs at the station, Che Ulenga, to talk about her new album to be launched on National Testing Day in Namibia. Her message is simple: the best way to fight AIDS is to know your status. One of the songs, "waifu uaripii?" means "where were you?" in Herero. Another, "okurama kwe temba" means "love your body; treat it like a temple."

"We (musicians) have a duty to inform people what we know, so that those who are not infected do not fall in the same trap" she said. "For those who are infected and affected, I want them to know we are here for them. I do feel that if I can get the message out then I will be satisfied; my mission will be completed."

Facing off on face book

In another corner of the studio, Ricardo Joacquim, news editor of the rip and read service, is pioneering multi media ways of getting young people involved in the fight against HIV and AIDS. He has chanced on face book; a winner with the youth in the largest township of the Namibian capital. Opening the radio station's face book page, he points to a fresh online conversation with the following postings:

"I am going to get tested today. Who wants to come with me?"
"I'll go at 3pm."
"It's my birthday. I'll do this for me."
"I just came from there last week."

Alex Samuel, a senior staff member, explains that the station changed its name to "base" because it has gone national, but still has its base in Katutura. "Since the station's inception in 2004 we have grown dramatically. We are now a 24 hour station with a national appeal and reach. But everyone has a base."

He maintains that "what is distinct about Base FM is that we cater for all types. We have music, activities, talk shows, discussions about HIV and AIDS. We cater for the youth. We are in tune with the community. We are demand driven."

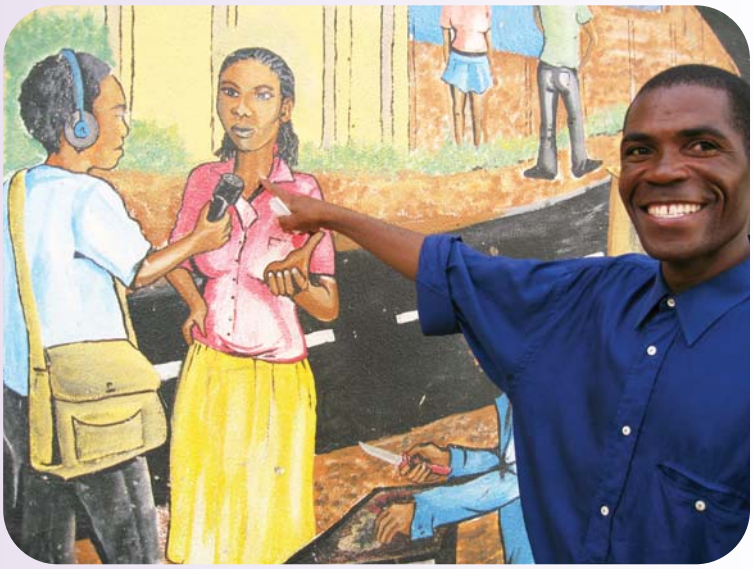
Of the 22 staff, ten are women, including the head of the station. Does this make a difference? "Sandra (Williams) brings special qualities," says Samuel. "She places a strong emphasis on team work; compromise; forgiveness. She is a leader with motherly qualities. She creates room for openness."

In April 2008, Williams got the Board of Trustees to approve the station's MAP HIV and AIDS policy; an example, according to Samuel, of the station's open approach. "Media plays a very big role in shaping the way we think. As a media house we realised the difference we could make."

Through its public service announcements, popular talk shows, outside broadcasts and in its news casts Base FM has gone about changing the prevailing message of "HIV kills" to one of "take control" and "be your own hero". According to Kateve the emphasis of the station is: "you are killing you; it's not HIV killing you."

As an employee, Samuel says the policy assures him that "if I find out I am positive, I will be treated as equal; I will keep my job and I will be supported." Other provisions are that at least twice a year, Base FM staff will be exposed to training on how to report HIV and AIDS and use language that reflects such awareness.

The station also commits to make every effort to access people living with HIV and AIDS: "As an auditory medium, the station lends itself wonderfully to hearing persons living with HIV and AIDS speak about themselves and how they live." Among the innovations of the station are a "speaker's corner" in which - like Hyde Park - members of the community can air their views on any matter of concern.



Journalist with a mission: Jehoiackim Kateve. *Photo: Colleen Lowe Morna*

Gender mainstreaming is taken seriously in the HIV policy and the way news is covered. The policy states: "The station shall give equal and fair coverage to both women and men of different educational and cultural backgrounds and class when addressing various aspects concerning HIV and AIDS." It adds that "to avoid stereotyping, ads will depict the voices of a diversity of persons, both male and female."

Award winning journalist Kateve describes how working under a woman manager in a community radio station has turned him into a gender activist. It all started when a woman being followed by a man with a knife late one night phoned the station for help.

As a community journalist, he realised that the police would probably not be much help. So he rushed to the scene where the proverbial might of the pen towered over the sword.

In a community wracked by gender violence, Kateve has become a favourite among women in the community, frequently called on to report on cases that the police otherwise turn a blind eye to.

Calling himself the "reporter who does not sleep," Kateve says the notion of the dispassionate journalist is foreign to this station. "We are a media that mediates," he says. "We go out to make a difference."

*(*Colleen Lowe Morna is Executive Director at Gender Links)*

Attitudes are slowly changing

A new attitude survey is launched: In 2009/2010, GL administered an attitude survey to 693 respondents in 13 SADC countries (DRC, Botswana, Malawi, Mauritius, Mozambique, Namibia, Swaziland, South Africa, Tanzania, Zambia). The results are summarised in Table 9.9.

Progressive views predominate: These show that in 14 out of the 20 questions, respondents tended towards a progressive position (e.g. the majority strongly disagreed that "if a woman works she should give money to her husband" or gave the "correct" answer (e.g. the majority agreed with the proposition that "the media includes stories mainly for men", which is consistent with media monitoring and audience research findings). In two instances, the degree to which respondents aligned themselves with a progressive stance was quite distinct. Over 60% of respondents strongly disagreed with the proposition that if a man beats a woman it shows that he loves her. Over 60% strongly agreed that women and men should be treated equally.

TABLE 9.9: RESULTS OF GENDER OPINION SURVEY

Statement	Strongly agree	Agree	Disagree	Strongly disagree	Assessment
1. A woman should obey her husband.	20.7%	40.6%	17.1%	21.7%	N
2. If a woman works she should give her money to her husband.	7.4%	11.9%	39.7%	41.0%	P
3. A man should have the final say in all family matters.	8.5%	17.2%	35.9%	38.3%	P
4. Men should share the work around the house with women such as doing dishes, cleaning and cooking.	36.2%	39.6%	16.8%	7.4%	P
5. A woman needs her husband's permission to do paid work.	6.7%	17.3%	38.8%	37.2%	P
6. A woman can refuse to have sex with her husband.	22.7%	38.3%	23.3%	15.7%	P
7. Children belong to a man and his family.	10.5%	17.9%	31.1%	40.6%	P
8. There is nothing a woman can do if her husband wants to have girlfriends.	5.7%	9.4%	32.7%	52.2%	P
9. If a wife does something wrong her husband has the right to punish her.	5.8%	13.9%	33.6%	46.7%	P
10. Sisters should obey their brothers.	14.1%	34.5%	30.3%	21.1%	N
11. If a man has paid Lobola (bride price) for his wife, he owns her.	8.4%	14.1%	29.9%	47.6%	P
12. If a man has paid Lobola (bride price) for his wife, she must have sex when he wants it.	5.7%	9.5%	38.6%	46.2%	P
13. If a man beats a woman it shows that he loves her.	4.2%	8.3%	25.2%	62.3%	PP
14. People should be treated the same whether they are male or female.	61.9%	26.0%	7.4%	4.7%	PP
15. Gender means women and men.	48.4%	36.7%	10.0%	4.9%	P
16. The media interviews equal numbers of women and men for stories.	14.6%	32.0%	37.2%	16.3%	P
17. Using sexy images of women in the media makes more people buy them.	17.5%	36.1%	29.1%	17.4%	N
18. The media includes stories for mainly men.	12.9%	31.8%	36.7%	18.6%	N
19. The media is untouchable, we just have to accept what they produce.	7.59%	13.7%	32.3%	46.2%	N
20. Women do not like the news they are only interested in soapies and gossip.	11.6%	27.9%	33.4%	27.1%	P

P= Progressive position or correct answer (13); PP= Strongly progressive position (2); N = Non progressive position or incorrect answer (5)

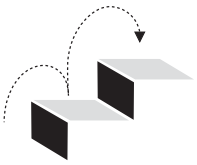
Source: Gender Links

But there are pockets of concern: There remain, however, some areas of concern. For example, over 60% of respondents agreed or strongly agreed that a woman should obey her husband, and over 50% that sisters should obey their brothers. Nearly 50% thought that the media interviews equal numbers of women and men. This shows that there is need for greater gender and media awareness and activism.



Media monitoring.

Photo: Gender Links



Next steps

Key strategies for moving forward with the gender and media work include:

- ***A hard look at what is working and what is not:*** The 2010 Gender and Media Summit, on the theme *"Taking Stock: Gender, Media, Diversity and Change"* will be a crucial forum for taking a hard look at why change in the media is progressing at a snails pace, and what needs to be done to meet the 2015 SADC Gender Protocol targets.

