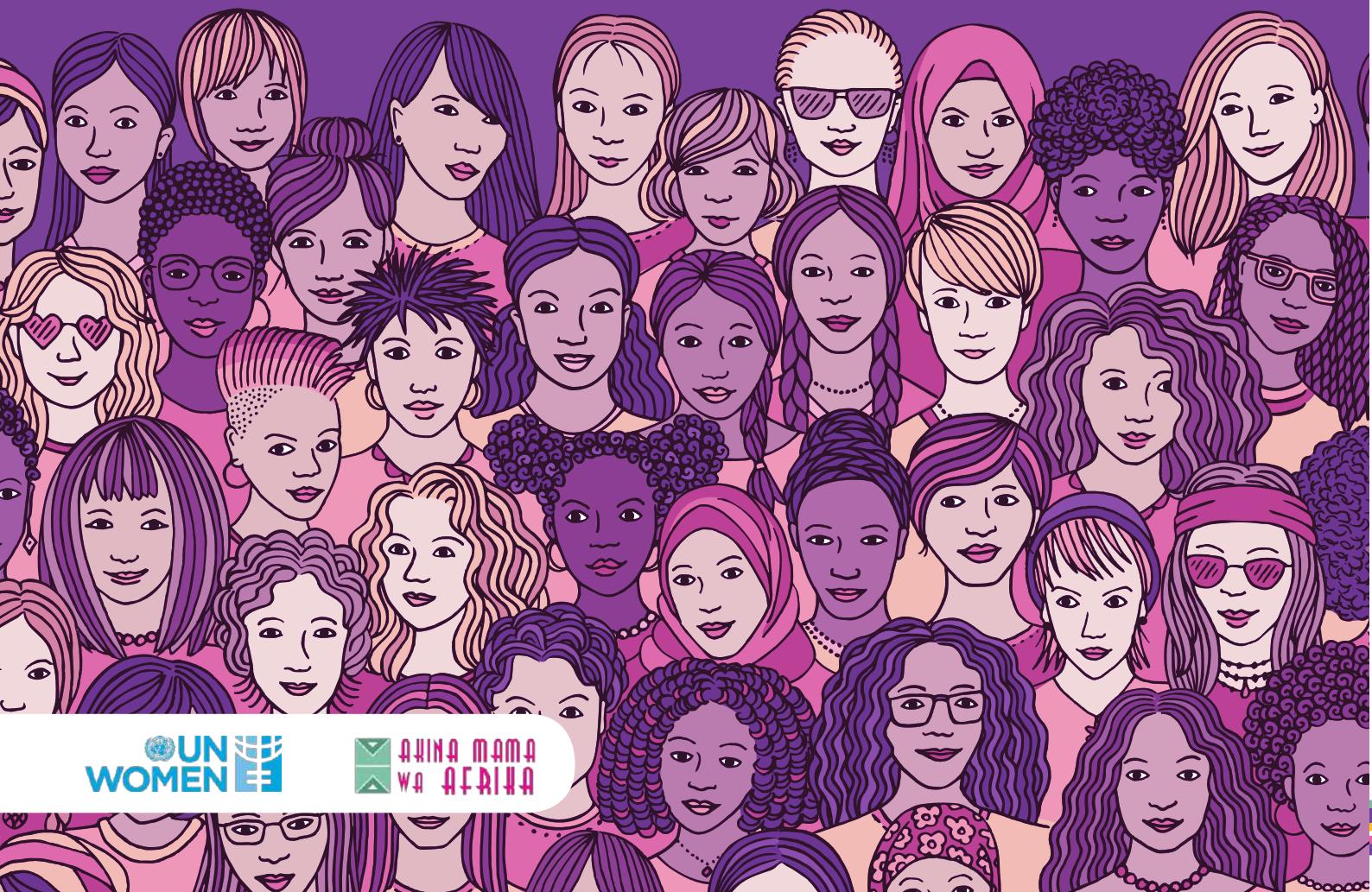




The Beijing Dispatch

**Progress in achievement of
women's rights and gender
equality as the Beijing
Platform for Action Turns 25**





About the Beijing Dispatch

The year 1995 was a turning point for the women's movement in Africa and the world at large with the unanimous adoption of the Beijing Declaration and Platform for Action (BPfA) by 189 countries. This agenda has been defined as the most progressive blueprint ever for advancing women's rights and the key global policy document with historic commitments to achieve gender equality and women's empowerment. The agenda is one of the few women's rights instruments that has received high praise for ushering in enormous improvements in the lives of women and girls across the globe. More women and girls than at any previous point in time serve in political offices, are protected by laws and policies against violence against women and live under constitutions that guarantee gender equality and equity.

Whereas these leading-edge advancements to improve the political, economic and social well-being of women and girls must be celebrated, there remains more ground to break. Some countries have taken a couple of steps back, away from advancing women's rights in all dimensions of life like the BPfA envisioned. Women continue to earn less than men and are more likely to work in poor quality jobs. A third of the world's women are said to have suffered a form of physical or sexual violence in their lifetime while an estimated 800 women die in childbirth everyday due to gaps in reproductive rights and health care. In Africa, women continue to be treated as second class citizens and the female Heads of State count remains at four (4).

One of AMwA's core pillars for delivery of her mandate is feminist research, documentation and knowledge production. As such, the organization tries to create platforms for development of critical analyses and proliferation of African feminist thought. In this regard, the commemoration of 25 years of the Beijing Declaration and Platform for Action accorded the organization an opportunity to document and amplify the voices of African women as they critiqued progress in achievement of the aspirations of the framework, from a feminist perspective. AMwA invited African women to harness the power of the Beijing platform to imagine a world where each woman and girl can exercise their freedoms, choices and enjoy all their rights by assessing the changes over the last 25 years in the pursuit of gender equality and the empowerment of women and girls. The commemoration of Beijing+25 in 2020 provides an opportunity to comprehensively assess the current gains and challenges in the implementation of the agenda as well as scale up progress to achieve all-round autonomy for half of the world's population. The Dispatch features critical analyses that examine progress, identify challenges and seek better ways to fulfill promises made in the Beijing Platform for Action specific to the African continent. We are hoping that as a result of this process, African women will contribute to translating the Platform for Action's promises into concrete changes in individual countries by holding African governments accountable and making recommendations for accelerating the promise to achieve human rights for women and girls.



Editorial

Eunice Musiime,
Executive Director –Akina Mama wa Afrika

I was in high school in 1995 when the historical Fourth United Nations World Conference on Women in Action for Equality, Development and Peace, was held in Beijing, China and adopted the Beijing Declaration and Platform for Action as a ground breaking, progressive, arguably radical framework to end women's oppression, sexist exploitation and discrimination. Despite having limited access to media at the time, the spirit of this conference reverberated across the globe in interesting ways.

At the same time, my mother who had recently attained a diploma in women in development, was gaining greater appreciation for the need to champion women's empowerment and became the first technical officer at the Ministry of Gender in Uganda, steering its set up, as the incipient national gender machinery then hosted in the office of the President. I was hence exposed to aspects of how this global framework was shaping and informing shifts in cultural norms, laws and policies.

My mother and her colleagues, became colloquially known as the 'Beijing women', for daring to challenge status quo. Gender, Gender Mainstreaming, Women's Emancipation, Affirmative action became popular terminologies. Little did I know that my professional path would be hinged on this global framework. Akina Mama wa Afrika, in 1997, two years after her birth, mobilized a delegation of young women leaders to Beijing and thereafter launched an African Women's Leadership Institute to advance aspects of the platform for action such as Women in Power and Decision-Making. The insight, "the personal is political" which has animated the feminist movement since its renaissance rings true for me.

So it is with great musing, reflection, humility and honor that 25 years later, Akina Mama wa Afrika with support from UN Women East and Southern Africa joins the rest of the world to commemorate this historical event in a publication where young women leaders share their stories, insights, artistic expressions in a bid to interrogate whether international conferences are substantively instrumental for reform or have been mere symbolic Band-Aids offering temporary relief, serving to co-opt or contain undercurrents for radical transformation. In the ensuing interchanges, these writers have illuminated the ubiquitous and abiding faces of structured patriarchy and associated intersecting systems of oppression.

This publication also seeks to underscore the significance of locally grounded feminist aspirations and praxis as a point of entry into global debates but also more importantly proffer alternatives that can potentially improve the situation of women in Africa in line with contextual specificities that allows for sensitivity to particular configurations of power and conditions of struggle.

Enjoy your reading.



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The Impact of the Beijing Conference on Humanity: A Case of Uganda

Peace Twine Kyamureku

Introduction

The Fourth World Conference on Women in Beijing in 1995 was well publicized in Uganda, with many in the country identifying the Conference especially because it was chaired by a prominent African woman from Tanzania, Mrs Gertrude Mongella. It was a build up on the 3rd World Conference on Women held in Nairobi Kenya in 1985. Personally, it changed my life and impacted significantly on organisations, communities and countries. 25 years since the adoption of the Beijing Platform for Action, life should be better for women of Africa because of the available information and commitments.

When I joined the National Association of Women Organisations in Uganda (NAWOU) in 1994, there were meetings in preparation for the Dakar Africa Conference which was in turn in preparation for Beijing in 1995. Over the period of a year, NAWOU reached out to women in different parts of the country to share their views on issues under discussion before Dakar, then after, to Beijing. The process brought together women from government, civil society and academia to share critical issues raised by women in rural areas of Uganda. Views were collected from meetings with different stakeholders and papers were written on each of the critical areas of concern for women. The consultations reached many women and whoever was consulted was impacted by the process in fundamental ways. Seeds were sown for questioning the status quo and for change. Women who were not involved in making reports made crafts and items which they sold to NAWOU Marketing Department for exhibitions in Beijing.

The President of NAWOU at the time, Hon. Geraldine Namirembe Bitamazire, was a focal person for the civil society national preparations and led a Uganda delegation of about three hundred women and a few men.



There were immediate results from the Beijing Conference.

There was bonding among individuals in the process, supporting each other, working together for a purpose, to represent our country at the international level. There were lectures on a number of areas ranging from what to pack, what to expect for first time air travelers and how to get the most from the Conference. The process exposed individuals to new ideas; holding these new ideas was seen as risky and attendees were identified as "women of Beijing who wanted to be equal to men, who hated men" and they were called all sorts of names by men and women who felt intimidated and jealous. The process created women who were confident to defend their rights as women.

The delegation to Beijing was multipurpose: some women made presentations, others attended sessions, some went as tourists and others who went to do business. Whilst in Beijing all these groups accessed information and ideas from different parts of the world. The country was aware of the meeting that was about women's rights, which led to debates and discussions on its relevance. There were many expectations from the Conference, but most important outcome was the Beijing Declaration and Platform for Action (BDPfA) with the 12 critical areas of concern highlighting priorities for women and girls.

Meetings were held in different parts of Uganda to de-brief stakeholders and popularise the BDPfA after the Conference. Issues such as poverty, the economy, women's health, girl child, young women and education were discussed. Although many organisations were already working on these issues the Beijing Platform provided new information and insights. In addition, the Platform raised new issues such as sexual and reproductive rights, human rights, women in armed conflict, women and security, women and media, ICTs and environment and climate change. There was a need for conceptual understanding by the majority of Ugandans, as to what each area meant. For instance, in Northern Uganda there was insecurity and women in the area understood why there was need for women's voices to prevent and be part of decision making in peace building and accessing justice; however, in the southern parts, insecurity meant petty thieves taking goats. Priorities differed according to understanding and identifying an issue of concern as it related to the situation of women in their region. Another example was the fact that environment and climate change issues were not as clear to Ugandans, as they are now in 2019 when there are landslides and rain patterns have changed.

In the report back process, after the conference, clubs, groups or associations were formed around areas of their interests and expertise. There was an increase in the number of Community Based Organisations (CBOS). Some registered with the National Association of Women Organisations in Uganda (NAWOU) for visibility and technical support. New progressive national organisations were formed to work on policy and to lobby for change, while others continued to share knowledge and raise awareness on the Critical Areas of Concern on the BPfA among the marginalized and rural based communities in the country. There was linking and learning national issues with regional and international developments.

The process created women who were confident to talk about their rights because of exposure to a global women's movement. The message from Beijing was women's rights are human rights. It was a difficult message to understand by women who did not have legal knowledge. We as leaders of organisations had to attend courses and trainings to understand concepts in law and gender to be in position to lobby and advocate for change.



The rural uneducated and poor felt that human rights were not for them. Up to today, despite raising awareness, many women and men do not believe they are entitled to human rights. It is difficult to convince many that gender based violence is a violation of ones' rights and it affects rich and poor women and girls.

The post Beijing time was exciting as well as demanding. Putting into action the many ideas generated required leaders to understand challenges women were facing. Implementing the outcome of Beijing started slowly. It had to be inclusive. Women were trained to analyse their ways of life, relate it to the issues on BPfA and develop strategies on how to change their situation for the better.

There were new developments in programming at organisation level that were partly influenced by funding patterns. For example, the NAWOU programme on violence developed to become a fully fledged independent organisation called Centre for Domestic Violence Prevention (CEDOVIP). NAWOU and UWONET (Uganda Women's Network), which often seemed to be competing, began to operate at different levels supporting each other in order to build an inclusive women's movement from grass root to national level.

There were external and international issues that influenced outcomes of the Beijing process.

In the pre-Beijing period there was little information on and by women – if information did exist it was often unreliable. This became one of the critical areas of concern -Women and Media. The official source of information on women was mainly government, who delegated NAWOU to disseminate information to women at district level. After the Conference there was need or hunger for information that government or NAWOU could provide. Individuals and organizations had established links with like-minded individuals and organisations in Beijing, and could use internet and e mails to communicate. Power dynamics changed. NAWOU lost the leadership position among national level organisations who could access information, work independently, but was still relevant for the majority of Ugandan women who live in rural Uganda and needed information to keep up with the times. There were donors who supported programmes to get information to and from rural women through radio drama which could be listened to in Village Radio Clubs. Relevant and timely information is still a need for rural women.

There were changes in funding patterns. Development partners would change priorities of areas they supported as they wished, dropping old partners without much concern. This affected the new and old organisations working with women. There was competition for funds and a number of groups and associations closed down or reduced on their activities in different parts of the country. Donor dependency was and still is a problem. There was need for money to implement the Beijing Agenda. There was insufficient funding for sustainable projects to have long term impact.

New regional and international organisations were formed as a result of the Beijing Conference. For instance the East African Sub-Regional Support Initiative (EASSI) worked with local organisations in each country (Uganda, Kenya and Tanzania) to monitor implementation of the BPfA. Networks were formed to follow up on some of the 12 Critical Areas of Concern. This was a one-way discussion and implementation of the BPfA continued in the country.



Assessing Current Gains and Challenges in the Implementation of the BPfA and its Impact on the Lives of Women and Girls

The 4th World Conference on Women was truly a platform for action. It highlighted and brought into the limelight issues of women's concerns that were not only for Africans but for all women globally. This was and still is an opportunity for women to learn from each other. It was in Beijing that NAWOU and Non-Governmental Coordinating Committee (NGOCC) of Zambia met for the first time to form a partnership to learn and grow as umbrella organisations. The two later participated in a Friedskorpset (a Norway Development Partner) Youth Exchange Programme that involved Uganda, Tanzania, Ethiopia and Zambia. The project benefitted many young people in civil society in the four countries for over ten years. This was a gain from the Beijing process to secondary beneficiaries who did not go to Beijing.

The activism of 1995 had a positive impact on the Constitution making process in Uganda. The 1995 Constitution has provisions of gender equality, affirmative action and women's rights embedded in it. The spirit of Beijing was made a reality through documentation and continues to be work in progress as implementation takes place. It is in the area of Women in Decision-making that gains of Beijing are visible. Women gained confidence, and others were persuaded to take a step into leadership because it was their right.

The women of Uganda have the BPfA as a tool to hold government accountable on the 12 Areas of Concern. Government has made policies and programs around each area of critical concern to women but the challenges are many. For instance, there are new forms of poverty where women in different parts of Uganda want government to give them money, in loans and as grants. They want NAADS (National Agriculture Advisory Services) to provide seeds for planting. There is danger of food insecurity due to dependency and decrease in arable land for food crops because land has been taken by investors, large scale cash crop growers.

As the world celebrates 25 years since Beijing, a number of the gains made for women and girls are being lost, there is a backlash and global developments that are affecting lives of women and girls.

Uganda has great infrastructure development which unfortunately does not match human development. Instead, poor communities have been displaced from land, and sexual violence has increased. Figures show improved access to education, but there are issues with quality, retention and completion especially for women and girls from marginalised communities. Whereas the BPfA recommended government to give bursaries and incentives to enhance girls' participation in science, technology and mathematics, government in 2019 is promoting training in tailoring, hair dressing, bakery and other skills for direct self- employment. A critical question is whether women and girls trained earn enough to guarantee a life of dignity even in old age? Another issue is that women and girls are not facilitated to move from the informal to the formal sector of development.

There are more challenges with internally displaced communities due to environmental and climatic conditions. There is high unemployment and many girls and women are trafficked for labour in developed countries, unlike before Beijing.

There are increased cases of insecurity of girls and women in homes, schools, workplaces and in public spaces. Many are killed and government has not given adequate explanation, reflecting the degree of respect and value given to females. Incidents of deaths, could lead to domestication of girls and women and denial of their rights including but not limited to the right to association, movement, work, education, and speech.



Women and girls still suffer from heavy unpaid workloads. Low education levels mean there are limited chances of gainful employment. With no income women of all ages and girls continue to be dependants on male relatives and friends at a cost of their dignity and respect of their rights. Terms such as *ezo kukameza* (daily allowance men leave home for food), which was not there before Beijing. Dependency exposes women and girls to violence. Many women and girls have limited access to services, lack legal support and are prone to poor health.

There are many progressive development frameworks, instruments, policies and tools, but there are widening inequalities between educated and none / low educated, between rich and poor and between men and women. The Ministry of Gender, Labour and Social Development in October 2019 recognised and marked the International Rural Women's Day, eleven years since it was declared by the United Nations, as a way of responding to decrease the gap between rural and urban communities. The Ministry also established a National Council for Disability and Older Persons in recognition that aging is a development and human rights issue. The women's movement needs to promote rights for older women in order to claim women's rights in every stage in life.

Conclusion Where am I today? Is life better for women in Africa?

In 2012 I retired from serving women at NAWOU and started a new life.

After retirement I wrote two essays about my life in ***The Crossroads: Women of Uganda Coming of Age***, edited by Christopher Conte.

I also founded and registered **Rural Women and Youth Fund Uganda (Ruth Fund Uganda)** a women's rights organisation in February 2014. Its mission is to provide support to rural women and youth to organise effectively to build linkages through which to claim and enjoy social, economic, political and environmental rights in developing Uganda. The vision is to see rural women and youth lead lives of dignity, visible in plans and programmes for human and physical development of Uganda.

In 2018 I won a noncash award from **Women 4 Women** a group of women diplomats for the work I am doing at Ruth Fund Uganda.

I am an Ambassador for Older Persons as a member of **Uganda Reach the Aged Association (URAA)** advocating for rights of older persons with support of **Help Age International**.

I cannot say life is better for all women in Africa since Beijing. Women need to support each other to keep gains of Beijing and build an inclusive Women's Movement.

About the Author

Peace Twine Kyamureku, is the Executive Director Ruth Fund Uganda.



Twenty-five years later, after Beijing, where did we lose track of women's rights?

Catherine Nyambura and Dinah Musindarwezo

We are counting down to the celebration of the 25th anniversary of the Beijing Declaration and Platform for Action (BDPfA). To many, the adoption of BDPfA was ground breaking – and was a commitment designed to change gender power relations and set grounds for all women and girls to enjoy their full human rights. UN Women called it the most progressive blueprint ever for advancing women's rights^[1].

One of the 12 critical areas of the Beijing Platform for Action focuses on the human rights of women. It emphasizes not only the importance of ensuring that women and girls enjoy their human rights and fundamental freedoms but also making it clear that it is the responsibility of governments to promote and protect human rights. The BDPfA states that *Human rights and fundamental freedoms are the birthrights of all human beings; their protection and promotion is the first responsibility of Governments*^[2]. The platform reaffirmed that the human rights of women and the girl child are an inalienable, integral and indivisible part of universal human rights.

It reaffirmed other principal UN Instruments on human rights and women's human rights, including [Universal Declaration of Human Rights](#), [International Covenant on Civil and Political Rights](#), [International Covenant on Economic, Social and Cultural Rights](#) and Convention on Ending Discrimination Against Women (CEDAW).

The Beijing Declaration and Platform for Action also inspired and informed other key international and regional instruments that came after. Good examples include the Protocol to the African Charter on Human and People's on the Rights of Women in Africa (Maputo Protocol) lauded as the African Women Bill of Rights, the Solemn Declaration on Gender Equality in Africa and the Agenda 2030 for Sustainable Development globally.

We are celebrating 25 years of this landmark Declaration on women's rights amidst growing pushback, backlash and the erosion of women's rights globally. It is therefore vital that we are inspired by the boldness of the commitments set out 25 years ago and refuse to settle for any less today.