- ***A clear conceptual framework:*** In order to be effective, we need to understand who our targets are. Clearly the producers of news are at the heart of the matter. But they work within legal and policy frameworks that either create or negate an enabling environment for transformation. Media ownership - state, private, community - has a bearing on responsiveness to change, as well as strategies for advocating change. Change is not just about the media; but those who are well placed to shape the news (e.g. women decision-makers and activists) as well as citizens and news consumers who should aspire to be shapers of news!

- ***Broadening the approach:*** While it is understandable that advocacy efforts to date have focused specifically on the gender deficiencies in the media, as we move forward there is need to situate these within broader debates on human rights, media diversity, ethics and professionalism in the media, growing markets and media sustainability. This approach will not only help to overcome some of the resistance that is apparent in some quarters, but also foster the notion that gender awareness is not just a matter of being politically correct: it is also enlightened self interest.

What governments can do

- Pledging to mainstream gender in all information, communication and media laws.
- Pledging statutory regulatory authorities, and encouraging self-regulatory authorities, to use whatever leverage they have at their disposal, especially in relation to publicly funded media, to ensure gender accountability. This could include requiring gender balance and sensitivity in institutional structures as well as editorial content part of licensing agreements, as well as annual reports stating progress in this regard.
- Pledging to ensure that gender will be mainstreamed in all publicly funded media training institutions, and encouraging privately funded media training institutions to follow suit.

- ***Engaging with media regulatory authorities:*** Until recently media regulatory authorities have largely been excluded from gender and media debates. The specific references to gender and media regulation in the Protocol, as well as engagements with this sector leading up to the third GEM summit in September 2008 will bring an important new stakeholder on board in the ongoing policy and advocacy efforts.

- ***Deepening the engagement with media decision-makers:*** Many of the policy changes that need to take place will continue to be at newsroom level. The Glass Ceiling report provides a major impetus for this work.

- ***Publicising and setting specific targets:*** The SADC Protocol on Gender and Development sets one useful specific target for the media: 50% women in media decision-making in 2015. This and the Glass Ceiling Study findings will be a powerful tool for lobbying for women's equal participation in media decision-making. But these targets need to be extended to media content.

- ***Taking a fresh look at training:*** There have now been several different approaches to gender and media training in the region. The specific references to training in the Protocol provide a powerful tool for holding media training institutions, many of which are state funded, accountable. The pioneering work by the Polytechnic of Namibia on mainstreaming gender into media education needs to be replicated across the region, in line with this provision in the Protocol.

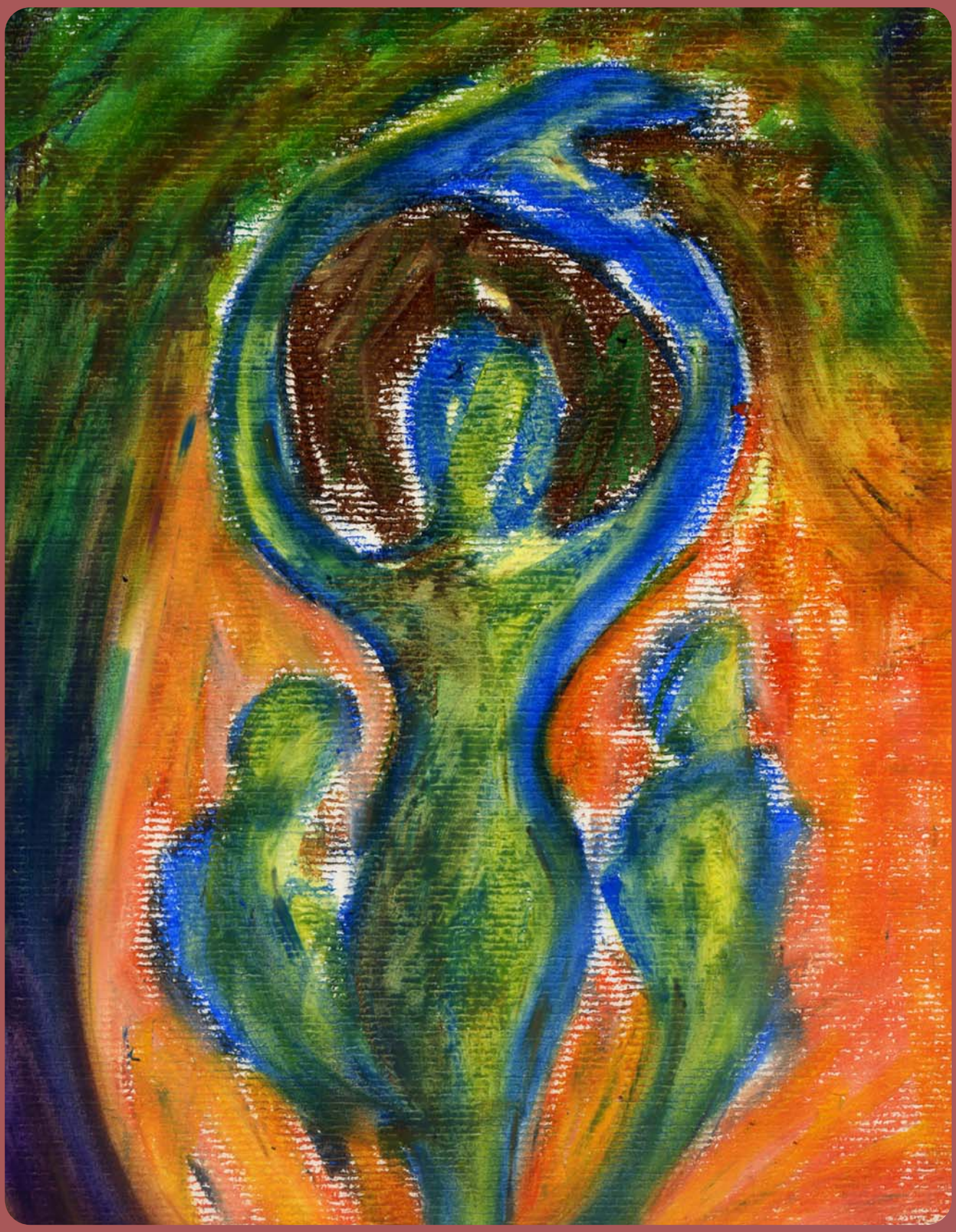
- ***Foregrounding citizens and consumers:*** The Gender and Media Audience Research (GMAS) that GL, MISA and GEMSA undertook in 2006 and media literacy place a new focus on the power of consumers while the work by GEMSA in raising media alerts shows how this muscle can be flexed.

- ***New areas of research:*** While making an enormous contribution to gender and media discourse, the GMMP and GMBS have also highlighted the limitations of focusing solely on the news when it comes to highlighting gender imbalances in the media. The Mirror on the Media project has opened new areas of enquiry, such as radio talk shows, advertising and tabloids. There is need to broaden research to include other genres and areas of media operation such as community media.

- ***Media activism:*** Among the most valuable contribution of gender and media networks has been in organising campaigns like the Sixteen Days of Activism on Gender Violence in which activists help the media to create gender aware content. Practical tools like the use of IT and the GEM Commentary Service that literally provides "fresh views on every day news" to busy editors get us out of the theory and into the action. Studying the different strategies that GEMSA chapters have employed, honing in on these and adapting them, will be an important focus of the 2010 GEM Summit.

- ICTs Support and resources for ensuring that women have greater access to and can use NICTS for their own empowerment and to conduct gender justice campaigns is a key priority. This should include support and resources for gender and media networks, especially their efforts to use ICTs in cost effective, dynamic ways that increase access and applications; contributing to better e-governance, citizenship participation and policy responsiveness, especially for and by women.

- ***Coordination and reflection:*** While partnerships, networks, and "networks of networks" have been a the core of the progress made so far in the region, these are also demanding and at times lead to confusion about roles, responsibilities and ownership of specific programmes and projects. There is need to set aside time and resources for coordination, governance, effective institution building and reflection. In particular, the recent launch of the Gender and Media Centre (GMDC) by media development NGOs and knowledge institutions in the region provides an institutional home for the many activities, writing, research, debates and seminars that will continue to be generated in the long road ahead to achieving a society in which - to borrow the GEMSA slogan - "every voice counts" and we can "count that it does."



"Isabella" *Anushka Virahsawmy*

CHAPTER 10

Implementation

Articles 32-36



Head of the SADC Gender Unit Magdeline Madibela at the Beijing Plus 15 Strategy meeting of the Southern Africa Gender Protocol Alliance. *Photo: Colleen Lowe Morna*

KEY POINTS

- Malawi joined other SADC countries who have signed the SADC Gender Protocol bringing the total to 13 out of 15 countries that have done so.
- Botswana and Mauritius are the only two countries that are still to sign.
- Only two SADC countries have since ratified the Protocol - Namibia and Zimbabwe up from a baseline of zero in the 2009 Barometer.
- Countries in the region continue to have different kinds of structures for advancing gender equalities. Many of these are weak and not well resourced. It was unclear at the time of going to press how many countries will meet the deadline for submitting first reports on the implementation of the SADC Gender Protocol by the Heads of State summit in August 2010.
- The civil society Southern African Gender Protocol Alliance has grown in visibility and impact but needs to strengthen sector work. There is need for high profile campaigns around all the gaps identified in this Barometer.
- Extensive advocacy work by the Southern Africa Gender Protocol Alliance has led to increased awareness of the existence of the SADC Gender Protocol. A pilot knowledge quiz shows that 61% of citizens around the region have basic information about the Protocol, but less than half answered more detailed questions, such as the specific provisions of the Protocol, correctly. For example only 30% are aware of the gender violence target to reduce by 50% current levels of gender violence by 2015. This calls for even more concerted awareness campaigns.



SADC Executive Secretary, Tomaz Augosto Salomao

Articles 32-36 are grouped under "final provisions." These cover:

- The remedies that citizens are entitled to should they feel that their rights have been violated on the basis of gender.
- Ensuring gender mainstreaming in financial allocations and in the implementation of the Protocol.
- The institutional arrangements to be established by the SADC Secretariat for the implementation of the Protocol that include a Committee of Ministers Responsible for Gender/Women's Affairs; Committee of Senior Officials Responsible for Gender/Women's Affairs and the SADC Secretariat.
- Actions to be taken at the national level, including national action plans, with measurable time frames, and the gathering of baseline data against which progress will be monitored and reports submitted to the SADC Executive Secretary every two years.
- Mechanisms for the settlement of disputes through the SADC Tribunal.
- The fact that any party may withdraw from the Protocol after submitting twelve months notice.
- Ways in which amendments can be made to the Protocol.
- Signature of the Protocol.
- Ratification; entry into force within thirty days of two thirds of the member states depositing Instruments of Ratification.
- The fact that the Protocol remains open for accession by any Member State.
- The depositing of the instrument with the Executive Secretary of SADC who shall register.

Since it is only the second year since the signing of the Protocol it is difficult to assess all the above provisions, bearing in mind that two countries (Botswana and Mauritius) have not yet signed and only two others (Zimbabwe and Namibia) have ratified the gender protocol. It will, however, be the first year that countries prepare progress reports to the SADC Secretariat.

This chapter assesses progress with regard to signing and ratification on the eve of the August 2010 Summit in Namibia, as well as the gender management systems put in place at national level, since these are key for implementation.

With civil society organisations an active part of the process in all countries, this chapter includes a brief analysis of the structure and achievements of the Southern Africa Gender Protocol Alliance, a network of over 40 individual and umbrella organisations that has been following the Protocol campaign closely.

The Network worked closely with national governments and the SADC Secretariat in the campaign leading up to signing. Since then it has complemented governments' efforts in popularising the key provisions of the Protocol as an instrument that citizens can use to claim their rights. Members of the Alliance have also applied the Protocol in their work.

Baseline data on knowledge of the key tenets of the Protocol as part of monitoring and evaluation of the work of the Alliance across the region shows that there is a fairly high level of awareness of the existence of the Protocol, but more needs to be done. This survey is ongoing and will be presented with each issue of the annual Barometer.

Signing



Article 39 provides that the Protocol shall be duly signed by the authorised representatives of Member States.

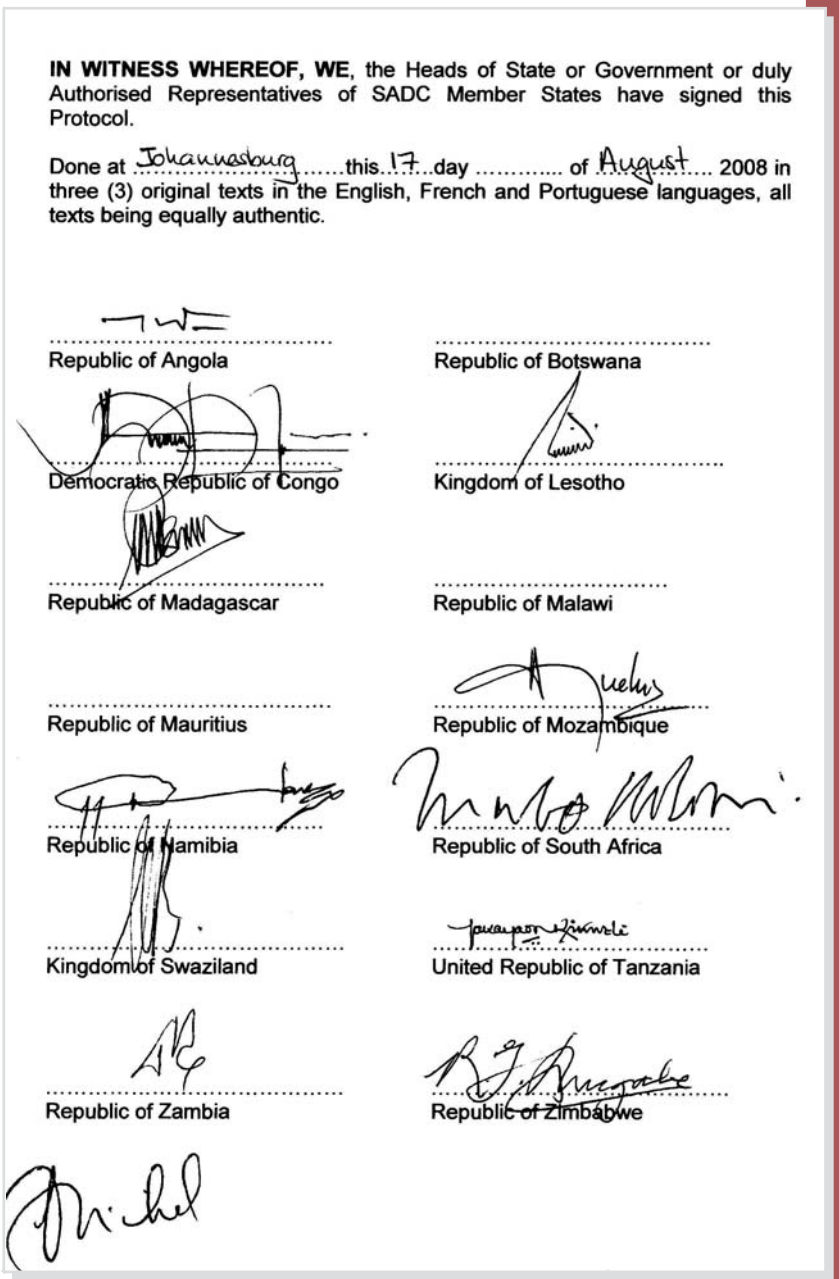
In August 2008, 11 out of the 15 SADC countries signed the Protocol. Madagascar followed suit soon after, Malawi eventually signed in October 2009 bringing the total number to 13 countries. On the eve of the August 2010 Heads of State summit, Botswana and Mauritius have not signed the Protocol. As the discussion below reflects, this does not necessarily reflect less commitment on the part of the two governments. Rather, it reflects the fact that there are certain aspects that these two governments are studying closely so as to be sure that they can sign up to commitments that they are able to deliver on. Pressure from civil society to get governments to sign the Protocol is strong in both countries.



As per earlier commitments, the President of ***Malawi*** Dr Bingu wa Mutharika signed the Protocol on 19 October 2010 at Sanjika Palace in Blantyre. He reiterated his belief that women can play an important developmental role as Malawi moves from a country of poverty to one of prosperity. Present at the signing ceremony were heads of some local non-government and civil society organisations, cabinet ministers, senior government officials and a delegation from the SADC Secretariat. Head of the SADC Gender Unit, Magdeline Madibela witnessed the signing ceremony on behalf of the SADC Executive Secretary. Madibela said the signing of the protocol demonstrated Malawi's renewed commitment to achieve gender equality and make a difference in the lives of women in Malawi.

Botswana and Mauritius are yet to sign

Botswana has not yet signed the protocol as it has reservations concerning the mandatory language and the commitment to timeframes. Despite ongoing lobbying activities by the gender sector in Botswana, there does not appear to be any intention to sign the Protocol. The president of Botswana, Sir Ian Khama, has declared on several occasions that he supports the basic tenets of the Protocol as reflected in the following excerpt of a statement made to the Women's wing of the ruling Botswana Democratic Party (BDP).



IN WITNESS WHEREOF, WE, the Heads of State or Government or duly Authorised Representatives of SADC Member States have signed this Protocol.

Done at Johannesburg this 17 day of August 2008 in three (3) original texts in the English, French and Portuguese languages, all texts being equally authentic.

Republic of Angola

Republic of Botswana

Democratic Republic of Congo

Kingdom of Lesotho

Republic of Madagascar

Republic of Malawi

Republic of Mauritius

Republic of Mozambique

Republic of Namibia

Republic of South Africa

Kingdom of Swaziland

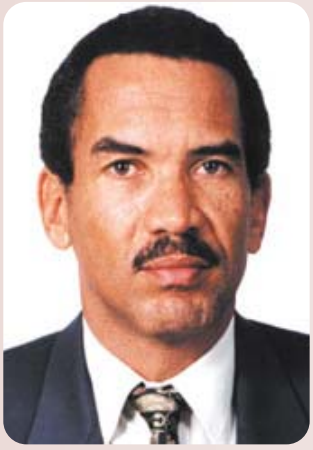
United Republic of Tanzania

Republic of Zambia

Republic of Zimbabwe

[Malawi has since signed the Protocol but a copy with the Malawi signature could not be obtained at the time of going to print.]