Women's Human Rights have been re-negotiated continuously resulting in reductionist and regressive policy outcomes. Governments choose to view some rights as too controversial or against their sovereignty, forgetting the commitments they already made on the interdependency, universality and indivisibility of human rights. This has enabled the ongoing escalating crackdown on women's human rights defenders and increasing gender inequalities, gender discrimination, violence against women and girls and the fundamental denial of women from exercising choice and freedom over their bodies and lives. Governments are increasingly refusing to be the primary duty bearers for human rights, slowly passing on or preferring to share this responsibility with other actors such as the private sector.

This article is a reminder of the bold commitments under the BDPfA made to promote and protect women's human rights. It highlights the status of women's human rights in Africa and is a call to everyone in the struggle towards the realization of these rights to remain rooted boldly and not settle for less during the review process. It is a reminder to governments that promotion, protection and preservation of women's rights is their primary and indeed first responsibility.

Shrinking civic space for feminist activism

Across Africa, shrinking civic spaces pose a threat to human rights, and more so, for African women's human rights. At the African Union summits, the premier continental policy & decision-making spaces, only one of the summits is now open to civil society – severely limiting women's rights organizations engagement with this decision body.

The withdrawal of the observer status of the Coalition of African Lesbians from the African Commission on human and people's rights, following a decision by the AU Executive Council, epitomizes the threats to civic space for those pushing for women's rights. This is in addition to attacks on and physical break-ins into offices of women's rights organizations such as The Women's International Peace Centre (formerly ISIS-WICCE) and Akina Mama wa Afrika, among others.

Women's Human Rights have been re-negotiated continuously resulting in reductionist and regressive policy outcomes. Governments choose to view some rights as too controversial or against their sovereignty, forgetting the commitments they already made on the interdependency, universality and indivisibility of human rights.



It is also important to note that some of the attacks on civic space, come in the form of governments criminalizing women's rights issues. For example, the criminalization of abortion, same sex relations, teenage pregnancy, access to contraception among other sexual and reproductive rights, and withholding protection for women human rights defenders. In 2018 alone, the governments of Sierra Leone, Tanzania and Mozambique and Kenya criminalized teenage pregnancy, launched an attack on women's reproductive rights such as abortion rights, and even access to contraception. These kinds of actions mostly put individual African women and girls and organizations working on these issues at risk.

Relating African Context to Global trends- fascism, fundamentalisms, populism

Now more than ever, the world is out rightly controlled by a right-wing wave that transcends borders. From the United States to various countries in Europe, we have seen the rise of anti-rights! This has impacted the human rights of African women and girls in many ways felt through funding cuts due to harmful policies such as the [Global Gag rule](#) which explicitly hinders women's access to sexual and reproductive health and rights. Though the global gag rule is a US state government policy, we cannot deny how such policies are imported through neoliberal agendas. Aid conditionalities which in turn affects the policies that African governments can or cannot pass when some of the health portfolios heavily rely on USAID funds.

African Women and girls' bodies as battlegrounds for attack on human rights

Across various countries, criminalization^[ii] is used as a tool to infringe upon women's human rights. This is despite evidence that criminalization of rights such as sexual and reproductive rights creates an environment for structural barriers, institutionalized violence, denial of rights and reinforcement of bias and harm - compounding existing socio-economic inequalities. Criminalization has resulted in women and girls across the continent contending with accessing rights such as access to abortion as a 'premium right' rather than reproductive health care, or for Lesbian Bisexual Trans and Intersex people accepting violence as part of their lived reality. An estimated 93% of women of reproductive age in Africa live in countries with restrictive abortion laws. Abortion is banned and criminalized in 10 out of 55 African countries. Only 5^[iii] countries in Africa have relatively liberal abortion laws. In line with importing the abuse of human rights, especially of women in Africa, it is essential to note that criminalization is one of the colonial and patriarchal legacies that African women and girls are suffering.

All rights under attack

25 years after Beijing, governments are more polarized than ever about any word/reference to human rights. We have experienced this in several, if not all, recent intergovernmental negotiations especially on gender equality and women's rights, such as the UN Commission on the status of women (UN CSW), Commission on Population and Development (CPD), Financing for Development process etc.

Although the primary resistance is on women's sexual and reproductive rights (as highlighted above), the rights language seems to be resisted even among those that purport to support the right to development. The discourse on gender equality, women and girl's empowerment has been systematically depoliticized at the expense of African women's rights. Increasingly, instrumentalist



arguments for gender-equal societies have been normalized. This manifests through tagline such as; *when we have gender-equal societies, everyone benefits and economies thrive; educate a girl, educate the whole society*; among others - suggesting that the empowerment of women and gender equality should be supported for other more significant goals. Governments and private sector are only comfortable to discuss concepts such as economic empowerment of women, in an apolitical manner that does not confront neoliberal and capitalistic economic systems that continue to thrive off the backs of women! African women are only featured in economic policies as tools of production and consumers but not political actors to drive fiscal and macroeconomic policies. This is despite women's labor being the major contributor to sectors responsible for the US\$50 billion that leaves the continent through illicit financial flows. Neither is there consideration of the heavy taxes they pay through heavily levied basic goods and informal economies heavily dominated by women.

The exploitation of women's labor is manifested in different ways, including low pay and lack of minimum wages, lack of workers' benefits, unpaid care work and lack of rights to form workers unions to increase workers bargaining power for their labor rights. Besides, women continue to face violence at the place work, and yet efforts continue to focus on increasing women in the labor force. All this goes unchecked since governments have ignored their duty to protect the rights of their citizens including the rights of women.

Conclusion

As we prepare for the 25th anniversary we must acknowledge that we are far from reaching its promise to women and girls. It clear that if we do not centre the human rights of women and girls, we will continue to regress. The challenges highlighted above will not be achieved with the current rhetoric and approach towards gender equality and the empowerment of women. We must be willing to employ a transformative strategy that put improvement of women's status and enjoyment of their rights at the centre, not because it is good for our economies but because it is good for women and girls. A good place to start is for all actors to listen to, and work with, diverse feminists and women's rights organizations who have decades of experience and passion for advancing the gender equality and women's rights agenda. They know the solutions; they just have not been listened to by those in power.

Our hope is that we already have robust policy frameworks in place that will guide our journey to the world where all women and girls enjoy all their human rights and fundamental freedoms. In addition to the anniversary of the Beijing Platform for Action, 2020 is also the 20th anniversary of the United Nations Security Council Resolution 1325 on Women, Peace and Security and most importantly, the end of the African Women's Decade. Recently International Labour Organization Convention 190 was adopted to protect women from violence at the place of work. Immediate action for governments is to ratify this convention.



About the Author

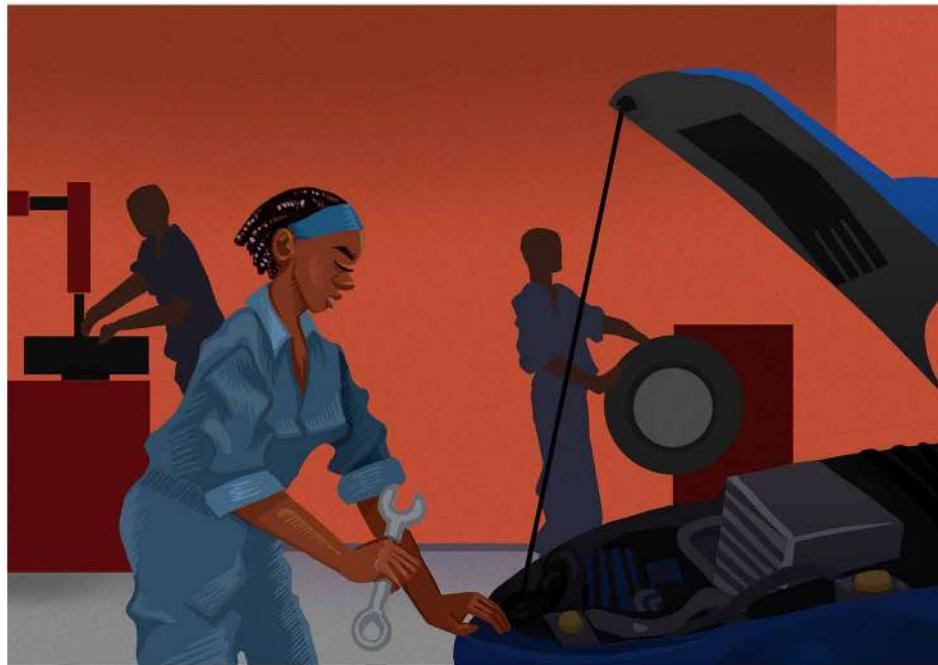
Catherine Nyambura is a Pan African feminist and sexual and reproductive health and policy advocacy expert with an academic background in public health and biomedical research. Catherine has worked on sexual and reproductive health and rights, women's rights, adolescent health, HIV and AIDS prevention, care, treatment and research for the past ten years.

Dinah Musindarwezo is an African feminist and Gender and Development expert who is passionate about creating an environment, systems and structures that work favorably for all women and girls without any form of discrimination. For over 13 years, Dinah has dedicated her time to work towards achieving Gender Equality, Women and Girls Human Rights and Empowerment of women and girls. Dinah is currently the Director of Policy and Communications at Womankind Worldwide. Currently, Dinah serves on UN Women East and Southern Africa Regional Civil Society Advisory Group; she is a Board member of Amplify Change Fund, Article 19 East and Horn of Africa Regional Office and Trust for Indigenous Culture and Health (TICAH).

[i] <https://beijing20.unwomen.org/en/about>

[ii] https://www.guttmacher.org/sites/default/files/factsheet/ib_aww-africa.pdf

[iii] Cape Verde, South Africa, Tunisia, Zambia and Mozambique

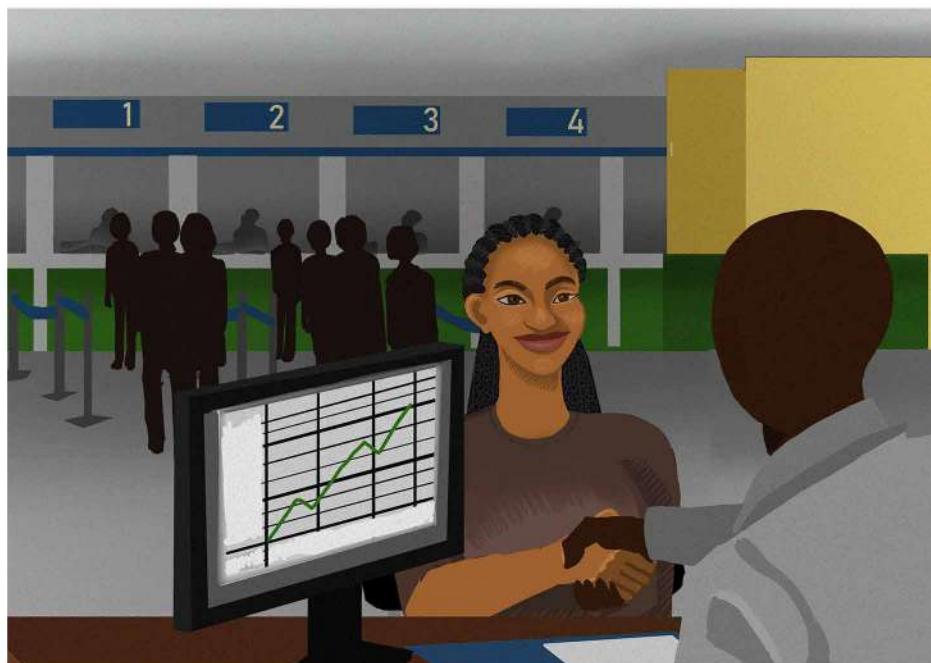


**By Sarah Marion
Ijangole**

Measures were taken in all regions to initiate alternative education and training systems to reach women and girls in indigenous communities and to remove gender biases from education and training.



There has been growing acceptance of the importance to society of the full participation of women in decision-making and power at all levels and in all forums, including the intergovernmental, governmental and non-governmental sectors.



Some governments have established funding mechanisms to promote women's roles in entrepreneurship, education and training.

The establishment of local, national and international women's media networks has contributed to global information dissemination, exchange of views and support to women's groups active in media work.

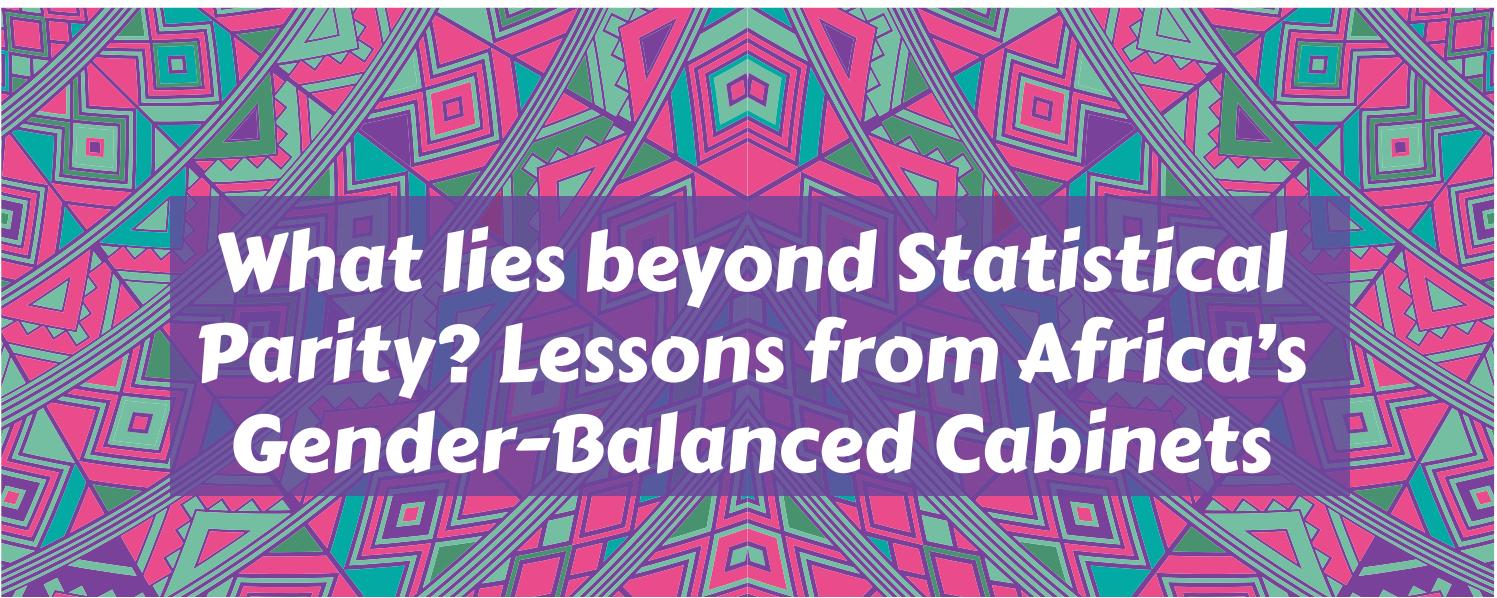


Some progress has been made in primary and, to a lesser extent, secondary and tertiary education for girls, owing to the creation of a more gender-sensitive school environment, and increased enrolment and retention.



Programmes have been implemented to create awareness among policy makers and planners of the need for health programmes to cover all aspects of women's health throughout women's life cycle.





What lies beyond Statistical Parity? Lessons from Africa's Gender-Balanced Cabinets

Betel Bekele Birhanu (PhD) and Kiya Gezahegne

It is about to be 25 years since the adaptation of the Beijing Declaration and Platform for Action (BPfA), which is often celebrated as one of the most instrumental global policy documents ever produced to advance gender equality and women's rights. It has served as a spring board for subsequent laws and policies that significantly improved the status of women and girls in the political, economic and social spheres of life. In particular, there is a substantial improvement on 'women in power and decision-making', one of the 12 critical areas of concern for urgent action to realise greater equality and opportunities for women and girls.

Both in Africa and the rest of the world, we are witnessing the presence of more women in positions of power. According to 2019 *Women in Politics* map by Inter-Parliamentary Union and UN Women, in January 2019, women made up 6.6 percent heads of states, 5.2 percent heads of government and 24.3 percent of parliamentarians. While women are still under-represented, these gains need to be celebrated as a progression towards gender parity in political leadership positions.¹

Both scholars and practitioners have lately begun highlighting the potential of gender balanced cabinets in advancing gender equality, which is a stand-alone Sustainable Development Goal (SDG), and also mainstreamed across the other 16 SDGs in their measurement criteria for the achievement of their targets. The 2030 agenda makes clear that development will only be sustainable in a world where all people, both men and women, live in dignity and respect. Hence, ensuring the meaningful participation of marginalised segments of society, such as women and girls, in the implementation of the 2030 agenda underscores the core SDG principle of leaving no-one behind and attaining gender equality.

¹ http://iknowpolitics.org/sites/default/files/ipu_femmesen-politique_2019_en.pdf



According to Abdennabi-Abderrahim (2013), "in spite of political, societal, cultural, economic, and psychological barriers, African women are finding ways to overcome challenges and participate in the political life of their societies in several countries".² States on the continent are on the way to demonstrate their commitment to achieving gender equality in political representation. At present, there are 22 gender-balanced cabinets in the world, 14 with at least 50 percent women ministers. And 3 out of these 14 cabinets are Ethiopia, Rwanda and South Africa.³

The pioneer for African states, and a global leading state in the number of women parliamentarians, is Rwanda; 61.3 percent in lower house and 38.5 percent in upper house. It is the world's epitome of gender equality and ranks 6th in the general global index and 4th in political empowerment.⁴ Besides announcing a gender balanced cabinet, with the reshuffle concluded in October 2018, President Paul Kagame made sure women constitute more than 60 percent on coverage of the Rwandan parliament for most of the current decade. For this effort, in July 2016, the African Union presented him with the Gender Scorecard Award for the work he has done to promote women's rights and gender equality. He was also awarded the Gender Champion Award by the African Women Movement in the same year.

The second country to follow Rwanda in appointing gender balanced cabinet is Ethiopia. In October 2018, half of the twenty ministerial positions were held by women. This has led Ethiopia to be ranked 11th on the global gender gap index. Besides appointing 50 percent women ministers in the new reshuffled cabinet with positions that used to be male-dominated, Prime Minister Dr. Abiy Ahmed also appointed the first female President, a nominal position as Ethiopia follows the parliamentary state structure, the first female chief justice and the first head of the national electoral commission. The country also stands 18th in women's participation in the parliament; 38.8 percent in the lower house and 32.0 percent in upper house. These appointments have attracted considerable international attention, and the Prime Minister received the 2018 Africa Gender Awards by the African Union. However, the country still stands at 117th on the general global gender gap index and 52nd on political empowerment of women.

A fairly recent achievement in gender parity cabinet has been that of South Africa. Women's representation in the political sphere of South Africa progressively stepped forward since the post-apartheid 1994 election both at local and national levels. The African National Congress (ANC), took a "consistent step towards gender parity" through voluntary quota system and adhering to the Southern African Development Community (SADC) Protocol on Gender and Development. Since May 2019, South Africa became the third African country to achieve gender parity when President Cyril Ramaphosa assigned women on half of the ministerial positions. Prior to the appointment in May, the global gender gap index report of 2018 put the country at 17th on political empowerment and 19th on the gender index in general.

With all these developments in the three countries, in achieving the African Union 50:50 gender parity principle, the question we need to be asking is "does the 50/50 statistical parity between the genders translate into actual empowerment of women"? This question is particularly pertinent in the context of the above mentioned cases, as most are patriarchal societies with authoritarian oriented state machinery compounded by weak political institutions. The appointment of women ministers is a measure that is being executed by the "political will" of the "strong men" in the highest political offices. This situation makes one question the sustainability of such an arrangement in a non-liberal context.

² Abdennabi-Abderrahim (2013),

³ <https://www.iknowpolitics.org/en/learn/knowledge-resources/heres-are-most-gender-balanced-cabinets-world-today>

⁴ <https://www.weforum.org/reports/the-global-gender-gap-report-2018>

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Both Rwanda and Ethiopia, currently seem to be leaning to the neo-liberal world, subscribing to the developmental state model. A minimalist definition of this model is a development trajectory that tries to champion economic development by downplaying the relevance of political rights and civil liberties, which are treated as luxuries that must be put on hold until after the much-needed economic success is achieved.⁵ While both states claim to pursue a slightly different version of the democratic developmental state, the attainability of a fully functioning democratic developmental state is contentious.⁶ Some have even used terms such as "developmental authoritarianism"⁷ to refer to Ethiopia and Rwanda. This is a phenomenon where regimes provide nominal democratic institutions while retaining tight control over all aspects of the lives of their citizens.

While he assumed his post as President in 2000, Paul Kagame has been at the forefront of Rwandan politics since the end of the 1994 genocide that claimed the lives of 800,000 people in just 100 days. Although his administration has made impressive advances to ensure political representation of women in a post-genocide society, it is often criticized for its authoritarian character. By pointing to the "increasingly authoritarian system of governance", Turianskyi and Chisiza (2017) argue that the increased representation of women in parliament has not improved the status of women in other spheres of life. Even though Ethiopia and Rwanda are often accused of manipulating the developmental state model as "a 'buzzword' to attain political ends⁸ and justify their authoritarian character, the sole attempt to realise a gender balanced cabinet can be interpreted as a win for the struggle of gender equality in and of itself as it normalises women in the position of power.