Botswana President Ian Khama speaks out on the Protocol



Botswana President, Ian Khama

"Fellow Democrats, as you are aware, Botswana is signatory to a number of regional and international instruments amongst them those on gender equality. I stand before you today with the fresh memory prompted by the Parliamentary Women's Caucus when they came to see me a few of weeks ago, on the stance that Botswana took at the last summit when the Protocol on Gender and Development was adopted by SADC member states in August 2008.

My response to them was that Botswana was not ready to sign the protocol basically because of the mandatory language used in crafting most of the clauses that we consider critical. It is my view that, much as the Executive has the mandate to sign international instruments, such commitment should be made only when there is absolute certainty that legislative instruments, local policies and national priorities will not be adversely affected by such action. In the event that new laws may be required as a result of our signing, I consider it only proper that I must make the opportunity available to consult Parliament before I bind the nation.

Be that as it may, I have studied the objectives of the protocol which are; to provide for the empowerment of women, to eliminate discrimination and achieve gender equality through development and implementation of gender responsive legislation, policies, programmes and projects, to address emerging gender issues and concerns; set realistic, measurable targets, timeframes and indicators for achieving gender equality and equity; to name some of the objectives.

Looking at the list of objectives, Botswana has fulfilled most of the requirements in legislative reform as well as socio-economic policies. This is demonstrated largely by the increasing numbers of women, both in government and the private sector who hold executive, director and ambassadorial positions. One other reason why we had difficulty with the protocol is that it commits member states to comply within set time frames, within which certain legislation should be put in place and institutions established. We considered some of the time frames unrealistic, and some of the measures have serious resource implications that we cannot guarantee.

Other international instruments allow member states to sign and register their reservations on clauses that they are uncomfortable with. This option was not available to Botswana since the SADC Treaty does not allow for adoption of any Protocols with reservations. These are our reasons for not signing. Let me reiterate that, Botswana identifies with and is committed to the objectives of the SADC Protocol on Gender and Development. Our policies and programmes as well as resources allocated to the sector demonstrate this and will continue to do so. I must however reassure you, that as Botswana, we do agree with the spirit of the protocol. Our intention therefore, is to continue to study its provisions, and use our best endeavours to act within that spirit. In this way, I believe, we would be placing ourselves in a position that brings us closer to becoming a party to the protocol."

(Speech at the BDP Women's Wing Congress 2009)

Gender focal points have been established in ministries and this is expected to promote ownership of the Policy on Women in Development (WAD 2002). The Gender and Development sector has established a roadmap on the Protocol. This reflects the fact that whether the Protocol has been formally adopted or not, gender activists in Botswana are determined to forge ahead with implementation of its provisions.



While ***Mauritius*** has yet to sign the Protocol, NGOs are tirelessly lobbying the government. The Mauritian Office of Gender Links has written letters to the Prime Minister, Minister of Foreign Affairs and the Minister of Women's Rights, Child Welfare and Family Development to ask them when the Protocol will be signed. There have been several exchanges between government and NGOs.

On 17 March 2010 the Gender Links Mauritius and Francophone Director, Loga Virahsawmy, on thanking the Prime Minister Dr Honourable Navin Ramgoolam for his recognition of her work[1] in promoting gender equality in the country seized the opportunity to impress upon the government the importance of signing the Gender Protocol.



Loga Virahsawmy receiving recognition from the President of the Republic of Mauritius. *Photo: Gender Links*

As in Botswana, gender activists in Mauritius are drawing up action plans against the targets in the Protocol even as their government ponders how to enter into this agreement. They are also employing additional tactics to disseminate the Protocol's main points, including the use of different forms of media and outreach.

Since 2009 the Gender Links satellite office has been holding village workshops targeting local councillors and ordinary women and men to raise awareness on the Protocol. Media has been a key partner. Since May 2009, the Mauritius Broadcasting Corporation-Radio has embarked on a talk show radio programme which is held twice weekly and enlists experts, government officials and NGOs to talk about the provisions of the Protocol. Through this radio programme Mauritian's are becoming aware of the Protocol.

5 Edwin Ythier Street
Rose Hill
Mauritius
Tel: +230 454 2327
Fax: +230 465 4312
email addresses: gonaz@intnet.mu
website address: www.genderlinks.org.za

17th March 2010

Dr. the Hon. Navin Ramgoolam,
Prime Minister of Mauritius.
Treasury Building
Port Louis

Dear Prime Minister

I would like to place on record my gratitude and appreciation that you officially acknowledged my contribution on gender issues in Mauritius in your key note address on International Women's Day, 8th March 2010.

Unfortunately I could not be present as I was at the United Nations for the 54th Commission for the Status of Women where Gender Links produced and distributed a daily newspapers to all participants and delegates.

You also said in your speech that you did not sign the Protocol on Gender and Development as it is in contradiction with the Constitution of Mauritius. It is very unfortunate that because of one paragraph on affirmative action Mauritius, a country which is cited as a model of democracy in the SADC region, cannot sign the Protocol. We are also aware that Mauritius is well ahead compared to all other countries of the SADC on nearly all the articles of the Protocol except women in politics.

I am writing to find out if Mauritius can sign with a proviso on Article 5 "positive discrimination" of the Protocol. Your signature will help us to further our work even more in Mauritius and in the SADC region as we are using the Protocol as a tool and training material.

I am seizing this opportunity to enclose an article I wrote on the Norwegian Gender Minister who is a man.

We thank you for your continued support to make gender justice a reality in Mauritius.

Yours sincerely,

Loga Virahsawmy, G.O.S.K

cc SADC Alliance Manager
Executive Director, Gender Links
Chief Executive, SADC Gender Unit
Attorney General

Dr Muna Ndulo (Chairperson), Scholastica Kimaryo (Deputy Chair), Dr Athalia Molokomme,, Loga Virahsawmy (Board Secretary), Thenjiwe Mtintso, Patricia Made, Ferial Haffajee, Dr Pinkie Mekgwe, Colleen Lowe Morna (Executive Director)

Registration number: 2001/005850/08
Company Number (Mauritius) 83333

[1] Virahsawmy was bestowed with the Order of the Star and Key of the Indian Ocean (G.O.S.K) the highest honour in the land on March 8, 2010 International Women's Day.

Ratification

The Protocol states that it shall be ratified by the Signatory states in accordance with their Constitutional procedures and shall enter into force 30 days after the deposit of instruments of Ratification by two thirds of the Member States.

Two countries Namibia and Zimbabwe have ratified the SADC Gender Protocol: At the time of the 2010 Heads of State summit, two years after the signing of the Protocol, only two countries, Namibia and Zimbabwe had ratified the Protocol (on 7 and 22 October 2009 respectively).

Protocol @ work

The road to ratification in Zimbabwe



By Emilia Muchawa*

The campaign for ratification of the Protocol started as far back as the 2005 civil society Audit of the SADC Declaration which led to the formation of the Southern Africa Gender Protocol Alliance after the first attempt to push for signing of a Gender Protocol failed. The key lesson drawn was the need to carry out in-country consultations.

The Alliance then targeted the September 2005 Gender Ministers round table to seek support and then participated in the subsequent SADC meetings. At national level, the Zimbabwe Women Lawyers Association (ZWLA) was invited to be the technical advisor of the Ministry of Women Affairs Gender and Community Development (MWAGD) and linked up with the Zimbabwe-based Alliance members.

National consultations took place collaboratively with the Ministry taking responsibility for mobilisation; SAFAIDS for logistics and ZWLA for facilitation of the consultative process. The Women's Coalition, the umbrella organisation for all gender organisations, also mobilised its members to attend such meetings. The consultations targeted the women's organisations, gender groups, representatives drawn from different ministries, members of parliament and the Women's Parliamentary Caucus.

Each meeting would urge participants to support the signing and subsequent ratification of the Protocol as Zimbabwe had conducted broad-based consultations. The Protocol does not contradict any Zimbabwean laws and policies; in some cases Zimbabwe has already gone further than the Protocol provisions.

Activists argued that the Protocol would deepen regional integration, shared learning and maximise resource mobilisation for the region. In addition, gender equity and equality would lead to realisation of the Millennium Development Goals and the region's development.

Throughout the seven drafts of the Protocol, Alliance members remained engaged with the relevant Ministries of Gender, Justice and Foreign Affairs who would ultimately constitute the Council of Ministers. After the rejection of the Protocol at the Zambian summit there were more in-country consultations and fresh lobbying targeting the ministries that constitute the Council of Ministers.

When the Heads of State signed in August 2008, Zimbabwean activists were already well organised to push for ratification with the women's ministry taking a leadership role and mobilising women's organisations

to support by giving resources. The Gender Links visit to Zimbabwe in October 2009 to review the country report and launch the regional baseline barometer galvanised the process.

On 22 October, the Zimbabwe Parliament assented to ratification. At the request of the resource-strapped ministry, ZWLA photocopied 300 copies of the Protocol overnight for use by the members of parliament. A ZWLA staff member suffered burn out in the process as her blood pressure shot up and she had to receive medical attention.[2]

The Minister of Women Affairs Gender and Community Development took leadership of the ratification process while staff members worked hard to meet the deadlines. ZWLA continued to provide technical support by directing MWAGCD staff to the relevant officials in the Attorney General's Office for processing the ratification papers and their subsequent lodging.

What this case study shows is that ratification is not an overnight miracle but started a long time back with civil society-government partnerships at national and regional level. The awareness raising that preceded the signing played a key role in sensitising parliamentarians to the issues. Male parliamentarians supported the motion for ratification; this shows the importance of strategic partnerships with men.

(*Emilia Muchawa is director of ZWLA and chair of the Zimbabwe Women's Coalition).



Ready for action in Zimbabwe. *Photo: Colleen Lowe Morna*

Some are closer to ratification than others: Of those that have not ratified the Protocol, some countries like Malawi, Seychelles, South Africa and Zambia are closer to this goal than others. There are also many cases of the Protocol being translated into good practices at civil society and community level.

But the delays are cause for concern: The lack of ratification by the remaining 11 countries that have signed calls into question their genuine commitment, given that most of the targets are to be met in five years time.



In ***Lesotho***, the process of ratifying the document requires the Ministry of Foreign Affairs to submit a paper to Cabinet for consideration. The Minister of Gender committed to write a memo to cabinet to get the process moving.



There are signs of progress in ***Seychelles***. By July 2010 Cabinet had approved the ratification of the Protocol. It is expected that the proposal will be submitted to the National Assembly during the next sitting which starts in September 2010. After what could be a lengthy process it will be passed back to the Ministry of Foreign Affairs for deposition in a registry.

[2] They were responsible for organising the Gender Links meeting and the Ministry request and follow up exerted a lot of pressure.

Silver lining to political uncertainty?



In ***Madagascar***, as Parliament is currently suspended, the ratification process cannot be completed. Moreover, during the current crisis, networks and movements for the promotion of gender are constantly working to influence the actors of various bodies (the transitional authorities, various political parties, delegations at negotiations) to promote increased representation of women at all levels in the conflict resolution and the preparation of the post-crisis phase. At the time of writing a joint mediation team had invited the leaders of the four main political parties to a meeting in Maputo, Mozambique.



The ***DRC*** presents another opportunity to dramatically re-evaluate the status of women and the agenda of women's equality. While the war and its effects on women in DRC seem far from hopeful, the end of the current crisis could create a new opportunity for women. Examination of the Protocol by media professionals, women's associations, human rights activists, submission of the French version of the SADC Protocol to the Ministry of Gender, Family and Children and awareness of gender focal points by GEMSA/ DRC have all taken place.

The same could be said for post-conflict countries such as Angola and Mozambique. Mozambique might serve as a positive example for women to have increased representation. NGOs are actively involved in the National Council for the Advancement of Women and are pushing for the adoption of many legal instruments concerning women's well being. As an example, *Forum Mulher* was in the forefront in the lobbying for the approval of the Domestic Violence Law which came into place in 2009.



On signing the Protocol on 19 October in ***Malawi***, President Bingu wa Mutharika pledged that the country would be among the first to ratify and implement the Protocol. Commitment to key targets is reflected in political statements such as president's comment during the 2010 Republic Celebrations on 6 July that he wanted "90 women parliamentarians (out of 192) in 2014 so that we can achieve the SADC target". Earlier during the Protocol signing ceremony wa Mutharika cautioned that the 50-50 campaign "should not just be a slogan". He said his government will continue to do all it can to place more women in key decision-making positions.

During the meeting, the Ministers congratulated Malawi on signing the Protocol on Gender and Development on the 19th October 2009 and thanked Namibia and Zimbabwe for ratifying this SADC Protocol on the 7th October 2009 and 22nd October 2009. Botswana and Mauritius were urged by other Member States to sign as a matter of urgency to ensure that the instrument enters into force.

Government processes take time: SADC government machineries are intricate, complex and time consuming. This creates room for many roadblocks along the way. While the names of these administrations may vary, the processes remain the same, and in general involve approval through and between some variation of Parliament, Cabinet and line Ministries. In the case of Namibia, public input is required.

NGOs play a key role: In most countries NGOs are playing a key role in pressuring government entities to make good on their promises. NGOs in the region need to continue to develop and employ

lobbying and advocacy tools targeting national governments and regional bodies to deliver on the Protocol commitments. This activism extends to countries in the region in conflict and emerging from conflict.

The SADC Gender Unit is pushing for implementation: The annual meeting of Ministers Responsible for Gender and Women's Affairs approved a monitoring and evaluation system at its annual meeting in Johannesburg, South Africa in late October. As DRC is the current chair of SADC, DRC Minister of Women's Affairs Marie Ange Lukiana Mufwankolo chaired the meeting. During the meeting the Ministers also approved the Regional Strategy for Achieving the 50:50 target of women representation in politics and decision-making positions by 2015. They supported the ten year Regional Strategic Plan of Action on Trafficking in Persons, especially Women and Children.

Actions at the National Level

The Protocol states that state parties shall ensure the implementation of the Protocol at the National level. They shall also ensure that national action plans, with measurable time frames are put in place, and that national and regional monitoring and evaluation mechanisms are developed and implemented. They shall collect data against which progress in achieving targets will be monitored. They shall submit reports to the Executive Secretary of SADC once every two years, indicating the progress achieved in the implementation of the measures agreed in the Protocol. The Executive Secretary of SADC shall submit the progress reports to Council and Summit for consideration.

Table 9.1 shows that while none of the countries have ratified the Protocol, they are all making some effort to begin adhering to its principles. Even as these efforts might not be as far along as one would hope, the table indicates that there is momentum across the region. Even in countries where the Protocol remains unsigned, they are implementing comparable strategies to meet the 2015 deadline.

At a glance

- Thirteen countries have a national policy on gender. Seychelles does not have such a policy and in the case of Malawi the gender policy is awaiting approval.
- Ten countries have a full gender ministry; in five instances gender or women's affairs forms part of another ministry. Nine of the countries use the term "gender" in their ministry title (three use women and gender concurrently), four include "children", two include the word "family", three include "community" or "social development", and only two are solely dedicated to "women" and/or "gender" with no additional piggy backing but they are not full ministries.
- Nine have gender focal point in all line departments.
- Ten have a gender structure in Parliament.
- All 15 countries have active collaboration with civil society.
- Eight have a plan for domestication, while seven have a plan for popularisation of the Protocol.
- Ten have National Action Plans with measurable time frames.

Table 10.1: National gender

Country	National Gender Policy	Gender Ministry	Gender focal points in all line departments
Angola	Yes (National Gender Strategy)	Ministry for Family and the Promotion of Women	Yes
Botswana	Yes. Policy of Women in Development 1996	No. Women's Affairs Department under the Ministry of Labour and Home Affairs	**Some**[3]
DRC	National Policy of Gender Mainstreaming and the Promotion of Women, Family and the Protection of the Child	Minister of Gender, Women and Children	**Yes**.
Lesotho	**Endorsed by Cabinet in 2003**	Ministry of Gender, Youth Sports and Recreation	**Yes**[4]
Madagascar	PANAGED	No. Changes parent ministry depending on government in place. Currently Gender under the Ministry of Population	**Some**[7]
Malawi *Has not been signed	**Awaiting approval**	**Yes.** Ministry of Gender, Child Welfare and Community Services	**Yes**
Mauritius *Has not been signed	Yes	Yes. Ministry of Gender Equality Child Development and Family Welfare	**No**
Mozambique	Yes. Approved in 2006	Ministry of Women and Social Action	Yes, for line ministries National Council for the Advancement of Women
Namibia	**Yes**	**Yes**, Ministry of Gender Equality and child welfare	**Some**. Ministry of defence, Trade, Promotion of Women in Economic Spheres
Seychelles	**No**	Gender Secretariat in Dept of Social Development	**Yes**[8]
South Africa	**Yes**	Yes. Ministry of Women, Youth and People with Disabilities	**Yes**
Swaziland	**Yes**	No. But there is a Swaziland Committee on Gender and Women's Affairs in the Ministry of Home affairs	Yes
Tanzania	**Yes**	Yes. Ministry of Community Development, Gender and Children	No[9]
Zambia	**Yes**	No. Gender in Development Division	**Yes**
Zimbabwe	**Yes**	Yes. Ministry of Women Affairs gender and Community Development	Yes. High level Inter Ministerial Committee on Gender chaired By MOWGCD

[3] Gender Focal point have been established in Ministries and this is expected to promote ownership of the Policy on Women in Development (WAD 2002)
[4] Participation level is very low.
[5] But informal Women's Caucus of MPs
[6] Source: http://www.un.org/womenwatch/daw/csw/csw52/statements_missions/lesotho.pdf Statement by H.E Mr Lebohang Fine Maema, KC at 52nd Session of the Commission on the Status of Women in March 2008. Accessed July 31, 2010.
[7] Various departments of the Ministries have each, at a time, a gender focal point.
[8] In most cases.
[9] Not at departmental level, but at the sector level.
[10] However, effective implementation of this plan is hindered by inadequate funding and the lack of a comprehensive legal aid system for women
[11] More needs to be done to spearhead the process. NGOs are already lobbying the government to ratify the protocol and mainstream it in national programmes.