After coming to office in April 2018 through an internal power struggle within the ruling coalition – the Ethiopian People's Revolutionary Democratic Front (EPRDF), that has been in power since 1991, Prime Minister Dr. Abiy Ahmed has not had trouble getting his nominations approved by a legislative body that lacks a single opposition party member as his coalition claimed to have won by 100 percent at the last national election in 2015. However, we are yet to see if the appointments of women in the different political positions will translate into a meaningful change beyond statistical consumption, which many seem to be unenthusiastic about. There has been considerable decrease in the gender gap in other BPFA critical areas of concerns such as education

5 Mkandawire, 2001; Leftwich, 1995

6 Gumede, 2009

7 Matfess, 2015

8 Routley, 2014



and health. However, political representation and decision making has showed slow progress in Ethiopia until October 2018, with the announcement of a gender-balanced cabinet with 10 female ministers including the Ministry of Defense. The positions these women hold at present, considered to be high and prestigious, and are not far from stigma and scrutiny by the public. It has been a subject of debate questioning the merit of the ministers while others praised it as a step forward to ensure gender equality in the country and a show of good faith and commitment to achieve this by the government. The inclusivity of the political system in general is however lacking. A recent law on political parties is said to be short of gender considerations, which many are finding to be worrisome for the future of women in the country.

In fact, in Ethiopia as well as in South Africa, there are no institutional mechanisms, such as in Rwanda, which can sustain the present positive change we are observing. Rwanda adopted a constitution in 2003 which allows women to hold 48.8 percent of seats in lower house parliament and 30 percent of all decision making organs.⁹ It also developed women's only balloting mechanism, separate from the general ballot, in local elections. This was further developed with revision of laws.

Another context-sensitive information to consider is the intersectional nature of identity that is rooted in the value systems of the societies in the cases. In these societies, other identity markers, such as ethnicity, often triumph over gender identity. Women tend to first identify as a member of a certain ethnic group. This makes one question if the increased political representation of women in government positions would genuinely contribute to the empowerment of woman at the grassroots level. Since these measures are mostly driven as policy objectives, such as quota schemes, there is a risk of not having a meaningful impact beyond statistical parity to realise gender equality as a stand-alone goal and across the other SDGs. A study that looked at the impact of electoral gender quotas on women's political representation in Burundi and Rwanda,¹⁰ found that there is no significant difference between ordinary women and men's perception of political representation and that ethnicity triumphs over gender identity. These findings call for an increased need to explore the intersectional dynamics of gender and ethnic identities. In general, we can argue that the changes witnessed in women's political participation are not self-reinforcing in many aspects. A case in point is the decline of women's representation in the parliament of Rwanda from 63.8 to 61.3 percent in the year 2018.¹¹

Thus, the political will to achieve gender equality should be instrumentalised and enforced with gender-inclusive laws and measures, being also considerate of the different country contexts. It also has to go further from appointing female ministries and consider women's interest in decision making through a gender transformative lens, which at present is missing. The 'surprise move' of the state heads to represent half of the cabinet with women should also put into consideration the issue of equitable political participation beyond representation, which has yet not been focused upon by the different states.

9_ Cole, 2011

10_ Guariso et al. 2018

11_ <https://www.weforum.org/reports/the-global-gender-gap-report-2018>

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Neoliberal solutions will not bring gender equality

Vivian Ouya and Hazel Birungi

Introduction

The Beijing Declaration and Platform for Action (BDPfA) aims at removing all obstacles to women's active participation in all spheres of public and private life, through ensuring women full and equal share in economic, social, cultural and political decision making. It purposed to do this through 12 key areas.¹² These were flagged as areas where urgent action was needed to ensure greater equality and opportunities for women and

men, girls and boys.

Most African countries have been successful in setting up gender apparatuses, including gender focal points in various government ministries with the mandate to oversee gender mainstreaming in the country, which includes implementing commitments made under the BDPfA.¹³ Countries have increasingly adopted or revised legislation and policies to address the multiple forms of violence and discrimination against girls. According to the North Africa's Gender Parity Index, there has been near-achievement of gender parity in primary education.

Neoliberalism is a political project carried out by the capitalist class to consolidate their ability to generate profits by exercising influence in political processes, such as elections, in order to privatise or direct state institutions and regulatory powers in ways favourable to their interests.¹⁴ Neoliberalism, then, as Rustin has concluded, although it appears to name an ideology, is a term also used to refer to the entire post-1980 capitalist system which it dominates.¹⁵

2020 marks the 25th anniversary of the adoption of the BDPfA, a great opportunity for analysing what is termed to be the most comprehensive global policy framework to achieve goals of gender equality, development and peace.

¹² European Union Gender Equality Division

¹³ Mohammed 2015

¹⁴ Hastings, 2019

¹⁵ Walt, 2017

Neoliberalism, Education and Gender Equality.

'Girls are the agents of change' 'If you want change, invest in girls' 'Girls are more nurturing and compassionate' 'Educating girls will end poverty'. A thriving downright believable rhetoric we have heard and read about all our lives. A delightful aesthetic. Throughout school, we were constantly reminded that we were the salvation that our poor families were waiting for. It was like an anthem, an incessant buzz in our little ears. We were reminded of how our parents sold off property to educate us, that boys would always run away but girls never abandon their families. We ate it all up. We knew our role. We did not understand it, but we knew it. Go to school, get a job and rescue our families.

A systematic analysis of power relations and grounding in feminist theory got us questioning the rhetoric and its origin. Who told our teachers to tell us we were agents of change? Who engineered the psychology of entire communities to embrace the narrative of the 'nurturing girl'? Was it the state? Was it multinationals? Millions of parents in Africa particularly were not just telling their children that 'education is the proverbial key' just because it felt nice. It was fashionable and we have to wonder why it was.

'Research conducted in a variety of countries and regions has established that educating girls is one of the most cost-effective ways of spurring development. Female education creates powerful poverty-reducing synergies and yields enormous intergenerational gains. It is positively correlated with increased economic productivity, more robust labour markets, higher earnings, and improved societal health and well-being.'¹⁶

'Robust labour markets' 'productivity' 'expected' 'benefits' 'untapped source of human capital'- basically, girls are literally just out here existing and developmental agencies and multinationals are drooling at the mouth and rubbing their hands at the promise, prospect and potential of investing in girls, not to foster gender equality, but to engineer future human capital. That right there is the brazenness of capitalism and neoliberalism. It sneaked up on little girls on the illusion and royal lie that it would humanise their bodies in schools, it would deliver an end to poverty, it would help them rescue their families from poverty, it would...it would...it would. Education as a form of acculturation has come to be defined as the acquisition of social and human capital. This process depends on increases in knowledge in the workforce at large. Education has become instrumental to business values. Profit-making operations dominate the world, increasingly also in the world of education.¹⁷

The current focus is on what the world can get from girls. Specifically, what multinationals can harvest from girls. Nobody funds girls' education simply because they are human beings. Gender equality is no longer in the picture, well, it APPEARS to be in the picture but the agenda has completely been hijacked, reframed and monopolised by multinationals who do not really care about dismantling systems that propagate gender inequality. The key interest of this neoliberalist kidnapping of developmental agencies is profit. What we are witnessing is the marriage and manifestation of capitalism and heteropatriarchy in education for girls.

The language is always to 'take girls to school' but nobody really centres what happens in those

16 Mercy Tembon Lucia Fort, 2008

17 Rustin, 2016



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schools we want to so badly take girls to. What the social norms are in those schools. Whether there is classism amongst the students that manifests in bullying. Hell, is there water and food in those schools? The constant surveillance of girls' bodies and sexuality by people in positions of power. The lack of prioritisation and funding for an important class like Comprehensive Sex Education.

Neoliberalist solutions are perhaps the greatest scams of the present century. In a neoliberal economy, crises are responded to without anyone thinking or caring about why there are crises in the first place. The state withdraws from its responsibilities and when this happens, look out for presidents of whole nations who will stand on podiums, suit and tie, and audaciously say 'our hands are tied.' There will be privatisation of public services; corporations will run the state, growth of informality, death of unions, and increase in gender-based violence, exploitation of women's labour, debt and violent extractivism. Women get to bear the brunt of a neoliberalist economy.

Perhaps the most interesting bit about neoliberal solutions is just how much we have eaten it all up- and by 'we' I mean, civil society organisations, human rights defenders, families, women, governments, children, the society. We replicate this system in our very existence. We design and structure our projects with the sole intent of generating these solutions. We ooh and ahh at billionaires. We wonder how they 'made it.' We aspire to also 'make it.' But the gag is, 99% of us will never be billionaires because the system is not set up to make us billionaires. The system is only set up to benefit a few people at the top. We constantly work to 'make it.' We internalise and actually believe that we only exist to work. We internalise capitalist narratives around hating our co-workers. We feed our labour into the system and the system thrives. We do not prioritize our rest. We subconsciously teach children about individualisation- we tell children to believe in themselves, to invoke the power within them and grab seats at non-existent tables, to believe that they deserve success, to grab opportunities, to be competitive, that if they just lean in enough they would make it. However, the problem is not that girls or young women do not believe in themselves, or are not leaning in enough, the problem is systems do not work in their favour, no matter what they do. We do not need individual success stories splashed in western media outlets about that one African girl who made it despite all odds; we need those odds to be in the collective favour of all African girls. In fact, we need those odds completely ripped to shreds. Odds should not exist. Odds are bad. Very bad.

Conclusion

A neoliberalist economy produces us- our political identities particularly. It births our feminism in a way. It fuels mass resistance. The current protests in Algeria and Guinea for example are not just happening because people love being on the streets so much- they are happening because people are EXHAUSTED with inequality. It propels us to want to do better for ourselves and generations to come and this is precisely why as we look back on all the gains the Beijing Declaration and Platform for Action drove the women's rights movement to, we must aspire to retain and celebrate these gains. However, we must ask tough and uncomfortable questions about why, twenty-five years later, we still do not enjoy gender equality. Why women's rights are still not considered human rights. One of the most urgent solutions that we need to really think about and act on swiftly is making our work feminist. Focusing our energy on dismantling systems. The initiatives, organisations and social movements we are part of MUST tackle systematic inequalities. We do not have the luxury of performing theatrics in the name of fighting for gender equality. We just do not. It is just one more complicity problem we do not need in Africa. Our programmes and projects MUST be designed to speak to power. We must unwaveringly shed off respectability politics if we are ever going to achieve equality. If your initiative is not tackling systemic injustices, stop, think and restructure. Initiatives should talk about systems, talk about power, however threatening or scary it may be.

In the same spirit, we must develop sustainable feminist funding. Feminist work categorically speaks to power and so it is very important that we make the funding ecosystem feminist. Funding should be accessible, dignifying and complementary.

Most importantly, the work we do is centred on people's lives. Actual people's lives. We cannot be half-half in this work. We cannot be neutral in this work. We cannot be respectable in this work. Otherwise, we will just be playing badminton with people's lives. As the world will be honouring the adoption of the Beijing Declaration and Platform for Action, as young black women, we truly hope that all stakeholders fighting for gender equality will disrupt neoliberal solutions and instead speak directly to power and generate intersectional feminist solutions for global problems.

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Education is the most powerful weapon which you can use to change the world. The picture portrays the endless possibilities that education offers women and that there shouldn't be limitations to what women can achieve. A woman can either be a doctor, artist, and engineer, whatever she dreams she can achieve and it starts from place of empowerment.

Nancy Chelagat Cherwon





Why handling teenage pregnancy and re-entry in school is urgent in Africa

Susan Masamba Rubiingga

Tanzania's President John Magufuli has been condemned for comments that girls who give birth should not be allowed to return to school. While speaking at a public rally in Chalinze town, about 100km west of the main city Dar es Salaam, he said that young mothers would be distracted if they were allowed back in school, by insisting that "After getting pregnant, you are done." In Tanzania a law was passed in 2002 which allows for the expulsion of pregnant schoolgirls. The law says the girls can be expelled and excluded from school for "offences against morality" and "wedlock"!

In many cultures and societies in Africa, the girl child is denied her human rights and sometimes her basic needs. She is at increased risk of sexual abuse and exploitation and other harmful practices that negatively affect her survival, development and ability to achieve to her fullest potential. Because girls are particularly vulnerable, they require additional protections. The girl child is one of the 12 critical areas in the 1995 Beijing Platform for Action, which recommends elimination of all forms of discrimination and abuse of girls and protection of their rights.

In 2018, Bio Med Central carried out 52 studies, with 254,350 study participants. A total of 24 countries from East, West, Central, North and Southern African sub-regions were included. The overall pooled prevalence of adolescent pregnancy in Africa was 18.8% (95%CI: 16.7, 20.9) and 19.3% (95%CI, 16.9, 21.6) in the Sub-Saharan African region. The prevalence was highest in East Africa (21.5%) and lowest in Northern Africa (9.2%). Factors associated with adolescent pregnancy include rural residence (OR: 2.04), ever married (OR: 20.67), not attending school (OR: 2.49), no maternal education (OR: 1.88), no father's education (OR: 1.65), and lack of parent to adolescent communication on sexual and reproductive health (SRH) issues (OR: 2.88).²

In sub Saharan Africa, in the year 2013, 101 births per 1,000 were some of the highest rates of adolescent fertility in the world. Among 14.3 million adolescent girls who gave birth in 2008 worldwide, one of every three was from sub-Saharan Africa. More than 50% of adolescent girls give birth by the age of 20 in this region.

In Kenya, it is estimated that between 10,000 and 13,000 girls drop out of school annually due to pregnancy, but approximately only 1,200 return after giving birth (Onyango et al., 2015). Despite the school re-entry policy in Kenya having clauses of unconditional readmission for young mothers, it was evident at a meeting organized by the STEP UP and Population Council with school principals in Homa Bay county to have a dialogue on the re-entry and continuation policy, that many school principals thought young mothers should only be re-admitted if they showed remorse for becoming pregnant (Undie et al., 2015b).³

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According to the EDHS 2016, 13% of women aged 15–19 years in Ethiopia began childbearing: 10% had a live birth, and 2% were pregnant with their first child at the time of interview. The proportion of women aged 15–19 years who began childbearing rose rapidly with age, from 2% among women aged 15 years to 28% among those aged 19 years.⁴

Mozambique issued a decree stating that pregnant girls should be transferred to night school. While the aim of the decree was to challenge the custom of expelling pregnant students, allowing them to continue with their education during pregnancy and motherhood, it reinforces the message that pregnant girls should not mix with other students. There is evidence that the policy has in fact led to greater dropout, with girls finding it difficult to attend classes at night time due to lack of childcare and concerns around safety (Salvi, 2016).⁵

In Uganda, one in four girls is either pregnant or has had a child by the age of 19. According to the Uganda Demographic and Health Survey -UDHS (2016), age at first sexual intercourse is 16 years and by age 18, more than 30 percent of adolescents are married.⁶

Engendered social norms active among communities in Uganda discourage allowing pregnant girls or new mothers from continuing at school, as such girls would set a bad example to the rest of the students (Watson et al, 2018).⁷

Many societies in Sub Saharan Africa, perceive teenage pregnancy and motherhood to be incompatible with schooling. Studies outline ways historical and contemporary



moral, cultural and social norms combine to construct and pathologize teenage pregnancy and motherhood outside of marital family contexts. The agency of pregnant girls and young mothers continues to be suppressed as teenage pregnancy and motherhood is socially constructed as unacceptable, shameful and punishable in popular and everyday discourses.⁸

Progress

In recent years, many African governments have made strong commitments to ensure that pregnant girls and mothers can attend school. Progress is evident in 26 African countries that have laws or policies that protect adolescent girls' education during pregnancy and motherhood. Four – including Gabon and Côte d'Ivoire – guarantee girls the right to continue school during pregnancy and after giving birth. Another 22 – including Kenya and Malawi – have conditional "re-entry" policies. Benin, Cape Verde, and Senegal have revoked punitive policies, and adopted policies that support girls' return to school. However, laws and policies that guarantee "re-entry" are often poorly carried out and not well-monitored to ensure schools comply with them.⁹

Some governments have focused on tackling these barriers, as well as the root causes of teenage pregnancies and school dropouts, for example by:

Removing primary and secondary school fees to ensure all students can access school equally, and targeting financial support for girls at risk of dropping out through girls' education strategies, as in Rwanda;

Provision of social and financial support for adolescent mothers is done in South Africa, which also offers additional findings regarding the implementation of the South African School Act (SASA) (Republic of South Africa, 1996), an act that makes it illegal to exclude pregnant girls from schools. The study shows that about 32% of 14- 19 years old school going girls who had ever become pregnant have re-entered because of the presence of the SASA (Bhana, Morrel, Shefer & Ngabaza, 2010).¹⁰

Providing special accommodations for young mothers at school, for instance time for breast-feeding or time off when babies are ill or to attend health clinics, as in Cape Verde and Senegal. Giving these girls a choice of access to morning or evening shifts, as in Zambia would also be very helpful. Establishing nurseries or early childhood centers close to schools, as in Gabon would be another option. Finally providing school-based counselling services for pregnant girls and adolescent mothers has helped in Malawi.¹¹

Creation of access to sexual and reproductive health services, including comprehensive sexuality education at school and in the community, as in Ivory Coast, and access to a range of contraceptive methods, and in South Africa, safe and legal abortion.

In 2018, the Ministry of Education in Uganda revised the guidelines on school retention and re-entry policy allowing pregnant girls at least one year of maternity leave. Some school heads have now embraced this policy.

Challenges

Despite these positive steps by some African countries, a significant number still impose laws and policies that directly discriminate against pregnant girls and adolescent mothers in education. For example, Equatorial Guinea, Sierra Leone, and Tanzania expel pregnant girls from school and deny adolescent mothers the right to study in public schools.

A study by Bhana et al. (2010), which explored teachers' responses to teenage pregnancy and parenting in South Africa, revealed that most school principals and teachers reproduce gender violence and inequality by not being ready to admit and support pregnant learners or mothers in their schools, the presence of the policy notwithstanding.¹²

Other countries resort to harmful means to identify pregnant girls, and sometimes stigmatize and publicly shame them. Some conduct mandatory pregnancy tests on girls, either as part of official government policy or individual school practice, which tests are usually done without the consent of girls, and infringe on their right to privacy and dignity. Many girls fear such humiliation, thus will preemptively drop out of school when they find out they are pregnant, while others will go to great lengths to procure unsafe abortions, putting their health and lives at risk.¹³

Human Rights Watch found that 24 African countries lack a re-entry policy or law to protect pregnant girls' right to education, which leads to irregular enforcement of compulsory education at the school level. Northern Africa region generally lacks policies related to the treatment of teenage pregnancies in school, but also, imposes heavy penalties and punishments on girls and women who are reported to have had sexual relationships outside marriage. In Morocco and Sudan, for example, morality laws that allow them to criminally charge adolescent girls with adultery, indecency, or extra-marital sex are applied.¹⁴

Re-entry and continuation policy guidelines were not implemented in most schools, and a suitable framework to monitor and evaluate the implementation and progress of the policy was lacking.

Adolescent girls' lack of access to sexuality education, limited ability to negotiate sexual relationships, and restricted access to reproductive health information and services all contribute to teenage pregnancy and early motherhood.

Recommendations

There is need for Governments to urgently adopt laws and policies that encourage girls to stay in school, to return to school after having a child, and to succeed academically. All should ensure that they do not impose stringent conditions on adolescent mothers who wish to continue with education.

Greater efforts are needed by the AU to ensure that pregnant girls and adolescent mothers are included in the agenda to Leave no Child Behind, a call made to member countries in 2018.

Continuing to foster adoption of comprehensive approaches to support young mothers to continue with education, while tackling the root causes of early and unplanned teenage pregnancies is crucial. They should provide adolescents with access to sexual and reproductive health services, include comprehensive sexuality education at school and in the community, and ensure access to a range of contraceptive methods, and safe and legal abortion.

Governments should consider recruitment of professional counselors in schools, so that girls have someone to talk to for guidance, just in case they cannot get it from parents and guardians at home.¹⁵

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Women's Access to Safe Abortion in Rwanda

Diane Uwamariya

Great strides have been made in reducing maternal mortality globally; however the Millennium Development Goal of reducing maternal mortality by 75% between 1990 and 2015 was not met.¹⁸ Sustainable Development Goal 3 'Ensure healthy lives and promote well-being for all at all ages' sets the target of reducing maternal mortality to 70 deaths per 100,000 live births¹⁹ – with the belief that legislating for safe abortion access is central to reducing maternal mortality. Restrictive abortion laws remain the norm across Africa, and an estimated 18% of maternal deaths in East Africa can be attributed to unsafe abortion.²⁰

Rwanda has quite a number of good laws that have improved the lives of women in both rural and urban contexts. It is the top country in the world with the highest number of women representation in the parliament (61%) and other decision making bodies and this is supported by the constitution of Rwanda, which provides 30% reserve seats for women.²¹ Most of the laws in Rwanda have been gender mainstreamed and women inclusion has reduced discrimination.²² Rwanda signed and ratified the African women's protocol (the Maputo Protocol) with a reservation on article 14.2 (c) on access to medical abortion. In 2012 the cabinet passed the proposal to lift the reservation on the same article making Rwanda fully committed to the Protocol.²³

The African Women's Protocol states that a woman must have the right to decide when to get married and the choice of her partner. Parents, religious and community leaders can provide guidance on how to make the choice, but under no circumstance should they negate the right of a woman to make her choice of partner or decide how many children to have and how best to space them.²⁴ Where women and girls lack the power, ability, information and sufficient education to make such informed decisions they end up being subjected to early marriages, unwanted pregnancies, unsafe abortions and having large families which keep them and their families in a vicious cycle of poverty, hunger and disease.²⁵

¹⁸ United Nations, "Goal 3: Ensure healthy lives and promote well-being for all at all ages." Sustainable Development Goals. Accessed June 10, 2019. <https://www.un.org/sustainabledevelopment/health/>

¹⁹ ibid

²⁰ World Health Organisation (WHO), Unsafe Abortion: Global and Regional Estimates of the Incidence of Unsafe and Associated Mortality in 2008. Geneva: World Health Organisation, 2011

²¹ Gender Monitoring Office, Rwanda maintains its top position in female representation in Parliament on 2nd to 4th September 2018.

²² The Law n°59/2008 of 10/09/2008 on Prevention and Punishment of Gender- Based Violence, Official Gazette no 14 of 06/04/2009, art. 8 & 9

²³ Presidential Order n°05/01 of 03/05/2012 lifting the Reservation on article 14.2.C of Maputo Protocol.

²⁴ Protocol the African Charter on Human and Peoples' Rights on the Rights of Women in Africa signed in 2003, entered into force on 25 November 2005 art. 14. 1 (b) & (e).

²⁵ Convention on the Elimination of all Forms of Discrimination Against Women of 1979, entry into force on September 1981 art. 12.

There is no doubt that denying women's health rights hinders development.²⁶ Women lack access to resources and decision-making power over their bodies and sexuality, and are denied the right to lives of dignity, free of violence. This has a negative impact on their health, families, communities and the nation at large. Poor health results in low levels of productivity.²⁷ Access to safe abortion is an essential part of sexual and reproductive health and rights. Whenever governments make safe abortion services inaccessible to the people who need them, women's human rights to health and to freedom from discrimination are violated.

Safe abortion in Rwanda

The Rwandan Penal Code of 1977 highly restricted abortion. Traditionally, abortion was illegal in Rwanda till 1970 when the government waived part of the criminal element based on the 1940 Penal Code of the Belgian Congo; it stated exceptions to the prohibition on the performance of abortions. In 1977, Rwanda enacted a new law that liberalised abortions to be carried out only under general criminal law principles of necessity to preserve the physical or mental health of a woman.²⁸

In June 2012, Rwanda approved a new penal code. Article 162 of the revised penal code on abortion expanded the exceptions for permissible abortion to include rape, incest, forced marriage, and risk to the health of the woman or the fetus. To obtain a legal abortion under one of the first three grounds, a woman seeking abortion needed certification from the court that pregnancy resulted from rape, incest or forced marriage. To obtain a legal abortion because of risk to health, a petitioner got permission from two competent doctors, making three copies of a written report. However, most women faced with sexual violence do not report their cases due to the culture of silence and women had a very short time frame to go through this process since the Ministry of Health's guidelines limited legal abortion to 22 weeks of pregnancy.²⁹ In 2015, 84 women reported being raped, out of those, only 4 sought court orders for safe abortion and none of them managed to secure the order to procure safe abortion¹³ which means that women's access to safe abortion services is still unrealistic despite the less restrictive Rwandan penal code provisions.

In this regard, in 2015-2017 Health Development Initiative (HDI) led and hosted the civil society organizations' coalition that submitted a position paper and a policy brief to the Law Reform Commission, and Parliament calling for amendments to legal provisions on abortion. The engagement facilitated policy makers'

The African Women's Protocol states that a woman must have the right to decide when to get married and the choice of her partner. Parents, religious and community leaders can provide guidance on how to make the choice, but under no circumstance should they negate the right of a woman to make her choice of partner or decide how many children to have and how best to space them

26 K. Sally, 'The Specter of Sex: Gender Inequality Foundation', 2Ed (New York: New York State University Press, 2009) p.29.

27 Committee on Economic, Social and Cultural Rights, General comment No. 24 (2017) of 10 August 2017.

28 National Protocol for Operationalization of Exemptions for Abortion in the Penal Code of 2012, p.9.

29 Rwanda Biomedical Center Retrospective record review data (2012 - 2014).



deeper understanding of reproductive rights issues, resulting in the removal of administrative requirements and inclusion of child defilement under conditions eligible for safe abortion in the revised Penal Code of 30 August 2018.³⁰ The legal default was both unfair and ineffective, as it imposed a rule that contradicts many women's expectations, exacerbated vulnerability and gave men opportunity to assume their partner would not terminate an unwanted pregnancy without external incentive to prevent contraception.³¹ The most recent revisions have removed those barriers and expanded abortion access. While this is a welcome move advancing women and girls' reproductive health and rights, more needs to be done.

Currently, the new Ministerial Order N° 002/MoH/2019 of 08/04/2019 determining conditions to be satisfied for a medical doctor to perform an abortion requires that abortion be carried out after consultation between a woman and the doctor unlike previously when the final decision on whether a woman could have the procedure depended on the court. The revised law of 2019, however, still provides for specific circumstances under which abortion is legally permissible, for example in cases of rape, defilement of a girl under 18, forced marriage, incest or instances where the pregnancy poses health risks to the mother or unborn child.

Challenges

According to the Guttmacher Institute, there are approximately 25 unsafe abortions per 1,000 women of reproductive age (15-49) in Rwanda.³² However, it is unclear if these figures have changed since the recent change in legislation which has made seeking an abortion in certain circumstances less convoluted. Rwanda's national data on abortion, published in 2012 by the Guttmacher Institute, showed that an estimated 60,000 abortions are carried out annually, almost all of which are unsafe.

Since 2009, advocacy for safe abortion has been strongly challenged by organisations promoting antagonistic cultural and religious conservatism. Above all, the faith based institutions especially the Catholic Church, openly issued a statement that it will not permit abortion in health facilities they manage which constitute almost 40% country wide.³³ The Rwandan Catholic Church emphasizes that 'scientific research has shown that induced abortion has many negative effects on the life and conscience of the person who induces it'. It argues that even in cases where a mother's life may be in danger, faith in Christ should prevail and doctors should try to preserve both lives, suggesting that the mother's life should not be prioritized over that of the foetus.³⁴

Indeed, abortion is not always seen through a medical lens by healthcare professionals. One interview involving a retired nurse in Kigali (Rwanda) said that women (or 'culprit') should 'confess before the congregation' if they have had an abortion. "Otherwise, women will carry out abortions over and over again, bearing in mind that the Church will absolve their sin".³⁵

The revised penal code comes with some burdensome regulations, which continue to hinder women and girls from fully exercising their reproductive rights where girls under 18 get safe abortion only

30 The Law n°68/2018 of 30/08/2018 determining Offences and Penalties in general, Official Gazette no. Special of 27/09/2018.

31 Ibid

32 Guttmacher "Abortion in Rwanda." 2013. Accessed June 11, 2019. <https://www.guttmacher.org/fact-sheet/abortion-rwanda>

33 New Times <<https://www.newtimes.co.rw/section/read/192233>> (September 05, 2015) accessed on 5/03/2019.

34 Conference Episcopale du Rwanda "Press Release of the Episcopal Conference of Rwanda (CEPR) exhorting the faithful to respect life since its conception and avoid committing the sin of killing by abortion."

35 Times Reporter, "Catholic Church maintains its stand on abortion, says Bishop Mbonyintegé", New Times. September 05, 2019. Accessed May 30, 2019. <https://www.newtimes.co.rw/section/read/192233>



if they are accompanied by a parent or legal guardian and present a birth certificate.³⁶ If there is a disagreement among the guardians about the request for abortion, the law states that the view of the minor will prevail; however, requiring an adolescent to obtain permission is problematic for several reasons. First, there is intense social stigma around adolescents' sexuality, which is intricately and comprehensively woven into Rwanda's social fabric and can prevent adolescents from discussing their pregnancy with their parents. Second, the law failed to take into consideration those adolescents who have neither parents nor legal guardians. And last, it failed to acknowledge Rwanda's low birth-registration rate less than 10%, which makes it difficult for many to present a birth certificate. As a result, adolescents will continue to be forced to seek unsafe abortions or carry their pregnancies to term, affecting the possibility of their pursuing any educational and professional goals.

Recommendations



There is an urgent need to address legislation in Rwanda which is often ambiguous and left open to interpretation. Furthermore, the culture surrounding access to sexual and reproductive health (SRH) for girls and married women needs to be challenged. The voice of civil society is growing louder and there is a call to improve legal conditions about abortion so as to reduce the risk of complications resulting from unsafe abortion.

However, the change cannot be in legislation alone and a societal shift in views and beliefs is required to reduce the stigma and shame associated with unwanted pregnancy and abortion. Recognising the role that religious institutions play in society and tackling the culture and sentiment among the general public is central to this.

Legislation which is ambiguous and therefore puts the lives of pregnant girls and women at risk needs to be addressed. Continuous engagement with the Catholic Church and other religious groups is central to changing public sentiment, placing pressure on policy makers and providing the appropriate environment to allow women and girls to access safe abortion and other SRH services.

A significant number of articles highlighted highly problematic discussions regarding sexuality as well as pregnancy outside of marriage. Such discussions were centred predominantly around females, placing a disproportionate amount of shame and blame on them. The discrimination and stigmatisation faced by women and girls requires further attention.

Conclusion



Despite a major decrease in maternal mortality, accessing safe abortion services remains challenging in many contexts. Having said this, there is need to improve legal conditions to access safe abortion. Faith leaders' influential public policy voice in the country impedes women and girls' rights to access SRH services including contraception and safe abortion. This often serves to further

³⁶ Ipas, Historic progress on abortion rights in Rwanda. May 6, 2019

stigmatise and shame women and girls who have unwanted pregnancies. Religious organisations (in particular the Catholic Church) and state are intertwined and as such, religious institutions' stance serves to impede implementation of policy. In a culture where sex outside of marriage is taboo, it is incredibly difficult for women to raise their voice, their needs and their rights. Both legislation and cultural values around SRH need to be improved.

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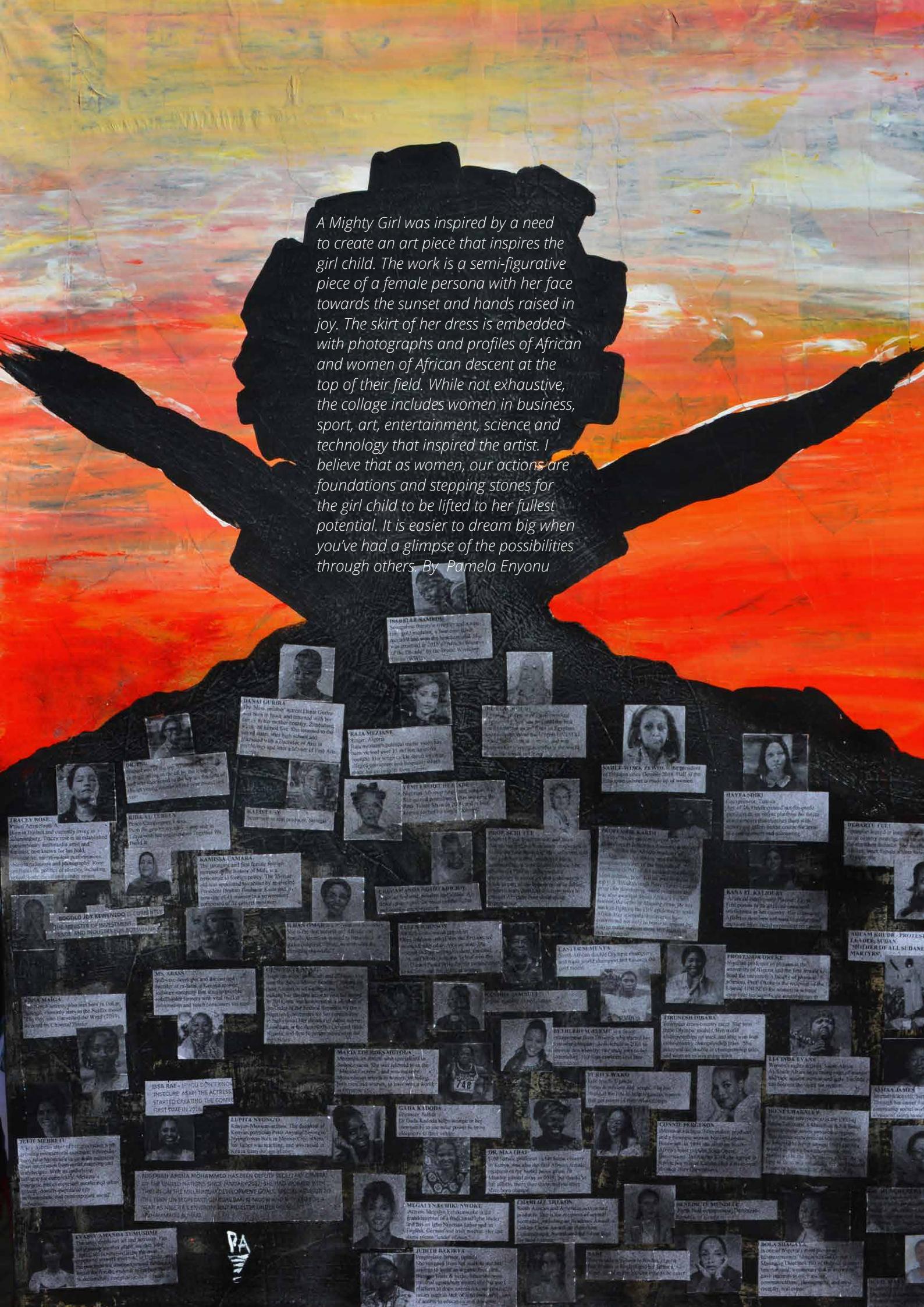
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Diane is a passionate public health practitioner who loves to serve the underserved and contribute to building sustainable health systems to improve health outcomes. Prior to joining HDI, Diane worked as an associate program manager at Rwanda Biomedical Centre (RBC), Epidemic Surveillance and Response Division. There, she facilitated the implementation of the training on IDSR data quality management and involved in the development validation of data collection tools. As communications Officer, she excels in aligning media communications with organizational values, networking with media outlets, and utilizing social media platforms to disseminate information in real time. Diane holds a Bachelor's Degree in Public Health from Mount Kenya University.

A Mighty Girl was inspired by a need to create an art piece that inspires the girl child. The work is a semi-figurative piece of a female persona with her face towards the sunset and hands raised in joy. The skirt of her dress is embedded with photographs and profiles of African and women of African descent at the top of their field. While not exhaustive, the collage includes women in business, sport, art, entertainment, science and technology that inspired the artist. I believe that as women, our actions are foundations and stepping stones for the girl child to be lifted to her fullest potential. It is easier to dream big when you've had a glimpse of the possibilities through others. By Pamela Enyonu



A lens on the education and training of women in STEM

Epifania Sylvester Mhagama

In 1995 it was impossible to think a woman such as Professor Joyce Ndalichako, would be trusted in the role of Minister of Education in Tanzania, due to patriarchal structures and conservative community norms. However, after the Beijing conference, different countries started to prioritize implementation of 50/50 participation of men and women in different undertakings of our community development. We have witnessed an abrupt change in leadership positions, a 50/50 observation in parliamentary seats. The first woman Vice President in Tanzania was elected in 2015.

Progress

In sub-Saharan Africa countries, including Tanzania, implemented the right to education which has been enforced for all children: this has benefited both girls and boys. We have witnessed the imprisonment of parents who have deprived their girl children of school. Stricter laws and punishment have also been recorded for parents who allow girls to be married, and the enactment of laws such as a 30-year jail sentence for men who impregnate a girl child.

Campaigns have been carried out to increase awareness among parents in rural areas about the importance of education for girls, women's rights and their right to a full enjoyment of their freedom. Efforts have been made by governmental and non-governmental organisations to promote and stimulate interest in girls to pursue science subjects (STEM) and install an "I can" attitude in them. Sponsorships and trainings have been provided, science spaces have been created and mentorships programmes have been implemented.

As recently as 2016 women pursuing careers in science were only 28% and 30% of professionals in the sciences in Sub-Saharan Africa were women according to africannews.com

A key question remains - are the infrastructures, systems, structures, processes, policies and procedures sufficiently developed and implemented to keep girls in school and to encourage open-mindedness about her future? Based on the status quo this is yet to be realised.

Challenges

In spite of different initiatives from many parts of the world working towards the optimisation of closing the gender divide in Science Technology and Mathematics-STEM, the fruits are yet to be realised – this is due to efforts to address the situation contributing only to minor effects in solving the root causes (the throughput).

What is throughput in the context of gender divide in STEM? It refers to the number of people as a new specific group (for example women) embracing the STEM world in a given time frame. The group referred to are people who previously did not have access to the world of STEM. An example is Tanzania who championed three big projects in 2019 which involved welcoming 300 women, 100 in each project to the world of technology.

Let us look at Telecoms as a scientific example to understand the theory of throughput as it refers to gender. Throughput optimisation is essential to ensure the performance of the carrier line, meaning, clear voice, video or data in general. When discussing throughput, minding the factors affecting it is crucial to achieving the on-way and final results. In our opinion the major factor affecting women's embrace of STEM is referred to signal to noise and interference ratio (S/NI). So, if affecting factor is the ratio of signal to noise and interference ratio, then;

What is *signal* in this context? For a society to understand STEM, predefined signals have to be sent out. These signals include voices and gestures from members of the community such as teachers, parents, etc. on how they speak about:

- How being a computer engineer as a girl child will impact your society through coming up with digital solutions which solves local problems.
- How both men and women can pursue any course in college in spite their gender differences.
- How it is okay for a girl child/woman to dream the future they want.
- How it is okay to fail and come up again in science studies.
- The correct information about the STEM.
- How inclusive and gender unbiased content in the books used by students is

The stronger the quality and clarity of signals sent out to the society, the better the quality of the signal received and worked upon.

What is *noise and interference* in this context? These are the system and structural barriers, misinformation, the insecurity of men about empowered women, cultural and religious beliefs, etc. Despite the progress and the efforts made towards the attainment of women's rights, including their right to and ability in the world of STEM, there are still confounding factors (termed as noise and interference) in this regard.

In spite of different initiatives from many parts of the world working towards the optimisation of closing the gender divide in Science Technology and Mathematics-STEM, the fruits are yet to be realised – this is due to efforts to address the situation contributing only to minor effects in solving the root causes (the throughput).

Firstly, government, as one of the major actors, is lagging behind. The commitment and willingness to empower women and girls is questionable. For instance, in 2017, the Tanzanian president ruled that if a girl in school became pregnant, she would be banned from returning to school. This hinders the effort made towards the empowerment of women and girls – specifically the right to education. The Constitution of Tanzania has for the past 20 years provided that a girl is legally allowed to get married at the age of 15 while for a male child the legal age for marriage is 18. This gives power to parents to use their girl children as commodities and as a solution to their economic problems through dowry. Moreover, there is a mindset gap and negative attitude among men towards women's rights and women's empowerment. This attitude influences their actions, for instance, lecturers at universities or teachers at school where they tend to view girls and women as weak and not as intelligent as their male counterparts. Men feel superior over women and assert their power and control. They assume they have the right to decide what is right for women. Most men also believe that the empowerment of women means they lose their power as men.

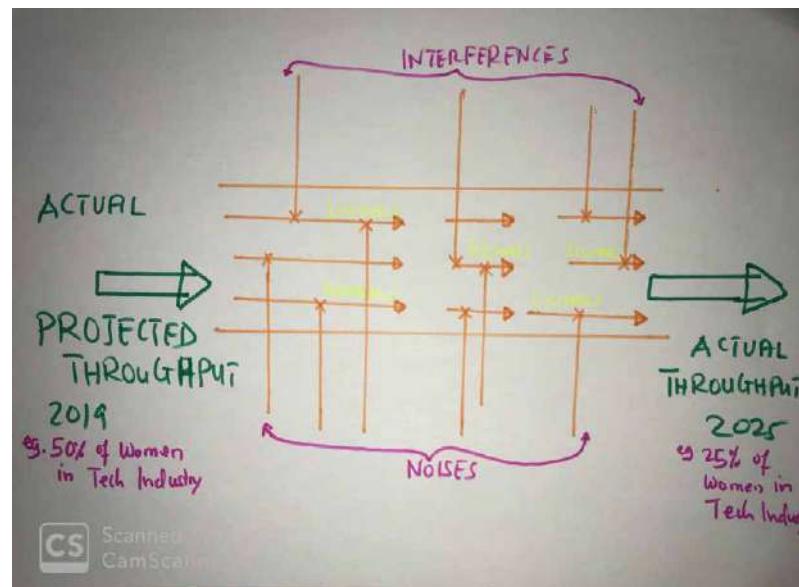
Furthermore, education institutions, structures and frameworks do not promote a girl "can do" attitude and are particularly gender biased. The curriculum is highly influenced and dominated with "a male can" attitude which influences and negatively affects a girl child (who is brought up to believe that she can't do things) and a boy child (who has a superiority complex).