machinery and processes

Gender structure in parliament	Active collaboration with civil society	Plan for domestication/ popularisation of the Protocol?	National action plans with measurable time frames
Yes (Network of Women Parliamentarian and Ministers)	Yes (sensitisation and awareness campaigns and in preparation of legal instruments related to gender)		Yes
No	Yes. Civil Society organised in the Gender & Development Sector	**Yes**. Roadmap by the Gender & Development sector	
Yes. The two chambers of parliament each have a Gender Commission	Yes. RAF, Caucus des Femmes, CAFCO, REFEMP	**Yes**	**No**
No[5]	**Yes. Gvt pledged to strengthen the women's movement**[6]	**Yes**	**Yes**. The Fifth Country Programme Of Cooperation Between The GOL And UNFPA 2008-2012
Yes women members of parliament have formed an association which is not part of the formal structures	Yes. PANAGED is made up of NGOs and associations, the private sector, training institutions and the media.	**Yes**	**Yes**. MAP
Yes. Women Caucus	NGO gender coordination Network	Ministry of Women and Child Development and the NGO-GCN Network	**Yes**
No	**Yes**	**No**	**No**
Yes. Parliamentary Women Cabinet; Committee on Social Affairs, Gender and Environment	Yes. *Forum Mulher*	**Yes**	**Yes**
Yes. Parliament; National Council Women Caucus	**Yes**	NANGOF working with Ministry of Gender	**Yes**
No	**Yes**	The Gender Secretariat is currently working on the cabinet memorandum on the SADC Protocol.	Cabinet memorandum being prepared.
Yes	**Yes**	**No**	**Yes**
Yes. Women's caucus	Yes, through the Gender Consortium		
Yes. Women's caucus	**Yes**	**Yes**. Domestication **No**. Popularisation	**Yes**. National Plan of Action to Combat Violence Against Women and Children[10]
Yes. Parliamentarian Committee on Human Rights and Gender	**Yes**	**Yes**[11]	**Yes**
Yes. Women's Parliamentary Caucus	UN Gender Thematic Group co-chaired by MOWAGCD	**Yes**	**Yes**. National Gender Policy Implementation Strategy and Workplan



Following the May 2010 elections, ***Mauritius*** changed the name of the Ministry of Women's Rights, Child Development and Family Welfare to Ministry of Gender Equality, Child Development and Family Welfare. Through this name change and appointment of veteran politician Sheila Bappoo as minister, Prime Minister Navin Ramgoolam sent a strong signal that Mauritius is taking gender equality seriously.

Gender or women - does it matter?
By Dev Virahsawmy*



The development of feminism as a powerful ideology to fuel humanity's march to greater freedom and equality is without any doubt a great moment in modern history. It has enabled us to grasp fully the causes and effects of male domination. Many changes and reforms have resulted to the benefits of women, men and society in general. Yet many countries with progressive feminist laws have failed to even dent the armour of patriarchy. Where have we gone wrong? What new intellectual and political instruments do we need to ensure quicker and sustained progress?

Though I have never hesitated to declare publicly that I am a feminist (word used as a noun) I have always felt ill at ease to use the word as an adjective. The term "feminist democracy" sounds too much like "vaginocracy" and 'feminist equality' sounds more like "female equality" or "equality among women". I am sure that some of my feminist sisters will now perceive me as one of those disguised male chauvinistic pigs. Let me assure them that I have struggled very hard to overcome the sexist reflexes that colonial and neo-colonial environments have rammed down my throat. Probably I have failed but not from lack of trying.

Once I was deeply hurt when a self-proclaimed ball-bashing feminist humiliated me in public for crying when my dear cousin Jo died. A good male I was told by a 'feminist' does not cry. I then realised, wrongly perhaps, that concepts had to be refined. Initially I was wary of the term gender, suspecting some form of hype. But when a feminist organisation refused me admission because I would intimidate my militant feminist sisters, I was convinced that something awfully wrong was taking place. And without hesitation I opted for "gender equality".

Feminism is necessary provided it is blended with a gender equality strategy. Men who are against male domination should have the right to be equal partners in the fight against patriarchy. Gay and lesbians should be welcome into the fold.

For these reasons I fully support the decision of Prime Minister Navin Ramgoolam to change the appellation "Ministry of Women's Affairs" into Ministry of Gender Equality. In due course we should not limit the head to a person of hetro-female-sex but it should be open to persons who believe in gender equality irrespective of their sex or sexual orientation. That would be a genuine move to greater democracy.

*(Dev Virahsawmy is a former Mauritian MP, writer, playwright and expert on the Creole language)



South Africa has come in for criticism for doing away with the Office on the Status of Women in the premier's office and creating a Ministry of Women, Children and Persons with Disability. The conflation of women and children and tendency to lump all groups seen as powerless in society is one that activists have long opposed as it creates the impression of women as victims rather than active agents in directing their own destiny. On a positive note,

the SADC Protocol is now a reference point in the work of the department. In her budget speech on April 16, 2010 Minister for Women, Children and Persons with Disabilities Noluthando Mayende-Sibiya committed to "work towards the ratification of the SADC Protocol on Gender and Development and ensure the domestication of this Protocol into the revised policy".
(http://www.anc.org.za/caucus/docs/sp/2010/sp0416a.html)



Mozambique has taken steps towards implementation of the provisions of the protocol, by setting up structures to implement the protocol. All ministries have a representative at the National Council for the Advancement of Women.



Zambia has demonstrated political will in seeing the protocol ratified and implemented. According to an Information Specialist at the Gender in Development Division (GIDD), the department has sent a memo to Cabinet proposing ratification. Moving forward Zambia needs to allocate appropriate funding for gender related activities because without funding, implementation is almost impossible. Since the National Gender Policy is already in place, Gender Focal Persons have been identified in all ministries and provinces, a Parliamentary Committee on Human Rights and Gender is in place and a department of gender in place. There is need for proper coordination of the machinery to move gender forward, including a full ministry of gender so as to have sufficient human resources to implement all activities.



In ***Tanzania***, the main challenges in addressing gender equality are in the contradictions of different laws and ideologies. The Constitution that forms the main binding legal entity was drawn under one party, socialist ideology. However, Tanzania is a multiparty state and has adhered to a liberal competitive economy including privatisation and capitalistic aspirations. Therefore, profit making is valued over social concerns. The question of equality and women's rights might remain within the confines of government structures alone, and since the government has withdrawn from direct implementation, this remains a problem.



In ***Botswana***, other than to continue pressing for signing of the Protocol, gender mainstreaming within government has still to take root. It is difficult to drive the gender equality agenda in the country as reporting on regional and international commitments such as CEDAW is inconsistent.



In ***Lesotho***, there is no strong collaboration with non-state-actors towards among others driving the processes of implementation of the Protocol. However provisions of the Protocol have accelerated implementation of policies and laws aimed at advancing the rights of women. For example the Land Bill of 2005 has since been enacted into the Land Administration Act of 2010. This has progressive gender provisions replacing the gender discriminatory customary law and gender neutral Land Act of 1978. The law opens rights to entitlement to land to every Lesotho citizen; and joint ownership to persons married under both civil and customary laws (whether the marriages are monogamous or polygamous). The law also provide for women's representation in Land structures!

Actions by civil society

While it is important to hold governments to account, civil society organisations also need to account for what they have been doing. These actions are referred to in different parts of the Barometer. In addition, a specific section on actions by civil society has been introduced in this implementation chapter to ensure coherence and transparency.

A major strength of the SADC gender protocol process is the extent to which civil society organisations have been engaged from the outset



Members of the Southern African Gender Protocol Alliance at the historic 2008 Heads of State Summit. *Photo: Trevor Davies*

in the research identifying the need for a protocol; the drafting notes and the negotiations that led to its eventual adoption (with many NGO representatives sitting on government delegations). Civil society organisations have continued to work together on the implementation of the Protocol. The SADC Gender Unit liaises closely with the Southern African Gender Protocol Alliance. The Executive Director of Gender Links, which coordinates the alliance, delivered an address at the SADC Secretariat in Gaborone at the invitation of the SADC Gender Unit as part of the Secretariat's International Women's Day activities on 8 March 2010.

Background and composition of the Alliance

The Alliance, a network of over 40 NGOs listed at the beginning of the Barometer, was established in 2005 after the SADC Summit made the decision to work towards the adoption of a Protocol on gender and development. Until the adoption of the Protocol in August 2008, the alliance focused on lobbying for the adoption of the Protocol. Since then the focus has shifted to campaigning for ratification of the Protocol, full implementation by States and the popularising the instrument with the ordinary women and men so they can use it to claim their rights using various multimedia products.

As illustrated in Table 10.2, the Alliance has focal points in each country. These comprise, in most cases, umbrella NGO structures for women's/gender NGOS, or in some cases the women's/gender NGO sub-structure of such coalitions. The Alliance is also organised into seven theme clusters, led by NGOs that specialise in these different areas. As part of its collaboration with the Norwegian Church Aid, the Alliance has a growing number of faith-based organisations as part of its membership. Gender Links, based in Johannesburg, with satellite offices and project sites in nine SADC countries, coordinates the work of the Alliance.