Gender roles define and display women as fragile, with responsibility for the household while men are promoted as pilots, engineers and doctors etc. Moreover, history mostly records male scientific endeavours and fails to acknowledge the substantial role of women scientists.

Cultural and religious beliefs also promote the ideology that, women are inferior; women are denied becoming priests and are taught to be submissive to men. Major responsibilities are rewarded to men, which influence women's lack of interest towards education - including STEM - and creating their economic independency on men.

Finally, to fully understand the actual throughput, we need to take the affecting factor multiplied by the projected throughput (impact to be made) to understand the change we can make in the projected time span, with all the efforts on ground.

$$\text{Actual Throughput} = \frac{\text{Signal}}{(\text{Noise and Interference})} \times \text{Projected Throughput}$$



For instance, if we project that by 2030 50% of professionals in the tech industry will be women, assuming that the ratio signal to noise and interference is 0.50 and implying the noises and interference are dominant then,

$$\text{Actual Throughput} = 0.5 \times 50\% = 25\%$$

Thus, by 2030, 25% of women will be in tech industry which might be a different case from other research based on the previous data trend.

Another question is how to quantify the *signals* or *noises and interferences* so a clear projection can be made to achieve the closure of the divide in STEM that is existing today. This is work in progress by the author and results will be out before International Day of Women in Technology 2020.

Recommendations

Preaching about wanting more women in technology while less efforts are made to address the core noises and interferences existing is like using loud speaker in Tanzania with the expectation that people in Asia are going to hear the message. I recommend more effective ways forward as follows;

- More energy to be put into education, including changing the systems, structures, and materials. Facilities, policies, procedures need to be inclusive and should accommodate girls /women during studies;
- Research on the impact of and better ways to achieve the Beijing agenda should be done in collaboration with local practitioners;
- Capacity building addressing the unconscious biasness among educational practitioners is crucial to achieve the Beijing 1995 agenda.

About the Author

Epifania Sylvester Mhagama is a Tanzanian woman with an engineering background. She is passionate about having equal chances to opportunities despite gender differences. Epifania is currently working as a Technology for Gender Empowerment and Employability project manager at helptohelp.se: she is an author of nguvuyangu.com and a cofounder of the community based organisation Wonders for Community.



Women and Decision making in Benin: 25 years after the Beijing Platform of Action

Clalice Blanche Sonon

All issues are issues for women was the motto formulated at the Beijing Women's Conference in 1995, in which 189 countries unanimously adopted the Beijing Declaration and Platform for Action. The 1995 Beijing Declaration and Platform for Action is an ambitious agenda for women's integrated empowerment. The 12 critical areas of the Declaration cover all issues, from political participation to economic justice, to health, education, gender-based violence and the environment.

How is women representation in the bid to address the challenge of non-representation in power and decision making?

The progress made by Benin in this area is welcomed, but still mixed. Indeed, recently, mentoring opportunities, training for women's leadership and in particular, young people under 35, are offered through several programmes.³⁷ These are specific initiatives for technical and financial partners to promote women's leadership in Benin.

Government is also working to improve the representation of women in decision-making bodies. In July 2018, with the support of the United Nations Development Program (UNDP), the Ministry of Social Affairs set up Benin's Compendium of Women's Competencies in the context of representativeness of women in decision-making bodies. Also, Benin has recently developed its National Policy for the Promotion of Gender in Peace Operations, accompanied by an action plan (PAN 1325).

In addition, projects/programmes for effective capacity building and women's skills development are set up by national and international NGOs. Thus, the West Africa Network for Peace building, WANEP-Benin through the Project "From Kilimanjaro to Atacora" contributes to strengthening the capacity

³⁷ YALI (Young African Leaders Initiative) and IVLP (International Visitor Leadership Programme) from the United States of America, AGYI (African and German Youth Initiative) from the Federal Republic of Germany, and AWEP (African Women's Entrepreneurship Programme).



of women in advocacy. For its part, the Women's Empowerment Programme Project (RECAFEM), implemented by the consortium WANEP-RIFONGA Benin with the financial support of the Swiss Cooperation, aims to achieve significant progress towards gender equality in the socio-cultural, legal and economic fields and provides beneficiaries with the necessary tools for their participation within their political parties. CARE also supports women in Benin by providing legal assistance. The Social Watch Benin project to strengthen the political leadership of women and young women in Benin is supported by the European Union.

Despite the more or less favourable legal and institutional framework, the situation of women has hardly changed since 2015. Benin has not seen any change in the presence of women in decision-making spheres. For example, in the past five years, the Government has only had about 20% of women in ministerial posts. Data analysis of women's participation in politics shows that the rate of women's representation in decision-making bodies remains very low. In the first half of 2017, 8.4% of the members of Parliament were women, 4.4% at the level of the communal councils, and 14.2% at the level of the Government. Since 2015 all Communal Councils account for four women elected mayors out of a staff of 77 for the current term. The representation rate of women increased from 4.59% in 2013 to 4.80% in 2016.³⁸

In April 2019, Benin held non-inclusive legislative elections in which no opposition political party ran outside the two blocs of the ruling party (Republican Bloc and Progressive Union). Data analysis reveals that : *(i) out of 48 first list holders, of the two parties that participated, only 3 women, or 6.25% were promoted; (ii) out of 166 incumbents in the 24 electoral constituencies, 15 women were placed, a rate of 9%; (iii) 34 women candidates and alternates combined took part in the 2019 elections against 298 men, or 10% of the participation rate.*

Thus, despite the configuration of political parties, with the reform of the partisan system, women could not improve their participation rate. Women's involvement in politics is far from a democratic achievement in Benin. While the parliamentary representation rate is around 24% for sub-Saharan Africa, Benin lags with a current rate of 7.22%. Since the advent of the democratic era in 1990 to date, the percentage of women's representation in the National Assembly has never exceeded 10% (5th legislature in 2007).

To reverse this trend, the promotion of equality and equity between girls and boys and between women and men should be strengthened. To achieve this goal, it is necessary to meet the following challenges: i) Gender Institutionalization in the Development Management Process, ii) the implementation of measures that promote gender equality and equity, and iii) strengthening the promotion of women's empowerment.

38 National Development Plan 2018-2025.



The constitutional reform of October 31, 2019 in Benin: a necessary measure to promote the representation of women in the Beninese parliament

In 2018, two critical laws focused on political life and the organisation of elections in Benin: law 2018-31 of October 9, 2018, on the Electoral Code in the Republic of Benin and the law 2018-23 of September 17, 2018, on the Charter of Political Parties in the Republic of Benin. In addition to article 5 of the Political Parties Charter Act, which prohibits same-sex membership as a basis for party creation, there are no other provisions related to gender or the advancement of women and youth. However, following the political dialogue that led to the revision of the constitution, a temporary special measure was introduced in the Benin constitution, establishing the obligation to elect at least one (1) woman in each of the 24 electoral constituencies of the country.

In November 2019, the constitution of the Republic of Benin was amended, as an emergency procedure. Social Watch Benin, denounced a constitutional revision without citizen participation. However, Article 144 article of the new constitution says: The number of deputies in the National Assembly is one hundred and nine (109) including twenty-four seats exclusively reserved for women. It, therefore, guarantees at least 24 seats for women at the National Assembly level. This thus improves the representativeness of women in this important decision-making body.

However, several factors or parameters must be taken into account with appropriate solutions to the issue of "women in power and decision-making". Indeed, in Benin, several causes explain the inequalities between men and women at decision-making levels in institution – these include persistent disparities in access to resources (employment, finance, land, etc.), to justice, in basic social services. Illiteracy is one of the major causes of their unfavourable position. More than 78% of women are illiterate compared to 44% of men.³⁹ The legal and social status of women is a determining factor in women's participation in any decision-making process. Finally, for many women, the main factors that hamper their participation in politics are: (i) the spouses, (ii) their low commitment, (iii) low level of education, (iv) lack of financial power/autonomy, (v) sexual harassment, (vi) sexist slander and (vii) enchantment (*witchery, to bewitch*)⁴⁰,

Several other challenges remain related to the representation of women in decision-making bodies in Benin. In addition to promoting the participation of women in political life, particularly through a temporary specific measure through the revision of the Constitution of 11 December 1990, it is also important to : 1) *improve the participation of women in economic governance bodies by temporary quotas, as in France and Norway, for example,* 2) *to integrate the gender dimension through feminist diplomacy.*

In Benin, there are still no special temporary quota measures, reserved seats for women, specific indicators and targets to promote women's participation and access to positions of responsibility.

39 PND 2018 - 2025

40 S. ALITONOU ET M. DEDJI, 2018

About the Author

Clalice Blanche Sonon is a lawyer and an independent consultant in gender and development, with more than 20 years of experience. A specialist in civil conflict management, She is the president of Social Watch Benin, member of FemWise. Activist of women's human rights, She is the first Coordinator of the Platform for the Participation of Women in Decision Making Instances in Benin.

A letter to my son

Wdzanai Tadhuvana

My son

I am old, and my eyes have seen much
My hairs are grey for I have lived long
Listen to me

Do not judge a situation unseen

Seek first to understand whilst being sparing with your words
Your words, like a hammer, can build or destroy

They can imprison and diminish worth

Build with your words

For out of the abundance of the heart, your mouth speaks
Your words like chewing gum that has lost its flavour
Will forever stick and leave a lasting bad taste
Communicate, for a problem shared is half solved

Let your hands be for expressing love

A woman is a delicate creation

Not an object to let out your frustration and anger

She is flesh and blood

She, like you, also hurts and experiences trauma

She understands words just fine

Her NO simply means NO

Respect that

She can make decisions for herself

No dressing justifies violating or shaming her

Treat each woman like you would treat me, your mother

Treat each woman like you would treat your sister

Treat each woman like you would treat your daughter

Be the change in how women are treated

Your change will create a ripple

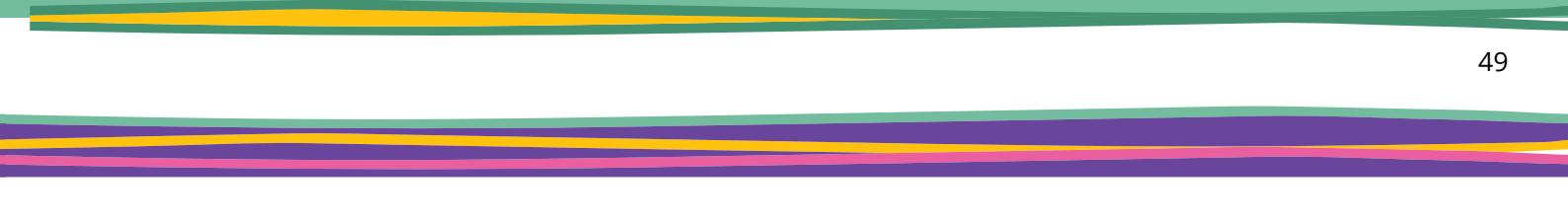
And the world will become a better place



Women and Violence

Jessica Mandanda

With her skirt stained, her face bruised, her heart turned to stone
Clutching what is left of her baby's body, a lifeless shell she holds on to
She rises from the ashes
Barebacked and bare-breasted
She looks down at her baby and remembers,
The blows that felt heavier after each apology
The broken ribs and the cuts that stopped healing
Her hair that once flowed freely like sands through the hourglass,
Now in patches that received looks of sympathy but never offered of solitude and sanctity
She remembers the light...white and bright when she thought she was free, but they pulled
her back in what they called saving her life
Sending her back to the wolves, savagely beaten while she fought her demons
She knows no rest
She remembers the last blow he threw, the punch that killed her baby,
The last point of contact she had with him, the touch that turned her heart to stone
She felt nothing as the Doctors told her her redemption no longer lived inside her
He had finally succeeded in killing her - She was dead
He left a deep, wide hole in her, which she filled with a thirst for revenge,
A vicious hunger, she wanted blood for blood
She wanted his life for the life he took from her
Her life and the unborn life he so savagely and unapologetically took from her
She knew she could never heal from the pain and no amount of pain could equal what he
took from her
Death was merciful peace handed to him on a platter, scars and bruises were too short-lived
She wanted more so became a warrior
Always at war with her demons, riding on her anger
She set off on her quest for revenge
Revenge they have now mistaken for savage attacks on him,
Claiming bitterness and ruthlessness doused in ungratefulness
Why are you so bitter? They constantly ask her



Who hurt you? They ask
"You must let go so you may heal" they say,
They encourage her to move on to another version of life
But the sympathetic looks on their faces as they bring their children to her each time making
a conscious note apologising to her because she can never have her own
She remembers the sharp pain she felt as they told her they had to remove her womb
She takes in the curios, some disgusting looks from people when they see the scar across her
face
She remembers it was because of him and she is angry once again
And they say she must move on when everything about her is his rage
In the mirror is a wake where her body should have been buried and her longing for peace
She will never rest as long as he lives, so she seeks revenge.
There is a war against her kind, against all women
Arrows are being shot from all directions while the foot soldiers hold up their spears to strike
the resilient
But she stands tall, drawing strength from the fallen and the victimised
Knowing this must be done, this war must be different from the others
She knows she must fight, rally the broken and the scarred
The oppressed and the hopeless
She stretches out her hand and pulls each and every one who has fallen by and at the hands
of the man
It is time for the woman to rise
They storm the streets, leaving dust silhouettes with bloody fists in the air shouting
Amandla! To the woman who has had enough
Drawing a line in the sands of life, reclaiming her freedom
No more will she stay in the name of love and family
No more will she forgive in the name of perseverance and peace in love
No more will she lay down her glory for another
No more will she accept being stomped on
It is her turn now, the time of the woman!



In the year 2019, statistics remained that 1 in every 3 women worldwide has or will experience a form of violence in their lifetime. With each passing year and increased numbers of awareness campaigns and interventions, reported cases of violence against women and girls continues to rise with over twice the number of reported cases going unreported.

A majority of cases remain unreported because of the stigma and discrimination - professionally, personally and socially - against victims who speak out, as well as the impunity of perpetrators being shrouded by culture, traditions, religion and at large, the patriarchal systems in which a majority of African countries operate.

Today, every woman continues to be prepared for various forms of violence she will encounter. Various reasons and justifications continue to be cited in platforms aimed at dissecting violence against women and girls; the constant anthem of 'What was she wearing' as a justification for rape and sexual violence and the perpetuation of rape culture in our language. Representation (or lack thereof) of women in leadership positions and cultural expectations are major hindrances in the progress of awareness campaigns against Violence Against Women and Girls.

Southern African states are signed on to vigorous agreements on the protection of human rights such as the CEDAW, International Conference on Population and Development, African human rights charter, Maputo Protocol, Beijing Declaration and various United Nations Human Rights declarations. Still, they are notorious for the violations of the same human rights they promise to protect. Speeches are drafted in acknowledgement of those whose lives have been lost to violence, yet women are still not recognised as human beings. Repetitive statistics of how many women we lost to femicide, how many to homophobia -often forgotten, how many we lost to unsafe abortions, how many to physical violence, how many disappeared and how many remain unreported and whose justice may never be served.

To quote a recent tweet by Sarah Linderie, "Women are under attack, period".

In our homes, we are under attack physically, sexually and mentally: imprisoned from birth to adulthood with the most common perpetrator of girl child abuse being fathers, grandfathers, uncles and close family friends. Women remain victims at the hands of their spouses and told marriage equals perseverance.

In religious institutions, women are abused, raped and violated at the hands of religious leaders who are protected by the patriarchal structures in which a majority of church institutions are run.

In professional spaces, which are overrun by patriarchal operating systems that turn a blind eye to cases of sexual harassment and sexual violence in the workplace often in the form of 'sex for favors' which we can define as coercion.

In educational institutions where girls and young women are subjected to objectification and various forms of sex for grades as recently publicly exposed in the BBC documentary in Nigeria. Lecturers attacked young women, staff members, security guards, fellow students both on and off-campus and threatened against reporting and seeking justice.

In the streets as we are slut-shamed for reclaiming ownership of our bodies, catcalling degrading our status as human beings and reducing our bodies as sex objects.

In our bodies for owning our different sexualities, in our choice of dress and decisions about bodies with each and every decision being scrutinised. We are under attack.

According to the National Action Plan against Gender-Based Violence in Malawi, sexual violence includes rape; attempted rape; defilement; marital rape; incest; forced early marriages; coerced sexual intercourse; sexual harassment, unwanted sexual touch or any forced sexual touching that the other person may find degrading or humiliating. Respondents to the Gender-Based Violence Survey 11 reported unwanted touch, marital rape, forced early marriage, attempted rape, incest, defilement and the exchange of sex for coupons as common in Malawi; and yet each and every one of these human rights violations have a justification for its occurrence.

In the year 2019, sexual deprivation is recognised as a crime against the male gender and to date is taken more seriously by law, culture and religion than crimes against women and women's bodies.

Limited mobilisation remains another major hindrance to the progression of campaigns to end violence against women and girls in Malawi, leaving women with the question of what do we do and where do we go from here.

So maybe to the woman,

Just as we have the voices, have an anthem
An anthem that oozes the objectification of your body
We must have our own
While we have and should write our battle songs
Shining a light on our scars and still open wounds from fighting this long tiresome battle to
own our bodies
We must have our anthem of triumph because trust and believe we are winning this sh*t
Our anthem must scream freedom
So, to yourself you say,
I am free, I am me, my body is free and my body is mine
To the naysayers
You walk away and let them feel your glow
They are not worth your words, your breath and your time
You say to yourself
It is your time
And go forth and relish in what your body can do and all that you are

About the Author

Jessica Mandanda is a 24 year old African young queer feminist writer from Malawi using her writing for activism in women's rights as human rights, the fight against gender based violence, rape culture, advocacy for bodily autonomy and challenging body politics, sex, sexuality and pleasure for women. She is a communications specialist, activist and sexual and reproductive health and rights champion.



Comprehensive Sexuality Education (CSE): The solution to teenage pregnancies in Kenya

Esther Kimani

Introduction

According to the 2009 Kenya Population and Housing Census (KPHC), adolescents aged 10-19 years constitute about 24 per cent of the country's total population (9.2 million), translating to the largest population of adolescents Kenya has had. In recent years Kenya has experienced a large number of teenage pregnancies and child, early and forced marriages at the county level. Most of the child and early marriages are due to traditions while others are forced to be married due to unintended pregnancies. In 2018 during the Kenya Certificate of Primary Education (KCPE) over 100 girls in Kilifi, 110 girls in Kitui and 53 girls in Bungoma sat for the KCPE examination while pregnant. While these shocking statistics brought about conversations on the importance of Sexual and Reproductive Health and Rights (SRHR), including comprehensive sexuality education, people were quick to forget after the examinations were over.

National outrage saw people talking about issues affecting the girl child in Kenya and for the first-time communities supported the importance of sexuality education not only in schools but also in homes. The conversation on the causes of teenage pregnancies links poverty as the driver of adolescent pregnancy. However, the big aspect is the lack of accessible, affordable and available sexual and reproductive health and rights including comprehensive sexuality education, youth-friendly services in the health facilities, the unmet needs of contraceptives and religious fundamentalism.



When we allow our adolescents access to CSE, they will make informed choices on when to have sexual intercourse, with whom, why, and the number and spacing of children.

According to a United Nations Population Fund (UNPA) report between July 2016-June 2017, there were 378,397 reported cases of teenage pregnancies for girls ages 10-19 in Kenya. Adolescents are engaging in sex at an early age, and their SRHR needs are not prioritised. The need for comprehensive sexuality education which will equip adolescents with information to have control over their sexuality and make informed choices is often times fought due to religion and culture. The National Adolescents Sexual and Reproductive Health Policy (ASRH 2015) states the sexual debut for girls is age 15 years dropping from 18 years as indicated in the Kenya Demographic Health Survey 2014 with that of boys at 16 years. Even with evidence showing that when adolescents access SRHR needs and services, especially CSE it delays first sexual encounter, many legislators, religious leaders still oppose it. The status of teenage pregnancies can only change when the state puts measures in place to roll out access to information and services on SRHR especially comprehensive sexuality education in and out of schools.

Lived realities; Zubeda* 15-year-old pregnant from Kwale in her own words;

I remember when I started menstruating at age 14, and my mother told me, wewe ni mwanamke sasa unaweza kupata mimba (you are a woman now you can get pregnant). I did not understand what she meant and I was so curious so I asked my aunt however she brushed me off. I remember as a 15-year-old in class 8 primary school, I was more developed physically compared to other girls in my class. My teachers said I was too big, had big breasts for a 15-year-old. I was shy and felt so alone. My classmates had not started menstruation; it was just 3 of us. We had been told about menstruation, and what to do and my mother gave me money to buy pads. I was happy that I at least had pads compared to one of my classmates who used small pieces of Leso (Swahili cloth women tie on their waist) as pads, who would miss school most of the time or soil their uniform. I was fortunate and was so happy that every month I did not lose any time out of school because of menstruation like fellow girls in my class.

Then I met this boy who lived near our home. He was in secondary school. He treated me okay and gave me anything I asked. He said he loved me and I liked him too. I did not know what it means to have sexual intercourse. We tried only two times, and I found out I was pregnant. He denied having sexual intercourse with me. His parent took him to visit his relatives in Mombasa, he never came back to the village. I was left alone, afraid, ashamed and an outcast. I did not want to sit for my final exams. One of my teachers encouraged me, and I did sit for my exams while pregnant. I am now due in 3 months, and I do not know what the future holds but I am hopeful. If only I had learned about sex education, maybe I would have used protection or understood better what sexual intercourse is. I know many young girls like me have gone through teenage pregnancies and did not lose hope. I will not lose hope, as well. I hope to inspire others to make better choices about their sexuality.



Zubeda's story is not new: many girls in Kenya find themselves in the same situation. The life skills education taught in school is limited as it only focuses on growing up, sexual and gender characteristics of being a male or a female without looking at sexual feelings and emotions. The right to access to age-appropriate comprehensive sexuality education is a fundamental human right where young people are empowered to make informed sexual choices, and their health, dignity and wellbeing are protected.

Policy and Legal context



Kenya is a signatory to international, regional and human rights treaties and declarations that emphasise the importance of access to health - including SRHR for all as a developmental agenda. The health matters, especially SRHR issues, are guided through different legislative frameworks and the Constitution of Kenya 2010. The right to health is guaranteed in the Constitution of Kenya. Article 43 (1) of the Constitution provides that every person has the right to the highest standards of health, which included the right to healthcare, including reproductive health care. The Children Act of Kenya guarantees every child the right to health. At the same time, the Health Act 2017 speaks to the importance of the development of comprehensive programs that advance reproductive health, including adolescents and youth health. The Health Act 2017 formalises partnerships and collaborations between national and county governments. It obliges Kenya to address the health needs and safeguard access to healthcare services and information of vulnerable groups including youths and mandates provision of emergency services.

Kenya is part of the 23 countries that are signatories of the Ministerial Commitments on comprehensive sexuality education and reproductive health services for adolescents and young people in Eastern and Southern Africa (ESA commitments). Kenya committed to initiate and scale up age-appropriate CSE during primary school education to reach most adolescents before puberty, before most become sexually active, and before the risk of HIV transmission or unintended pregnancy increases. Using agreed international standards, Kenya should ensure that CSE is age, gender and culturally appropriate, rights-based and includes core elements of knowledge, skills and values as preparation for adulthood: decisions about sexuality, relationships, gender equality, sexual and reproductive health and citizenship. Wherever possible, they committed to make in-school CSE programmes intra-curricular and examinable. This has not happened, as Kenya does not recognise its commitment made through this policy.



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Challenge

The political climate in Kenya poses a lot of challenges regarding access to SRHR, including CSE. Kenya's political context has been heavily shaped by historical domestic tensions and contestation associated with centralisation and abuse of power, high levels of corruption, the process of constitutional review and post-election violence. The ratification of the new Constitution in 2010 and relatively peaceful elections in 2013 are milestones constituting steps forward in Kenya's transition from the political crisis. However, it is essential to note that the 2017 elections did bring violence in some other counties and challenged the already existing political stability experienced for a short period after 2013. The implementation of the Constitution and smooth running of the devolved government remains one of the biggest challenges and this has caused political instability.

With all these issues, Kenya opposes the language and implementation of CSE irrespective of the fact that there exists a sex education curriculum in secondary schools. The main shortcomings of the new Constitution are that it fails to establish clear principles to deal with past human rights violations, restricts sexual and reproductive rights and opens space for the application of religious laws in matters of marriage, divorce and inheritance. This poses a huge challenge in pushing for access to CSE for young women and girls in and out of school. After the Constitution in 2010, Kenya established the ASRH Policy 2015, which stipulates the importance of CSE in addressing the challenges of adolescents such as teenage pregnancies, early marriages and importance of CSE in and out of schools. Kenya is part of the East and Southern Africa commitment on CSE, which has not been implemented or even recognised as a policy document.

Recommendations

There is already evidence that when adolescents and young people access age-appropriate comprehensive sexuality education, they will make informed sexual choices such as delaying their sexual debut. Kenya needs to implement all laws and policies that ensure young people, especially girls, access quality health care, including SRHR and CSE in and out of schools. The UNFPA report, Power of Choices states that in countries where the right to health, education and opportunity prevail, fertility rates tend to be lower. Through exercising their broader rights, people exercise choice about timing, the number of children and the space of children.

Kenya can only address the high rates of teenage pregnancies and early sexual debut when CSE in and out of schools is implemented. The policy framework demands for the access to SRHR, including CSE for adolescents and young people, there is need to operationalise these policies and frameworks for young people and adolescents full realisation of their health.

Kenya needs to follow the commitments of the 2013 ministerial declaration on CSE to prioritise a rights-based focus on comprehensive sexuality education at the primary level to ensure that all students receive age-appropriate information and skills before engaging in sexual activity.

Many pregnant teenagers drop out of school for fear of being ridiculed or teachers suspending them. There exists a re-entry policy for teenage mothers. However, Kenya must implement this policy to ensure girls go back to school and call for the legislation that supports their economic, social and full integration after teenage pregnancies to ensure intensified efforts in keeping girls in school.

The Ministry of Education should come up with mechanisms in schools that keep track of the number of girls that drop out of school due to pregnancies to integrate them back to school.

Conclusion

In conclusion, teenage pregnancy is a worrying phenomenon and it needs a multipronged approach to address it. Adolescents are starting to have sex from an early age, and this can be prevented: if they are equipped with comprehensive sexuality education skills they will make informed sexual choices. The governments need to put mechanisms in place to ensure the implementation of laws that protect adolescents' health rights. The health topics in schools need to cover a broader range of sexuality topics which will help adolescents and young people develop positive health-seeking behaviours. When young people and adolescents are informed and equipped with the knowledge and skills their vulnerability to violence, risky sexual behaviours will reduce, and they become more confident, aware and make informed choices.

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Esther Wambui Kimani is the founder of Zamara Foundation, a feminist organisation working towards strengthening the voices of women and girls in marginalised communities to challenge and transform the status quo. She has extensive experience in feminist leadership development, movement building for social change, advancement of women's and girls' rights and advocacy. Esther holds a Degree in Psychology from Egerton University and a Higher Diploma in Psychological Counselling from Kenya Methodist University.



Women in power and decision making: A celebration and a challenge

Lauretta Sithole and Chipo Bangira

Women's participation in decision making processes has been recognised internationally as an important measure of the status of women in any particular community. Excluding women from political and public life is undemocratic.

Construction or reconstruction of a world that would see power and decision making roles being shared equally amongst women and men began in 1995 at the United Nations Fourth World Conference on women largely known as the Beijing Declaration. The conviction and determination amongst world leaders as they adopted the blue print was a source of inspiration for women and girls and remains so amongst gender activists decades later.

In 1995 women were found at the periphery of decision making and the few that were determined to seek power, political or otherwise, were despised and labelled by society including by women themselves. Women and girls constitute approximately 52 % of Southern Africa's population and yet evidence has proved that they largely remain on the peripheries of state plans, policies and programmes (Kanengoni 2017). Historically, women were placed on the margins of development and democratic processes as they carried (and still carry) a disproportional high burden of poverty. This poverty has marginalised women meaning they have little or no opportunity to influence political, economic and social processes, systems and structures that control and shape their lives and that of their states. Being denied a voice within the states, markets, communities and households has functioned as a critical factor in maintaining gender inequality which is hindering women's access to decision making and agenda setting processes.

The Beijing conference in 1995 made a landslide decision based on their recognition that women and men are equal and that power and decision making should not be influenced by gender.

"Women's empowerment and their full participation on the basis of equality in all spheres of society, including participation in the decision-making process and access to power, are fundamental for the achievement of equality, development and peace."



Zimbabwe has ratified and domesticated key women's rights instruments in fulfilment of the provisions and the spirit of the Beijing Declaration and these include the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003) which Zimbabwe ratified in 2007; and the Southern African Development Community Protocol on Gender and Development, ratified by Zimbabwe in 2009.

Africa boasts of having an extensive and progressive body of legal frameworks aimed at promoting gender equality, enhancing youth participation and empowering women (AU, 2016). These instruments include the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (Maputo Protocol) and the AU legal framework on gender and women's rights, and African Youth. However, it is key to note that despite the existence of these legal and policy frameworks, there is lack of effective mechanisms for the implementation of these frameworks which has further marginalised women in decision making processes.

Zimbabwe has ratified and domesticated key women's rights instruments in fulfilment of the provisions and the spirit of the Beijing Declaration and these include the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003) which Zimbabwe ratified in 2007; and the Southern African Development Community Protocol on Gender and Development, ratified by Zimbabwe in 2009.

Affirmative action programmes designed to empower women largely created by development agencies supporting government objectives became common in most communities. Their negative reception in most African contexts, including Zimbabwe, are an indication that the problem of equality and empowerment is structural. While government leaders then appreciated the need to empower women and create an egalitarian society, the environment was not yet ready and this explains the ridicule around the declaration itself. In Zimbabwe for example, women who both sought political power and those who thrived to reach highest echelons of decision making were labelled 'maBeijing' in reference to the Beijing Conference.

Years later, after states committed to promote gender equality and representation and decision-making, women continue to be under-represented in all areas of decision-making and face significant barriers to their full and equal participation in the structures and institutions that govern and directly affect their lives.

It is rather painful to mention that the same barriers and challenges that were recognised by world leaders during the Beijing conference are still in force. In Africa we can talk of the quota system that deliberately reserves certain number of parliamentary seats for women, but unfortunately no country in Africa has achieved the 50/50 mark.



The government in Zimbabwe and many other stakeholders as indicated above, have achieved numerous milestones. Strong and positive action has been taken but the prioritisation has not been consistent across sectors in the country. Overall, the picture is of slow and uneven implementation, with serious stagnation and even regression in several areas. The 2018 elections in Zimbabwe for example, saw a slight decline in the numbers of women elected outside proportional representation. Women now make up 34 percent of parliament, a decline from their 35 percent following the elections in 2013. The proportional representation quota expires in 2023, raising concerns about whether progress in women's representation will be sustained. Four of 23 presidential candidates in 2018, or 17 percent, were women.

Where women have found their grounding in spaces of power such as parliament, they have not been able to fully contribute to gender sensitive policies and practises and in some cases the system has been used to boot them out. The late President of Zimbabwe, Robert Mugabe fired one of the country's vice presidents, Joyce Mujuru whom he accused of fanning factionalism in the party. The First Lady was at the fore front in influencing the decision. Beyond Joyce Mujuru, no female was appointed in the presidium. According to UN Women Africa (2017), Zimbabwe only holds on average 25% representation in public service institutions highlighting few women representatives despite the government's commitment to the UN Resolution 1325 in relation to peace and security

The persistence of gender disparities is short-changing women and hampering their advancement in attaining positions of influence. Zimbabwe's number of serving female ambassadors now stands at 32%, an issue which Parliament says should be rectified in order to satisfy the constitutional requirements of 50/50 gender representation.

While the statistics are still low, there is need to look at the quality of posts made. There is need therefore, to conduct an analysis of the deployed ambassadors to determine whether women were also deployed to highly-graded foreign missions.

Outside political power, several women in Zimbabwe are occupying positions of power and authority and some have gone further to set up business entities that are doing well. Unfortunately, the success of most of these women has seen them being labelled unfit and unworthy to hold positions of power with the assumption that favours were given based on them being women. Women's equal participation and leadership in decision-making processes at every level and in every sector is therefore fundamental.

Strategies to promote equality should therefore be strengthened. At all levels of decision making, unequal power relations impact on women's ability to participate fully in public life, and to attain positions of leadership. There is need for radical shifts in the structures and power architecture at play in the social, economic and political arenas if countries such as Zimbabwe are to draw women at the centre of development and democratic processes (Kanengoni 2017). This is critical because power determines who has control over and access to resources and spaces.

To address women's underrepresentation in leadership in the economic sector there is need to recognise their contributions and make them visible. Daniels (2014) notes that more than 70% of women are excluded from access to financial services because their contribution as economic agents is not recognised. By recognising women's contribution, it creates greater awareness of women's presence, their vulnerability and the violations they face which will in turn inform policy advocacy to protect women's rights and elevate women as leaders in the sector.



There is need for more deliberate efforts in strengthening women's feminist and transformational leadership capacity to take up leadership positions and participate in decision making processes. This entails Member States and civil society organisations pouring more resources on funding women's programmes.

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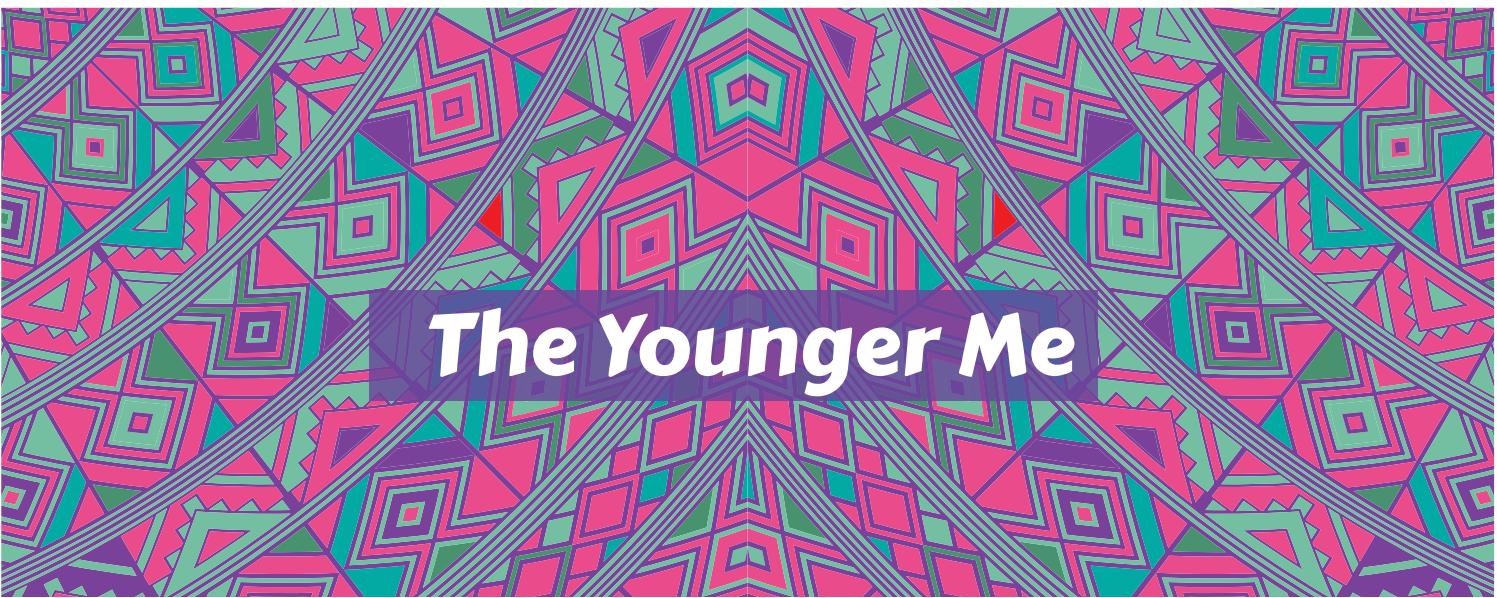
About the Author

Lauretta Sithole

Lauretta Sithole is a young Zimbabwean Feminist, lady aged 27, holder of a degree in Development Studies. She is also an active member and believer of the youth and strong campaigner for the need to eliminate all forms of violence against adolescent girls and young women, she is an orator currently working as an innovator against Gender based violence in the rural community of Matabeleland South Province in Zimbabwe.

Chipo Bangira

Chipo is an African Feminist and communication for development expert. She has been exposed to profit oriented enterprises and international development agencies. She has more than seven years of progress responsibility in the development technical, management and implementation of women, youth and children's programmes. She has worked with organizations such as Action Aid international Zimbabwe and Plan International Zimbabwe. Chipo currently works with Akina Mama wa Afrika as the Feminist and Transformational Leadership Manager



The Younger Me

Amek Joan

Born on the 7th of November 1995, a month after 1995 Beijing Declaration and Platform for Action. At the time, father wished and prayed it was a baby boy but well, a beautiful queer baby was born in Nsambya Hospital after a whole eleven months of waiting. Joanitta a gift from the universe, the name my mother gave me and still calls me to date and as my family called me then when I was a young curious girl.

I wonder if mum was aware that history was being made. That there was hope of her baby girl having the same opportunities her big brother and sisters ought to have had too. This year was a landmark year for gender equality in the world and yet 25 years later we grow stronger and firmer in the fight and struggle. From fighting domestic violence to empowering women economically and encouraging dignity and respect to women all over the world. We were given a voice even when we were not aware.

Even though father had denied me from birth because I was a girl, he made a lot of allegations on how I was not his child because his Lord had shown him a boy and yet here I was. Unfortunately for him, the platform had discussed that it was a violation of human rights when babies are denied food, or drowned, or suffocated, or their spines are broken, simply because they are born girls.

The conversations around access to education, healthcare, jobs, and credit gave mother, a chance to pursue her career as a teacher of English and Social Studies. With this career today I am a graduate, an entrepreneur, and a project planner.

As a young Ugandan girl, the fifth out of seven, I had a chance and opportunity to go to school. All boys and girls in the family were equal and we were all entitled to the same opportunities. Likewise we all played the same games and we all did the same chores. The platform having emphasized that girls common concerns would be solved by working together and in partnership with boys. Well, this worked for the Eaju family. Although this didn't come from anywhere, the girls constantly questioned everything, especially why they were being told to do certain things.



I was always sent away to study while others had fun, organized and got creative. I was always told that my help was not needed and I should take my energy away and go read my books whilst the other five children carried on. I felt my voice was silenced and my strength was rubbedish.

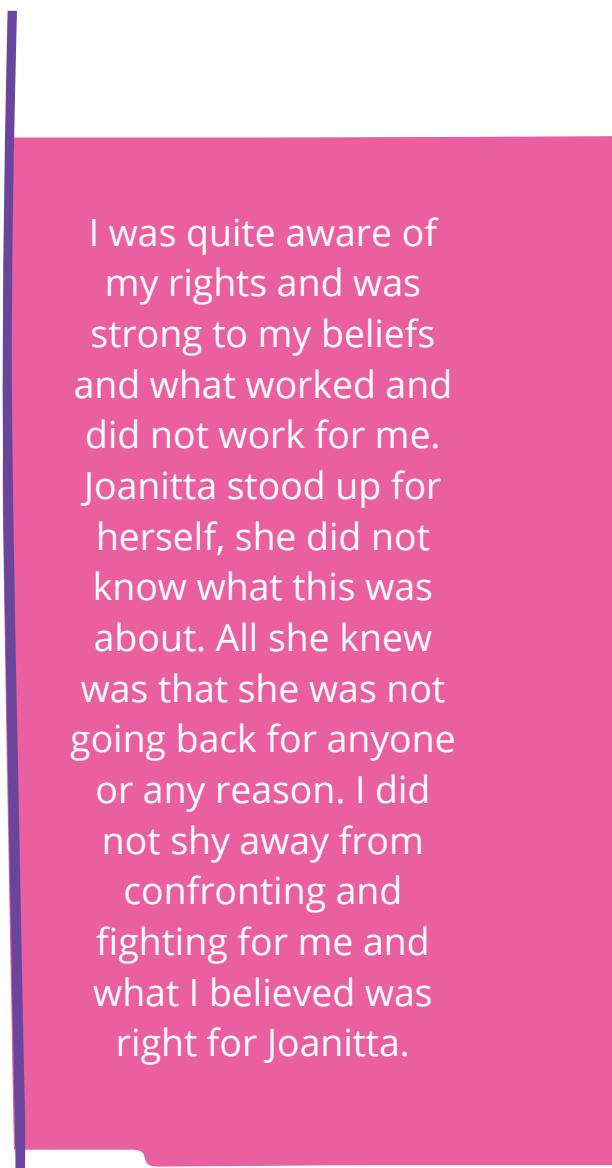
I can bet younger me did not know what this statement did to her. These words made me the high achiever I am today. Not in school, but outside the school and all this was the need to prove Father wrong. I know this was the wrong motivation but it was the right path for me then. Joanitta had no idea about what was coming to her as she used her voice, strength, and creativity to build the strong woman she is today.

During my primary school leaving examination, because of my naive thoughts, and constant need to stand out, I decided to register my names as AmekJoan Eaju. I wanted to be different from my elder sisters who had sat years before in the same school. My mother was not about to convince me otherwise, so I gave her my strong thoughts as to why I should use the name Amek, and after the conversation, she was drawn to my side, she gave me a go-ahead.

When father came back, my exam results were out and my names were a problem. He told me I had to redo Primary Seven and that he did not consider the results with Amek as a first name. He claimed he did not know who that was. It did not matter his reasons, I just could not so I stood my ground and refused. Well, we all know how our African women bear their children's burdens and punishments, my decisions and choices were all taken out on out my mother. It is therefore pertinent that the realisation and protection of women and children's rights needs to go hand in hand.

I was quite aware of my rights and was strong to my beliefs and what worked and did not work for me. Joanitta stood up for herself, she did not know what this was about. All she knew was that she was not going back for anyone or any reason. I did not shy away from confronting and fighting for me and what I believed was right for Joanitta.