Table 10.2: Composition of the Alliance

Country focal organisations	
Country	**Organisation**
Botswana	Botswana Council of NGOs
DRC	GEMSA-DRC
Lesotho	WLSA-Lesotho
Madagascar	FPFP/GEMSA
Malawi	NGO Gender Coordinating Network
Mauritius	WIP/Gender Links
Mozambique	GEMSA-Mozambique
South Africa	South African Council of Churches
Swaziland	Coordinating Assembly of NGOs
Zambia / Lusaka	NGO Coordinating Council
Zimbabwe	Women's Coalition
Theme clusters	
Cluster	
Constitutional and legal rights	Women in law Southern Africa
Governance	Women in Politics Support Network
Economic Justice	Zimbabwe Women Resource Centre Network
Gender Based Violence	Western Cape Network on Violence Against Women
Health and HIV and AIDS	SAFAIDS
Women and peace building	Institute of Security Studies
Media	Gender and Media Southern Africa (GEMSA)
Faith based organisations	
Country	
Botswana	Botswana Christian Council
Zambia	Christian Council of Zambia
Lesotho	Christian Council of Lesotho
Overall coordination	Gender Links

The Alliance has consolidated its position as one of the lead gender networks in the region and a good practice that are the parts of the world are looking to replicate. For example East African NGOs have expressed interest in learning from the Alliance how they can go about campaigning for an East African Gender Protocol. The Alliance co-ordinated inputs into the Beijing Plus Fifteen

process, and has applied for affiliate status with the Nairobi-based FEMNET that coordinates African NGO inputs into the meetings of the UN Commission on the Status of Women.

Beyond signing the overall strategies of the alliance are to:
- Mobilise for the ratification of the Protocol.
- Raise awareness on the content and process of the Protocol at national and regional levels.
- Strengthen meaningful coordination of the Protocol campaign, including through thematic clusters.
- Develop indicators and evaluate progress towards achieving targets and benchmarks in the Protocol.
- Develop the skills set of Alliance members to apply for a successful campaign.
- Document and evaluate the campaign.

Key successes

At a glance
- A broad based, credible, relevant and cutting edge network working to promote gender equality in the Southern Africa whose work is recognised by the regional body.
- A sensitised public and media with a better understanding of gender equality issues, and an understanding of the significance of the Protocol.
- A good synergy with the SADC Secretariat, creating opportunities for influencing the gender agenda at regional level.
- A rapport with most SADC governments on the role and significance of civil society.
- A strong profile of the campaign and its significance as a catalyst for mobilising the women's movement in SADC.

Coalition building

In 2009/2010 the Alliance:
- Broadened partnerships through a meeting of faith based organisations, GEMSA chapters and Alliance members from the 7-9 October 2009 to engage faith based organisations on lobbying and advocate for the 28 targets in the Protocol. The meeting brought together different stakeholders to ensure that faith based organisations had a network to work within SADC countries and to help strengthen the Alliance at country level.
- Linked with global processes through convening a Southern Africa pre-Beijing Plus Fifteen caucus in February 2010 and making a presentation at the Africa Caucus session held parallel to the 54th Session of the Commission on the Status of Women. Alliance members participated in daily cyber dialogues during the meeting.
- Strengthened the institutional base of the alliance through mobilising new membership; agreeing on key anchor institutions in each country; facilitating the work of theme clusters and regular monthly teleconferences with alliance members

Civil society strengthening

In August 2008, the Alliance held a session at the civil society forum parallel to the Heads of State summit in the DRC aimed at sharing lessons with SADC NGO partners on strategies and tools for lobbying and advocacy. This was based on the handbook Roadmap to Equality: Lessons learned in the campaign for a SADC Protocol on Gender and Development that documents civil society's role in the process of getting the SADC Protocol on Gender and Development adopted.

Mobilising for ratification

Campaigns have been going at national level since the signing but these are set to intensify post the 2010 Namibia SADC Heads of State Summit, where the Alliance intends to make a major push for ratification.


Women and Law
in Southern Africa Research & Educational Trust.

17th March, 2010

Hon. Chifumu Banda MP
Chairperson
National Constitutional Conference
LUSAKA

Dear Sir,

REF: INCLUSION OF THE SADC PROTOCOL ON GENDER AND DEVELOPMENT PRINCIPLES IN THE NEW CONSTITUTION

The Southern African Gender Protocol Alliance is a collective of over 40 national and regional gender and women's rights NGOs that has been running a campaign since 2005 for the adoption, ratification and implementation of the SADC Protocol on Gender and Development. In Zambia the SADC Protocol Gender Alliance is led by Women and Law in Southern Africa (WLSA).

The SADC Gender Protocol Alliance Campaign Programme seeks to advance gender equality by ensuring accountability by all SADC Member states and ensuring that they deliver on the 28 substantive time-bound targets to be achieved by 2015. The SADC Protocol on Gender and Development was finally adopted in August 2007. The signing of the Protocol was a victory for women and girls of the region, but it also signified the beginning of another process as the focus turned to ratification and implementation of the 28 time-bound targets.

In Zambia, the Alliance has been following the deliberations of the National Constitution Conference with keen interest especially that Zambia is a signatory to the SADC Protocol that highlights specific principles on gender equality, the empowerment and protection of women and girls against all forms of discrimination including gender based violence.

It is for this reason that we write to the NCC to consider including the SADC Gender Protocol provisions in the new Constitution. The Protocol with regards to the Constitutional provisions provides that by 2015, all SADC countries shall endeavour to enshrine gender equality and equity in their Constitutions and ensure that these are not compromised by any provisions, laws and practices. We feel that as countries will be assessed in 2015 with regards

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to this aspect, this is an important opportunity for the country to have a Constitution that fully recognises gender equality the empowerment and protection of women and girls against all forms of discrimination. Please find herewith attached a copy of the SADC Protocol on Gender and Development

Yours faithfully,

For Women and Law in Southern Africa

REGIONAL COORDINTOR

cc: Human Rights Committee

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Lobbying and awareness raising

- Simplified versions of the Gender Protocol pamphlets were translated into 23 local languages and distributed throughout 14 SADC countries. These are also available online.
- Between June 2009 and June 2010, GL coordinated 168 village workshops reaching 13 052 people in 11 SADC countries: Botswana, Lesotho, Madagascar, Mauritius, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia and Zimbabwe.
- A CD of radio spots, *Roadmap to Equality: Voices and views*, consisting of ten short feature reports on the Protocol, is being used around the region for radio talk shows. Radio producers can also use these as part of magazine programmes or their own productions. A presenters/ producers guide and monitoring and evaluation tool accompany the CD.
- As reflected in the excerpt below, the SADC Gender Unit is collaborating with the Alliance in further popularisation of the Protocol.

Monitoring and evaluation

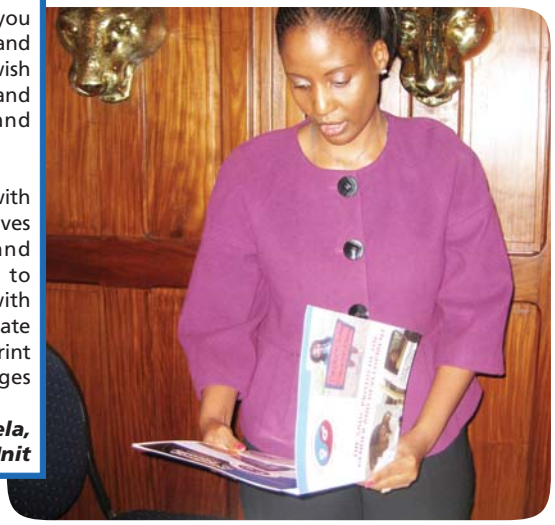
As a watchdog body, one of the main tasks of the Alliance is to track progress towards the attainment of the targets of the Protocol. During 2009/2010 the Alliance:

- Conducted an audit of where all SADC countries stand in relation to the 28 targets in the Gender Protocol.
- Held in-country consultations on the country reports Botswana, Malawi, Mauritius, Tanzania and Zimbabwe to validate the data, get buy in at country level and to strengthen Alliance structures at national level.
- Convened a parallel meeting to the SADC Heads of State Summit in the DRC which coincided with the first anniversary of the SADC Protocol on Gender and Development.
- Launched the inaugural SADC Gender Protocol Baseline Barometer which tracks implementation of the Gender Protocol by SADC States as part of holding governments accountable parallel to the Heads of State Summit. This Barometer will be produced annually.
- Conducted monthly tracking of implementation of key provisions of the Gender Protocol through the Roadmap to Equality: Southern Africa Gender and Development Barometer e-newsletter which was inaugurated in July 2009. This replaced the Gender Justice Barometer previously produced by the Gender Justice department which focused on tracking national action plans to end gender based violence.

It is with great pleasure that the Secretariat writes this letter to you to acknowledge and appreciate the work that you have done over the years to promote gender equality and advance women's empowerment. Most importantly, I wish to recognize the commendable work you have done and planned around the SADC Protocol on Gender and Development.

It is on this basis therefore that we wish to collaborate with Gender Links/SADC Gender Protocol Alliance on initiatives to popularize the SADC Protocol on Gender and Development. SADC Gender Unit specifically seeks to complement efforts that have already been executed with a view to support the process. We would like to collaborate with you in making popular versions of the protocol in print and electronically, and translate them in local languages that will be identified.

Magdeline Mathiba-Madibela,
Head of the SADC Gender Unit



Linking local, national and regional initiatives in Malawi



Emma Kaliya (second from left) receiving the Driver's of Change Award.
Photo: Gender Links

The SADC Protocol on Gender and Development continues to provide a framework for and Alliance partners programming, linking local, national and regional initiatives.