I discovered my niche in 2012, the school curriculum had included Entrepreneurship paper three which was a practical paper. This paper taught me and showed me what the capitalist world is really about. The entrepreneurship school clubs like the Junior Achiever club at Naalya SSS Bweyogerere encouraged and groomed young entrepreneurs. We got to know each other and engage in growing and starting up businesses from then. Spaces such as this and the African



I was quite aware of my rights and was strong to my beliefs and what worked and did not work for me. Joanitta stood up for herself, she did not know what this was about. All she knew was that she was not going back for anyone or any reason. I did not shy away from confronting and fighting for me and what I believed was right for Joanitta.



Women's Leadership Institute bring the story of equality to life and have been able to groom, mentor and teach young women how to become transformational leaders, create sustainable agencies and institutions.

Such clubs, training, and institutes have uplifted my love for entrepreneurship, feminism, movement building and leadership. Joanitta did not see her forever passion being groomed in this way for even a minute. Yet here we are. Joanitta was a feminist.

The platform gave us an opportunity and the power to save ourselves as women. It was the start of the advancements of women's rights and concerns. Joanitta had and kept her power. As we break the silence, we reclaim our power and stand strong together as we uplift one another as women.

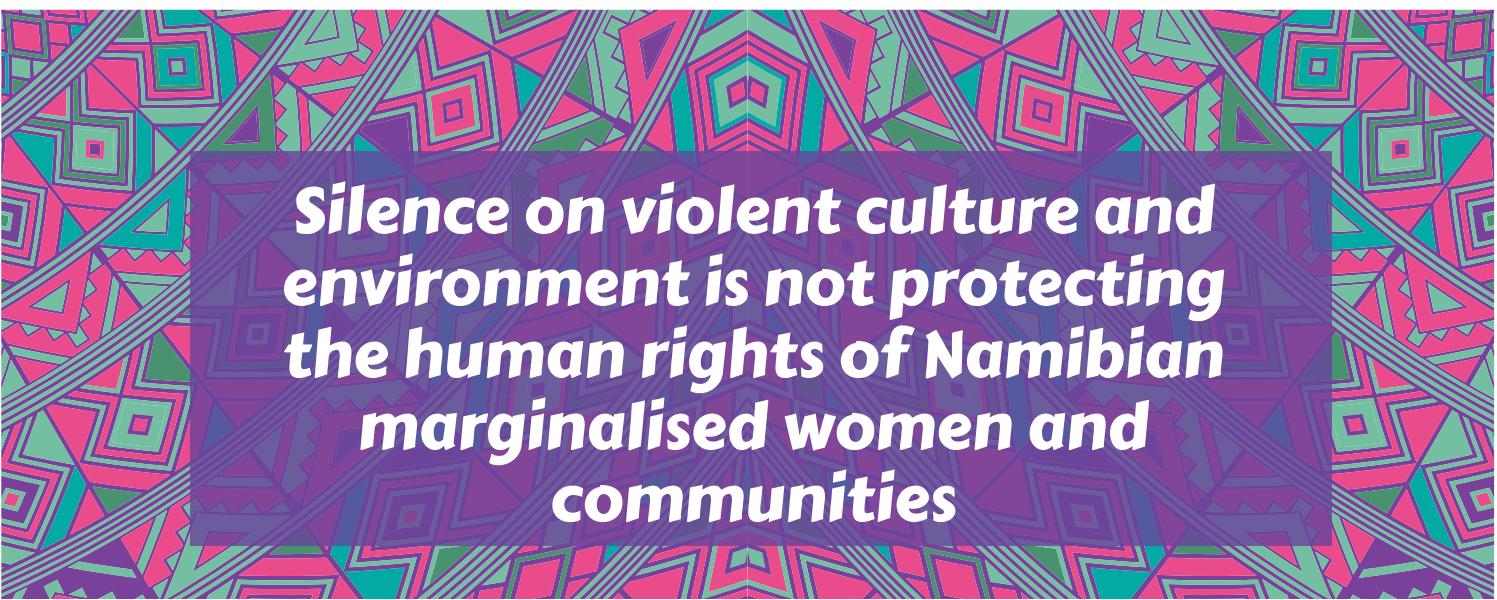
Joanitta was a social entrepreneur. A social entrepreneur a person who establishes enterprises with the aim of solving social problems or effecting social change. I do not regret the choices and decisions I made then and never would I change them. They have made me who I am today and influenced so many actions taken in my life.

As I turn 25 years old in 2020 my life as a lesbian woman living in Uganda the struggle for equality has shown me that we are slowly evolving. I respect the sweat of Beverly Paesa Distie for being the first lesbian woman to take up space and speak about the adoption of the resolution on recognizing gender diversity. This has sparked and encouraged many Lesbian Bisexual Queer movements and public conversations on sexuality and gender.

The Beijing Platform for Action has influenced my journey of life indirectly and directly. It opened up the minds of people, governments and communities into what women's rights are and how to support women. The Ugandan LBQ community was welcomed by the Women's Movement in Uganda. The resilient women that have walked and supported us in our work since then. Today being able to co-found and run a Lesbian, Bisexual and Queer women's entity as we fight equal justice and opportunities for LBQ women in Uganda allows us to create the golden change by speaking out, advocating and taking action.

About the Author

Joan Amek Eoju is lesbian feminist and queer activist in Uganda. She is passionate and assertive about elevating the livelihood of women through advocacy and entrepreneurship to eradicate the root cause of poverty, injustice and discrimination. She is the cofounder of Rella Women's Foundation, a civil society organisation that addresses lesbians, Bisexuals and Queer women vulnerabilities.



Silence on violent culture and environment is not protecting the human rights of Namibian marginalised women and communities

Florence Khaxas

Today I celebrate the feminists that paved the way for me to have the access and the platform to express myself and to speak out, not just for myself, but to break the silence of injustice beyond 25 years. We are where we are because of the path we have pursued, and we should celebrate that. When Namibia became a sovereign nation on 21 March 1990, after a 23-year long struggle for freedom from South African dominance and oppression, there was an increase in NGOs. Community Based Organizations were also emerging and ordinarily Namibians started organising themselves striving to uphold the human rights of Namibians. The Namibian women's movement also emerged around that time, which was more politically fuelled to build the resilience and inclusion of Namibian women in public spheres.

In the 25 years since Beijing, Namibia still remains one of the most unequal countries globally, evident in the daily news of violations and injustices against women and girls and women's inability to access quality services to live a healthy life free from discrimination and violence. Furthermore, poverty is on the rise due to the political landscape – including lack of accountability and priorities of our political leaders. Women face violence from within all phases of their lives - from childhood into adulthood. Marginalised Namibians face violence from within family structures - from deeply rooted cultural violence that deny women and young women the freedom to freely express themselves and live free from all forms of violence.



The violence that marginalised women face is structural: it needs urgent state prioritisation, solidarity among various movements guided by feminist ancestral principles of caring and respecting of each other as communities, and the resilience of women to keep moving beyond the worsening state of women's welfare 25 years after Beijing. Women's daily lived experiences remain the same and the vast majority of women do not still have the opportunity to advance and grow within their careers that contribute to the overall wellbeing and satisfaction of women. They are unable to access their citizen rights and access the information and knowledge to demand their rights and hold their leaders accountable.

Progress



Namibia has passed laws to combat violence against women through the Domestic Violence Act and the Rape Act which is one of the best pieces of legislation in Africa. Many more women are able to access the justice system, as it has improved throughout the years -yet still many women do not have access. The Namibian women's movement has made great strides raising public awareness, influencing and monitoring and holding the state accountable to uphold its commitment to Namibian women and young women including the LGBTQI community, and sex workers who can increasingly access both public and private services. However, the state is still not affirming the needs and dignity of diverse and marginalised communities.

Some organisations that contributed significant changes include:

- Women's Solidarity led by Rosa Namises which was the first organization that worked on the issue of violence against women in Namibia and played a role in movement building to combat gender-based violence in Namibia.
- Elizabeth /Khaxas and Liz Frank played a fundamental role in building a feminist movement in Namibia through leading Sister Namibia and Women's Leadership Centre. They worked on strengthening rural women's citizenship through a 6 year mass women's campaign that focused on women's participation in politics and decision making through sister Namibia. Women's Leadership Centre also did foundational work on women rights with young lesbians, indigenous young women and on issues of harmful cultural practices in the Zambezi region. Due to that we see the rise in the feminist lesbian movement, young San women's movements and an increase in activism on harmful cultural practices by young women.
- The Namibian Girl-Child Organisation was founded by Ottlie Grete Abrahams. Ottlie was a Namibian activist, politician and educator, instrumental in raising awareness on the situation of the girl child at the Beijing conference in 1995.
- Legal Assistance Centre was the only organisation that conducted legal research on issues such as violence against women and children which led to new laws that protect women and children.
- The Rainbow Project was the first LGBTQI organisation that was founded to advance the rights of LGBTQI communities after hate speech by the founding president Sam Nujoma that publicly denounced LGBTQI people.



Many more civil society organisations have paved the way for Namibia in terms of movement building and agenda setting. In the last decade we also saw young women emerging and organizing themselves of which organizations such as the Young Feminist Movement Namibia were founded to advance young women's voice, bodily autonomy and justice through movement building.

In terms of political women leaders that have contributed to change in Namibia, Margret Mensah played an important role in making the parliament accessible for rural women and she started the programme linking rural women to the Namibian parliament so they were able to state their issue and struggles by informing the parliaments on issues such as poverty and hunger, violence, access to land and issues of children

Some advances in human rights laws and policies for women in particular have been realised as follows:

- The Department of Women Affairs in the Office of the President was upgraded into a full Ministry, to take a more proactive towards gender-orientated law reform.
- The Agricultural (Commercial) Land Reform Act, 1995 (No. 6 of 1995) deals with land redistribution. The Land Reform Advisory Commission established by the Act has developed criteria for land distribution, which among other things, advance women's access to agricultural land.
- The Communal Land Reform Act (Act No. 5 of 2002), provides for equal opportunities for men and women to apply for and be granted land rights in communal areas.
- The Married Persons Equality Act (Act No. 1 of 1996) abolishes the marital power of the husband that was previously applied in civil marriages.
- The Affirmative Action (Employment) Act (Act No. 29 of 1998) encourages the participation of women in the formal workforce.
- The Combating of Rape Act (Act No. 8 of 2000) provides protection to victims of rape and sexual abuse.
- The Maintenance Act (Act No. 9 of 2003) confers equal rights and obligations on spouses in respect to the support of their children.
- The Domestic Violence Act (Act No. 4 of 2004) provides for protection measures in domestic violence cases.
- The 1997 National Gender Policy outlines the framework and sets out principles for the implementation and coordination of activities on gender equality.

Challenges

Communities are still not aware of the human rights of women and still perpetuate the same violence towards women and girls. They are still not conscious of the provisions against violence against women. Namibia is not prioritising the review of the implementation of measures towards gender equality and need to be held responsible for upholding the dignity and human rights of Namibian women.

According the Baseline Study Report on Human Rights in Namibia conducted by the office of the ombudsman, the right to protection against discrimination of vulnerable groups such as women, indigenous people, people who use drugs and lesbian, gay, bisexual, transgender and intersex (LGBTI) communities was highlighted. Yet still in 2019 marginalised / vulnerable groups are still on the margins of the state budgeting priorities. Gender inequalities and stigma are also visible in young women accessing sexual and reproductive health rights and services. Outdated data and information make it more difficult to access accurate State data to monitor progress and to move beyond the Beijing Programme of Action.

LGBTIQ communities are still facing extreme violations within private and public spheres of life. The criminalisation of sodomy has an impact on LGBTIQ people accessing services and economic opportunities to thrive. Cultural violence is still dominant in the behaviour and attitudes of health care providers which impact on the trust of LGBTIQ community to feel safe to access affirming health that does not discriminate because of social exclusion and rejection.

The women's liberation movement is one example of one of the earliest forms of women uniting together for the liberation of this country. The Namibian Young Women's Movement is still alarmingly fragmented with a huge divide between urban and the rural communities – solidarity is needed for the movement to be more effective. According to Srilatha Batliwala, a movement is more than creating marches, protest & organizing. It is continued consciousness raising, political vision and broadening membership, being proactive and reactive in joint action and pursuit of a common goal.

The young feminist movement in Namibia needs a unified voice and agenda to address VAWG prevention and climate change beyond Beijing, to reflect on lessons learned and see opportunities for joint efforts to prioritize women's rights in Namibia. Together with the feminist movement, we want to see feminist human rights principles guiding various capacity building strategies of public education and awareness raising of teachers, health workers, traditional leaders civil society, communities, religious leaders and government, to stand in unity in setting an agenda on how we all collectively play a role in dismantling the stronghold of patriarchy that violates the rights of marginalised communities in Namibia.



16 days of activism 2013, Y-Fem Namibia Trust, Mondesa, Swakopmund

Grassroot feminist activism, awareness on the impact of violence against women and children, bolstered by queer women raising their voices, is leading young women's creativity, voice, agency and expression to shift power beyond the 25 years of Beijing.

Climate change is a feminist issue. The Namibian drought has a women's face. The current low levels of rainfall is negatively impacting the agricultural activities of women to sustain themselves and their families. As young Namibian women we need to break the barriers of our silence and speak out how climate change is impacting our lives. This is a matter that as the Namibian women's movement we need to stand in solidarity. The climate issue is a human rights issue that is impacting on the women's human rights and accessing resources for improved livelihood of women and young women.

The young feminist movements have an opportunity to dare to be different. That is already very evident by social media campaigns against sexual violence. Young women have the power to create change. Now more than ever we need a unified feminist movement to push the agenda of young women's leadership and decision making on personal, social and political landscape of our lives. It is time that we unite as young women. Climate change is a human rights issue. Violence against women/girls and all marginalized groups is a human rights violation issue. It is time that we hold our elected and in coming political leaders to prioritise on creating strategies for violence prevention and influence policy reform that impact the lives of girls and young women. This is for our future and that of the future generation. The leadership as young women will lead the change that we want to see for the future

The Young Feminists Movements Namibia supports, monitors and documents, sustained movement building by equipping and accompanying young feminist activists and movements to

become stronger, safer and more strategic to demand young women's rights and safety in Namibia. We are demanding the education and leadership development of young women to lead in agenda setting for the bodily autonomy of women and girls and take up decision making leadership roles to bring change in our communities.



One Billion rising Campaign Usakos, Y-Fem Namibia Trust

Conclusion

Through Y-Fem we reach out to young activists to use available resources to demand their rights and claim justice through education and learning about CEDAW and learning the herstory of Namibian women that fought for us to enjoy our rights and take the torch from them to claim justice beyond the 25 years.

According to the recommendations in the National Human Rights Action Plan, which ends in 2019, there have been few recommendations to the state by the Office of the ombudsman to:

- Undertake formal research on gender-responsiveness of the national budget with recommendations for improvement
- Commission research on discrimination, exclusion and marginalisation of indigenous people and other vulnerable groups such as women, children, people who use drugs and make recommendations for elimination thereof
- Research and review laws and policies to identify and rectify provisions that discriminate against vulnerable groups (i.e. women, children, elderly persons, sexual minorities, PWDs and IPs)
- Develop a White Paper on Indigenous Peoples Rights

About the Author

Florence Khaxas is a transformative African feminist leader, the founder and Executive director of Y-Fem Namibia Trust (Young feminist Movement Namibia) in 2009 in Swakopmund. She started her work as an activist in the area of women's human rights of marginalized rural young women including lesbians in 2009. By advocating for the rights of young women living with HIV in Urban informal settlements by providing them with access to information on SRH-R and access to health. She is a strategic thinker, African Lesbian poet and storyteller and has used performance arts to advance the rights of lesbians in Namibia. She works in the intersectional feminist areas of human rights, race, gender, class, justice, age, sexuality & peace.



Girls' Access to Education: Progress since the Beijing Platform for Action

Hope Nankunda and Patricia Humura

In 1995 when the Beijing Platform of action was established, Hope Nankunda was only 14 years old and was completing her primary education at Bweranyangi Junior School in Western Uganda-Bushenyi District. She knew nothing much about what happened around the world, but was acutely aware of what took place in her community. She watched girls below the age of 18 being married off without question which fundamentally affected their ability to realise their dreams.

The Beijing Platform for Action imagines a world where every woman and girl can exercise their freedoms and choices as well as realise all their rights and full potential, such as enjoying the right to live free from violence, to acquire education, to participate in decision-making and to earn equal pay for equal work. While Uganda is among the 189 countries that have adopted the Beijing Platform of Action, 40% of girls in Uganda are married before their 18th birthday and one in 10 are married before the age of 15. More so, when one looks at education for girls, one still feels that the world has a long way to go in order to ensure that girls have access to quality education and are able to sustain themselves. This is witnessed in the education systems that do not normalize education for teenage mothers to study and acquire education. In some parts of Africa, girls are married off by their parents just because they have seen their first period, it explains how much work still lies ahead of us.

Despite the issues facing girls, it is also important to note that there is some observable improvement. Over the last the years there has been uneven progress towards gender equality. Different countries have increasingly removed discrimination in laws and adopted laws to promote gender equality and address violence against women and girls including those that recognise 18 years as the legal age of marriage. There have been significant gains in girls' enrolment in



primary and secondary education to the extent that in Uganda we find girls performing better than boys. This means that there is hope for a better future for many girls which will definitely improve the well-being of their families, communities and nations: when you educate a Girl child, the whole nation benefits.

In some regions, women's participation in the labour force and positions of leadership has greatly improved. Even in schools and higher institutions of learning, we now see many girls run for positions of leadership which was not the case before. Some regions have made progress in increasing women's and girls' access to contraception although in some countries like Uganda, progress is slow, often due to different opinions coming from religious leaders that totally speak against contraception. It is also important to note that many civil society organisations have put much effort in addressing harmful practices such as female genital mutilation and child marriage. These violations have started to decline in some contexts but a lot more effort is still needed especially in regard to sensitisation of parents and local leaders in the rural settings where these practices are still being done without limitation.

Violence against women and girls persists at alarmingly high levels in many forms in public and private spaces; in fact 35% of Ugandan females experience sexual harassment with even higher cases recorded in institutions of learning where sexual abuse and exploitation at the hands of the teachers - who are meant to protect the girls and ensure that they complete their education with dignity. This has limited girls from achieving their true potential because they are placed in a very disadvantaged position.

There is evidence that women are more likely to live in poverty than men especially because many women and children have been abandoned by their husbands for one reason or another and they are left to raise the children by themselves with no formal employment. In sub-Saharan Africa, for example, women are overrepresented in poor households, mainly because they are less likely to have paid work, and even when they are employed they are on average paid less than men. This has a direct effect on women's ability to educate their children.

The above challenges remain a threat to women and girls and deprive and infringe on their rights to education. Several stakeholders have addressed challenges which affect girls and women by providing skills such as making re-usable sanitary pads, education, trainings on life skills, and legal services in accessing justice among others. Promoting education for the girl child requires a multi sectoral approach.

Recommendations

Even though there have been substantial improvements since the Beijing Platform for Action, efforts to address economic and financial barriers to girls' education must be strengthened. This includes engendering more vocational institutions that provide quality skills for the girls and women, constant monitoring and supervision of primary and secondary schools to ensure that quality education is delivered and favourable learning conditions for the girl child. The provision of scholarships and financial support, particularly in rural and remote areas, is critical. Greater focus is needed on the adequate financing of the education sector, investing in quality learning and teaching materials and promoting teacher training to better equip teachers with the skills to provide gender-responsive education. This will contribute to both quality education and ending poverty.



There is a need to address the causes of school drop-outs, such as teenage pregnancies and early marriage through promoting sex education to both boys and girls, engendering sexual harassment policies and implementing functional teacher's codes of conduct to curb sexual abuse and exploitation at the hands of the teachers.

Greater efforts are needed to ensure that schools are safe and responsive to girls, including measures to address violence against girls in the school environment and when travelling to and from school to save many from being victims of rape and defilement along the way.

Provision of sanitary pads to all girls is very key as we have continued to see girls miss or drop out of school due to lack of sanitary wear and fear to be humiliated by the boys and the male teachers at school.

Addressing gender bias and stereotypes in school curricula, and promoting awareness raising and mentoring programs to support women's and girls' participation in non-traditional fields such as science and technology is crucial. Greater efforts are also needed to equip girls with the skills necessary to succeed in labor markets and to reduce occupational segregation.