For example in Malawi, the Gender Networking Council has developed a National Programme on Promotion of Women in Politics to increase women's participation in line with the Protocol target of 50% women in decision making by 2015. The campaign is led by Emma Kaliya, a founding member of the Alliance and recipient this year of the Driver's of Change award.

In a statement to CEDAW in February, the Malawi government credited the 50/50 campaign with playing a major role in increasing women's political participation from 14% in the 2004 Elections to 22% in the May 2009 elections. The Government said it would continue to implement the Programme with particular focus on the forthcoming Local Government Elections (2010) and the next general elections in 2014. Furthermore, recruitment agencies and commissions (civil service, judicial, police, health, and teachers) will be re-oriented in order for them to be gender sensitive in their work.
http://www2.ohchr.org/english/bodies/cedaw/docs/statement/malawi45_statement.pdf

As part of the Alliance's village workshop series coordinated by GL, Malawi's NGO Coordinating Network has gone on to hold about 64 workshops on the SADC Gender Protocol, bringing together some 10,000 participants, and making use of the Chichewa information pamphlets on the Protocol. The network strategy is to soften the ground for a new local level initiative ahead of local government elections in 2010. The intention is to work with women who failed to make it into national parliament to try their luck in the local elections. The programme illustrates not only how the Protocol is being put to work in Malawi, but how local, national and regional linkages are being strengthened through the work of the Alliance.

Challenges

- ***Strengthening meaningful coordination of the Protocol campaign, including through thematic clusters:*** While cross cutting collaboration has been strong, there is need for strengthening of sector clusters and work.

- ***Developing campaigns linked to the findings of the Barometer:*** With only five years to go before the 2015 deadline to achieve the 28 targets there is need to develop key strategic campaigns. A case in point is the backsliding on women's representation in decision-making and the need to strengthen the 50/50 campaign.

- ***Documenting the campaign:*** There is need for ongoing documentation of the process, outputs and outcomes of the campaign.

- ***Increasing knowledge, awareness and mobilising for ratification and implementation:*** As demonstrated in the preliminary findings of the SADC Gender Protocol quiz, there is need for an even more concerted campaign to popularise its provisions, and to put pressure on governments for ratification.

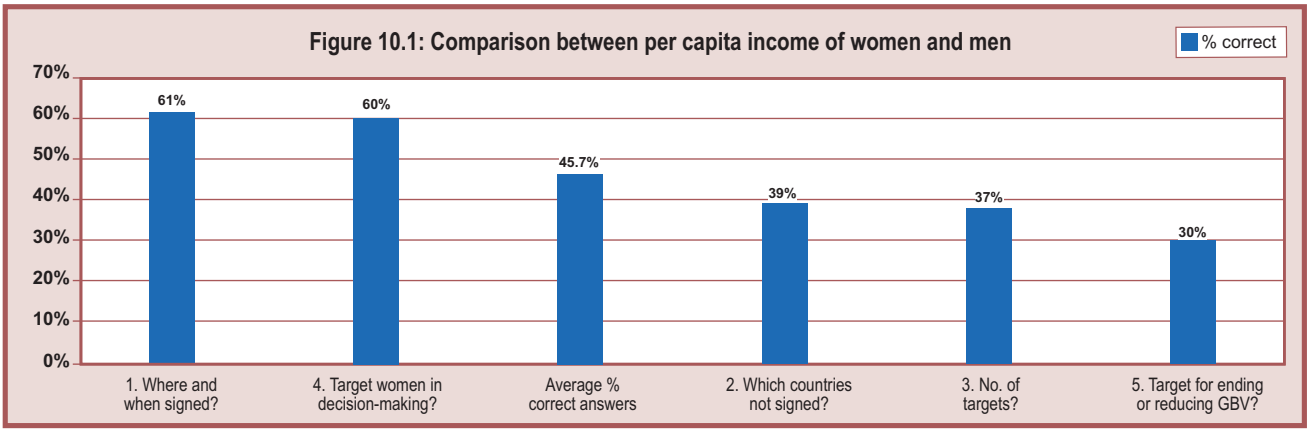
Knowledge of the SADC Gender Protocol

Since June 2009 GL has been administering a SADC Gender Protocol quiz at all its events in 14 SADC countries, with varied audiences including local government, policy makers, media practitioners, analysts and activists. This preliminary analysis is based on 734 responses, with response rates for most questions over 90%.

Table 10.3: Summary of results of the SADC Gender Protocol Quiz

1. Where and when was the SADC Protocol on Gender and Development signed?	734	447	61%	287	39%
2. Which two countries have not yet signed the Protocol?	710	278	39%	432	61%
3. How many targets does the SADC Protocol on Gender and Development have?	699	261	37%	438	63%
4. What is the target for women in decision-making and when should it be achieved by?	734	440	60%	294	40%
5. What is the target for ending or reducing gender based violence (GBV)?	723	218	30%	505	70%
Average % correct/incorrect answers based on response rate			45.7%		54.3%

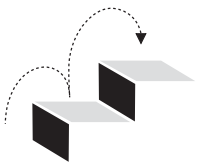
The quiz comprises five simple questions which range from basic knowledge of when and where to more complicated ones like the actual provisions of the Protocol. Table 10.3 summarises the results. These are presented graphically in Figure 10.1.



The results show that:

- With 61% correct answers on when and where the Protocol was adopted, the level of basic knowledge is fairly good two years after the adoption of this instrument.
- At 60% the level of knowledge on the 50% target for women in decision-making by 2015 is also fairly good. The 30% target for women in decision-making was the only specific target in the SADC Declaration on Gender and Development. The elevation of this target to 50% received considerable publicity. Targets for women in decision-making are high profile and tend to get attention and coverage.
- With an overall average of less than half (45.7%) the correct answers, there is still a lot of work to be done in improving knowledge of the SADC Gender Protocol. Scanty knowledge on the number of targets, and the target for gender violence, are cause for concern.

The Quiz is now available online. It will be administered online, during village workshops and other engagements. The sample for the next report will be much larger. The results will also be disaggregated by country, age, sex and education level.



Next steps

Gender related problems persist because equality in higher strategic needs have not yet been achieved between the genders. This has resulted in the fact that the condition of women and men have changed, i.e. economically active and educated, but their position has not. A symptom of this is the high prevalence of domestic violence, even amongst highly educated and wealthy women. This is because sustainable empowerment is facilitated by not only the provision of equal rights in public life but also equal rights in private life, necessitating a change in the beliefs and attitudes of every individual. Otherwise we will fail to effectively address the underlying root causes of these gender related problems and continue to put our efforts and resources into addressing their symptoms.

-National Gender Secretariat, Seychelles, (2008)

- ***A comprehensive plan for ratification of the Protocol:*** The biggest single technical obstacle to the implementation of the Protocol is the fact that it has not yet been ratified except by two countries. There is need for the Alliance to draw up a comprehensive lobbying and advocacy strategy around the ratification of the Protocol especially within each country.

- ***Workshops on the progress barometer*** at national level to continue to fill information gaps at country level and help guide actions to be taken on the best strategies for filling the gaps identified.

- ***Full implementation of the monitoring and evaluation plan*** agreed by governments and independent verification of this by civil society including an updated and online database of resources, and tracking mechanisms and the annual publication of this Barometer.

- ***Tracking of knowledge and attitudes***, launched in this issue of the Barometer, to gauge public awareness and changes in attitude.

- ***Costing bills, acts, policies and developing implementation strategies*** to facilitate

implementation. Further, legislation and policy implementation strategies should be developed with timelines to ensure that regulation get translated into practice and officials are easily called to account.

- ***Enhancing sector coordination as the current coordination system*** is fragmented and gender equality needs to become a cross cutting issues across all governmental ministries and departments.

- ***Concerted campaigns built around the findings of the Barometer***, to ensure significant progress in all the areas in which there are still gaps by 2015.

- ***In countries undergoing political transitions***, the rapid dissemination of information about the Protocol to ensure that it begins to be used as the basis of its lobbying efforts for a new constitution for the country.

- ***Capacity-building for civil society in its actions***, namely lobbying of political elites to advance the country towards the goals of gender and for the government and political parties in the formulation, implementation, monitoring and evaluation of policies for integrating gender in development.

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The SADC Protocol on Gender and Development






Encompasses

commitments made in all regional, global and continental instruments for achieving gender equality.

Enhances

these instruments by addressing gaps and setting specific, measurable targets where these do not exist.

Advances

gender equality by ensuring accountability by all SADC Member States, as well as providing a form for the sharing of best practices, peer support and review.

















In August 2008, Heads of State of the Southern African Development Community adopted the ground-breaking SADC Protocol on Gender and Development. This followed a concerted campaign by NGOs under the umbrella of the Southern Africa Gender Protocol Alliance.

Although by the 2010 summit, 2 countries had still not yet signed, and only 3 had ratified the Protocol, the clock is ticking to 2015 when governments have 28 targets that they will have to account for. In keeping with the Alliance slogan: "The Time is Now", this 2010 Barometer provides a wealth of updated data against which progress will be measured by all those who cherish democracy in the region. Whilst there are several challenges, the successes to date strengthen our view that change is possible.

"Yes we can!"