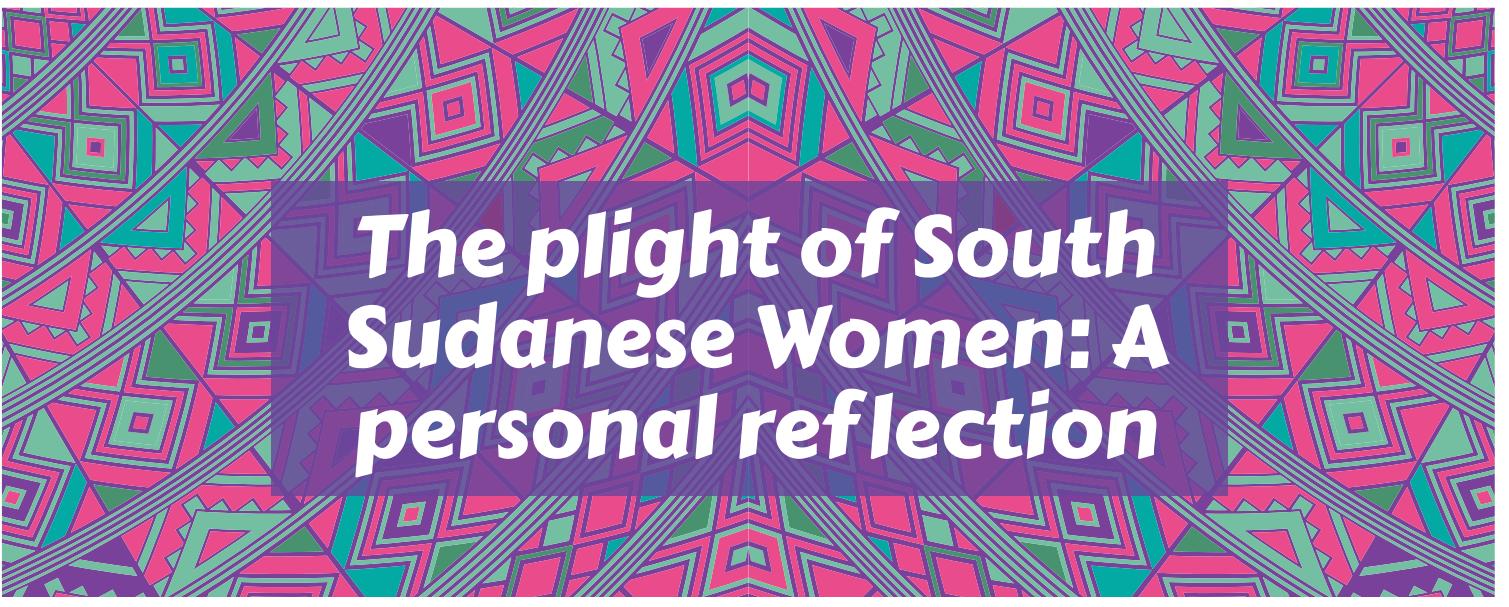
The governments should focus on equal access of women and girls, and equal enjoyment of human rights and fundamental freedoms for all girls including girls living with disabilities, girls living in hilly and mountainous areas of the country, refugee settlements and teenage mothers. Normalising education for the teenage mothers is critical because most of them are discriminated yet their potential could be fulfilled both for their own personal lives and for their families once they are put in school.

It is very clear that empowering women empowers humanity. When women and girls are empowered, economies grow faster, and families are healthier and better-educated.

About the Author

Nankunda Hope is a teacher and counselor from Uganda, with 14 years' experience working closely with students in schools. She is the founder and Executive Director - Raising Teenagers-Uganda working to create safe spaces for young people with strong emphasis on Menstrual Hygiene Management for the vulnerable girl child as well as guidance and Counseling services for young people in schools. She is a member of Girls Not Brides Global Partnership to End Child Marriage and coordinates the Central Region in Uganda under Girls Not Brides Uganda Alliance working to end child marriage in Uganda with over 90 Organizations located in different parts of the country.

Patricia Humura is known as an outstanding youth leader and a feminist advocate committed to advancing Sexual and Reproductive Health and Rights, gender equality and social justice through strategic based programming, policy, advocacy and issue based research with keen focus on adolescent girls and young women. She was among the 26 African leaders that championed in the 2018 Youth Quake SRHR Leadership training in South Africa where she was awarded a brilliant out of the box idea on ending gender inequality by SRHR Africa Trust (SAT) . She is currently a Community Advisory Board Member for Adolescents and Youth at Baylor school of medicine Children's Foundation Uganda, and is a representative for the youth constituency at the Uganda Country Coordinating Mechanism of the Global Fund to fights AIDS, Tuberculosis and Malaria Uganda and an intern with Akina Mama wa Afrika.



The plight of South Sudanese Women: A personal reflection

Viola Matela

As the world joined hands in 1995 to make great strides in empowering women all over the world - vowing to uphold their rights, the Southern part of Sudan as it was known then was in total darkness regarding what was happening. Years later after her independence in 2011, Africa's youngest nation decided to acknowledge the precious Beijing Declaration and Platform for Action. The BPfA envisioned that countries assenting to this policy document would do everything in their power to remove all obstacles to women's active participation in all spheres of public and private life through ensuring women have full and equal share in economic, social, cultural and political decision-making. In essence, the end result would be a mechanism for sharing power and responsibility between women and men at home, in the workplace, and in the wider national and international communities. This important document affirmed that equality between women and men is a matter of human rights and a condition for social justice. It is today considered a fundamental prerequisite for equality, development and peace.

To this end however it is no hidden fact that years after South Sudan got independent and started interacting with the BPfA, her women continue to be undermined by the ancient patriarchal system that favours men against women in every sphere from family, work and public decision making arenas. A woman still has no say when her husband decides to give up their teenage daughter into marriage to an elderly man in the hope of gaining some wealth. She is not allowed to own any family asset be it land or any other. When it comes to making a sacrifice for a child's education, most

Many rural women have to do many household tasks in their day which comprises 24 hours just like any other person's. She is the first to wake up and the last to rest late in the night. If she is not busy digging the family's food, she is either preparing it, fetching water, nursing some sick member of the family or doing some repair work on the family house. The list goes on.

times, boys are preferred to continue with their education and all resources are saved up for them at the cost of the girl. This is mainly due to the belief that boys will extend the family lineage and care for his elderly parents as opposed to a girl who will be married off into another family.

Much as an average rural woman will toil hard from morning to evening just to feed her family, the responsibility of caring for extended family members still falls on her. It is her duty to cultivate the family's food year in, year out but she cannot own that land on which she spends most of her valuable time and productive years. Any family member in need of care when sick looks up to her for nurturing care. It would be good news if her labour would be appreciated and even rewarded with tangible items but no, it is considered her duty to these tasks without expecting anything in return.

The woman more often than not has no opportunity to utter a word concerning any decisions made by her husband for the family, let alone join and participate in public discussions that can contribute to the well-being of the community as a whole. Even making a mere decision over her body regarding how many children she would like to deliver is a far off dream for most South Sudanese women. Worse still is when she is expected to resume normal house chores soon after childbirth without proper rest and care to recuperate.

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A woman who has been blessed enough to go through school but is now married is often forbidden from doing professional work outside the home. If she is allowed to look for employment, she must follow strict terms from her husband like coming home in time to make dinner. Her woes continue- she may be sexually harassed by the men who run the institution where she works. Still, another fate awaits a woman who successfully lands herself a professional work, she in most cases is not paid as much as her male counterpart doing the same job.

Not only that, some employers will out-rightly tell her that they cannot employ her even though she is qualified because she cannot last on a job. Why? They think she will soon get pregnant and has to go for maternity leave. Well, why not? I mean she has to deliver babies for this generation to continue as well as live a life she can be proud of.



Some women have been denied a chance to travel for an important missions outside the country by their husbands - for no apparent reason other than egoistic tendencies. Men may not be happy with their wife going for a regional or international mission while they stay home. Some have gone as far as asking the aviation authorities to stop a flight because their wife is aboard a plane and this request has been adhered to.

Some women have been denied a chance to travel for an important missions outside the country by their husbands - for no apparent reason other than egoistic tendencies. Men may not be happy with their wife going for a regional or international mission while they stay home. Some have gone as far as asking the aviation authorities to stop a flight because their wife is aboard a plane and this request has been adhered to.

Not to mention the troubles of a working single mother who is denied from traveling with her infant by airport authorities despite possessing the appropriate legal documents of the child just because she is not in the company of a man. She is still asked to call her husband even if they are separated or required to ask her father or any other male relative to testify that indeed, the child belongs to her and she can travel with him/her. What more could they ask for if she already provided legal documents to show her relationship to the child and why should they be extra suspicious of women if it is merely a security check.

What can be done to bring an end to these inequalities? While it is true there cannot really be complete equality but rather substantial equity depending on the ability of each gender, it seems the law alone cannot achieve this. The law might say a woman has the right to participate in public decision making but how will she do this if the men in her community look down on her and think her place is entirely in the kitchen? How can she even dare to think of anything productive outside the home when all she gets lumped with is mountains of housework as if the rest of the family cannot see that she is human too and gets worn out?

To start with when an outsider tells a man deep in the village that he cannot give his teenage girl into marriage before her 18th birthday or against her will, he will ask who you are to tell him how to run his family. If you mention that the law says this and that, he will say but his ancestors married earlier and so did he so why can't he offer the same thing to his daughter, after all she is his and not the governments. Even government and other development partners have gone ahead to train traditional chiefs to solve issues of early and forced marriages of which girls often fall victim to. Chiefs often end up siding with their traditions and the people within their surrounding instead of standing with the national constitution. Why? Because that was the way of their ancestors and so there is entirely nothing wrong with it according to them. What they fail to realise is that the traditions that could have worked some years ago are no longer taking humankind forward and as such, need to be dropped altogether.

Despite all the challenges raised, what the BPfA hopes to achieve is not all a far off dream. There are some visible changes in some political arenas. Women hold different decision making positions in the Legislative Assembly, Police, Army, Civil service, to mention



but a few. This is a good sign and if it continues to be upheld then the voice of women will rise up and no longer be silent. This great achievement however will be much celebrated when the few women who hold top positions will collectively give one voice representing the women from all walks because currently, they are still outnumbered by their male counterparts who often influence them to take their side instead of that of the minority.

Concerning child marriages, the country passed her first milestone sentence in a case in June 2019; the father of a 16 year old girl was to be imprisoned for three years if he did not accept his daughter back. The case involved a 25 year old man who offered some heads of cattle to a family as bride price for their daughter. Being unhappy with the decision, the bride escaped and reported the case to the police. The visiting presiding judge decided that the man had to wait at least two years for the girl to attain marriageable age or accept his cows from her family. The court in turn would continue to monitor her father so that he does not give her into any other marriage before her 18th birthday.

There is still, however, great need for governments, civil society including Non-Governmental Organisations, the private sector and the international community to take strategic action in the twelve critical areas of concern for women globally including: poverty, education, health, violence against women, media, women and armed conflict, economy, power and decision-making, to ensure the human rights of women, media, women and the environment and the girl-child.

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IMAGINE IF OPPORTUNITY COULD REACH EVERYONE!



AYOM'S TYRE SANDALS



...WE COULD ALL PROSPER TOGETHER!

CAPTION. Ayom, like many Rural Women, are unskilled and therefore live in dire poverty. But imagine if they could be availed a program that equipped them with enterprise training that could reach every one of them. No matter how secluded they were.

Ayom could finally learn a skill, apply it and increase her income opportunity and way of life. With more rural women equipped, we could all prosper together as a nation and global citizens. **By Faith Kisa**



Violence against Women

Upendo Jackson Chitinka.

Introduction

The Beijing Platform for Action imagines a world where each woman and girl can exercise her freedoms and choices and realize all her rights to live free from violence, go to school, participate in decisions and earn equal pay for equal work. However, violence against women is still ongoing despite government efforts to eradicate the issue. In Tanzania, women and girls continue to be exposed to physical, psychological, and sexual violence, across all walks of life, culture, income and class. Recent data shows that almost 40% of women have experienced physical violence and one in five women has experienced sexual violence in their lifetime. Violence prevents women from reaching their potential as productive members of society. Such violence is due to negative cultural beliefs and practices and the existence of gender, social, and economic inequalities. Violence against women is carried out by family members, community members, people with authority and intimate partners. Ensuring the empowerment of women and girls is one of the key strategies adopted towards achieving sustainable development through the government's National Plan of Action.

Intimate partner violence (IPV) refers to any behavior within an intimate relationship that causes physical, psychological, or sexual harm to those in the relationship. Such behaviors include:

- **Acts of physical aggression**—such as slapping, hitting, kicking, and beating;
- **Psychological abuse**—such as intimidation, constant belittling, and humiliating;
- **Forced intercourse and other forms of sexual coercion; various controlling behaviors**—such as isolating a person from his/her family and friends, monitoring his/her movements, and restricting his/her access to information or assistance”
- **Economic abuse**—such as withholding funds, controlling survivor’s access to healthcare, employment, and so on

In Tanzania, women across class and cultural group suffer high rates of IPV including physical and mental abuse, resulting in death in extreme cases. In some cultures violence is considered a good gesture of a partner showing ‘affection’. Such cultural acceptance of violence needs to be exposed and communities need to be made aware that abuse is not affection – physical violence is not acceptable and no one has the right to beat anyone.

Sexual violence refers to any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person's sexuality using coercion, by any person regardless of their relationship to the survivor, in any setting, including but not limited to home and work.

Globally, 15 percent of women reported that their first sexual experience was forced. Sexual exploitation is a result of poverty in Tanzania according to the World Health Organization. An assessment study of policies, services and promising interventions done by Myra Betron of the USAID | Health Policy Initiative revealed that participants did not perceive forced sex as rape. However, this study requires more attention - training locals to perform it will yield more culturally appropriate data.

The study also highlighted that many in Tanzania view rape as acceptable behavior for men and boys. Reasons cited for rape included men not having enough money to convince women to marry or have sex with them, hormones, and the acceptance of gifts by women and girls from men. Young women especially may be coerced into having sex by being lured by potential economic gains, including money and gifts. Financial challenges encourage women to accept money and gifts that results in acceptance of sexual violence as a way of life.

Progress, challenges and recommendations

Government

The Ministry of Community Development, Gender and Children collaborated with relevant service providers to draft a National Plan of Action for the Prevention and Eradication of Violence against Women and the National Plan of Action on the Eradication of Female Genital Mutilation. To date, the Ministry of Community Development, Gender and Children has only implemented a few activities, including awareness campaigns and participation in trainings - all have been sponsored by donors.

The Ministry has worked towards ensuring that the recently released National Strategy for Growth and Poverty includes the goal of reducing sexual abuse and violence. To achieve the goal, the strategy outlines efforts for institutional reform in all government sectors, including police and courts. Activities include: training police on human rights; addressing the security needs of vulnerable groups, including women; and increasing the capacity of courts to hear a higher volume of cases. The strategy also identifies involving communities in the activities as key to ending sexual violence and, thus, calls for educating the public on constitutional and human rights.

Despite some progress the Action Plan contains several shortfalls which demand urgent attention in terms of reform. Recommendations to address this include:

- Government push for the effective implementation of the Beijing Plan of Action (BPA).
- The empowerment of women – involving multiple sectors to get solutions how to eradicate the existing issues.
- Coordinating stakeholders including NGOs and other partners to carry out a legal and policy advocacy.
- Supporting victims to become champions for eradicating existing violence.
- Introducing gender education communicated through media, religious institutions, communities and traditional social structures.
- Holding advocacy and policy dialogues with the communities through community development officer at all levels.
- Strengthening and coordinating partnerships amongst different actors.
- Responsible Ministry to cooperating with immigration abroad to assist human trafficking victims.

Legal

Outside of government identified NGOs in the country, such as, Tanzania Women Lawyers Association, Media Women Association and Women Wake Up, are advocating for revising the Sexual Offences Special Provisions Act, 1998 to include marital rape and sexual assault in the definition of rape. Civil society is also advocating for law revision: Women's Legal Aid Center-WLAC has been a leader in advocating against domestic violence and has worked on drafting several bills to favor women such as rights to inherited property.

Access to justice is not always available. Whilst NGO's are best placed to provide legal services to women they face resource/financial challenges in doing so. Also, corruption within the system is rife and this often leads to the cancellation of cases.

Some recommendations for immediate implementation include:

- Due to the nature of the legal system victims face many challenges in reporting – and often decide not to report. The law needs amendment to protect women and girls from both physical and sexual violence. According to the current legal regime, rape is difficult to prove, revising evidence rules to lessen the burden of proof on women would see a spike in cases reported and tried.
- Establish and /or strengthen access to free legal services including confidential counseling on available legal options with full support for follow up of prosecution and redress with due regard to safety and security.
- Establish a public legal defense agency where the government employs full time lawyers to advise and monitor the interests of violence survivors and other classes of legal problems

Security

The security system lacks integrity and professionalism – resulting in most victims/survivors not reporting violent cases. Police only receive general training on dealing with survivors of gender based violence, and no training specifically on violence against women. The lack of training means that police are unable to deal adequately with violence against women and the knock on effect is that women's experiences in seeking help from police vary. Women who report to police stations to obtain Police Form 3, a document that is given to a victim or survivor of a crime after an assessment by the police officer that there is reasonable basis to believe that an offence has been committed against the victim or survivor. Female focus group participants in the USAID study also reported corruption in the police system, including police taking bribes from perpetrators to ignore reports of violence or requiring women to pay police to file the form. According to key informants, the number of female police officers is increasing and attempts are made for female officers to attend to rape survivors. However, this is not always possible. There are confidential spaces in police stations that can be used for attending to the survivors, but again, there is no protocol to ensure that survivors have access to these spaces. Police records are also kept confidential, with disciplinary actions taken against officers who breach confidentiality. Police record "crimes against morality," but the data is not disaggregated in order to identify cases that are perpetrated against women. Another key issue in lack of access to justice is the prolonged timeframes.



Some key recommendations include:

- Provide security and protection for victims and shelter providers, to ensure a protective environment for victims to report these cases
- Special training to Police who handle violence against women cases
- The Police General Orders (PGO) should be amended to allow privately owned health facilities to record medical evidence of physical violence if requested by a patient, even if the survivor does not have a Police Form 3
- Develop a comprehensive database on GBV cases, delineating type, relationship to perpetrator, rate of similar incidents, other mechanisms employed to resolve the problem preferred by the survivor as well as action taken. Improve collections of these cases for monitoring and evaluation purpose
- Strengthen investigation of violence crimes
- Identify and investigate cases of trafficking in Tanzania and assist relatives to deal with cases of trafficked kin outside Tanzania

Education

The National Strategy for Growth and Poverty Reduction includes in its goal increasing equity in access to education among girls and boys for both primary and secondary education and "universal literacy among women and men and expansion of higher, technical and vocational education." To attain this goal, the strategy recognises the role GBV, particularly experienced in the school setting, as an important factor that may limit girls' access to education, especially secondary education. To meet this goal, the strategy objective is an "improved learning environment for all children in all schools, with all education institutions. Safe, violence free, child friendly and gender sensitive."

Some key recommendations:

- Education is a priority and must include vocational training to create a generation that will not only depend on theory but have skills which will be useful in the future to minimise poverty. This will help in a long run to inspire young girls in becoming innovative and independent. The empowerment of young people and the reduction of poverty needs external support to both review the curriculum and also come up with solutions on how to address the education reform in Tanzania.
- The curriculum must also include sex and gender education: mostly because of taboo parents do not speak openly about sex related matters.
- Vocational training plays a major role towards inserting skills that will encourage women to innovate and become entrepreneurs in the communities, paving the way to acquiring skills that empower and enable to be financial independent.
- Promoting respect and gender equality to raise awareness and change norms
- The inclusion of a programme on respectful relationships would be a positive step for Tanzania and would demonstrate a visionary approach from government to ending violence
- Allocating funds for a research agenda on women

Conclusion

The WHO, Tanzania Media Women's Association (TAMWA) and USAID studies set out to analyse and review the Action Plan, identify progress and challenges flagged by the Beijing Platform of Action, and identify actions needed in legal, security and education sectors to address violence against women in Tanzania. It is critical to seek better ways to fulfill promises made by Beijing Platform for Action specific to the African continent. Beijing Declaration and Platform for Action of 1995 if violence is to be adequately addressed.

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The political landscape of Uganda and what it offers a young aspiring female politician.

Rebecca Achom Adile

Uganda is considered the most stable and peaceful country in East Africa: many would call it a peaceful militant country, under dictatorial power since the state capture of power in 1986 by Yoweri Kaguta Museveni who has ruled the political arena of Uganda for the last two decades..

Young people constitute 77 percent of the population. They live in dire poverty; defined by high levels of corruption. In 1995, Uganda enacted a new Constitution within its supreme law which had far-reaching gender provisions that have also been replicated in other laws, such as the Local Government Act (LGA) of 1997. This increased the prospects of more women being engaged in politics and was deemed to be very achievable at presidential, parliamentary and local government elections held every five years. In fact, women's participation was guaranteed by the law through quotas.

Many would say the National Resistance Movement (NRM) was the driving force encouraging women's liberation in the political space, with Uganda a signatory to several international and regional treaties including the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), United Nations Security Council Resolution (UNSCR), 1325, Beijing Platform for Action and the Millennium Development Goals (MDG) 1 and 3. Uganda also has national laws and policies advancing women's leadership and human rights. Despite all these commitments, it can be argued that women continue to be left out of decision making and are considered the 'powdered face mask' of Uganda's politics but have been excluded in the foundations of power.

Gender Quotas

A tool for women's marginalization

Gender quotas in the political arena has been used to marginalize women. It has been referred to as 'discrimination and a violation of the principle of fairness'. Gender quotas refer to the positive measurement or instrument aimed at accelerating the achievement of gender-balanced participation and representation by establishing a defined proportion (percentage) or number of places or seats to be filled by, or allocated to a marginalized group. This can be women and/or men, generally under certain rules or criteria. In Uganda the quota system has been used to encourage the participation of women in the political arena.

While the gender quotas are to inspire and encourage more women participation, the system has been used by people in positions of power to benefit wives, daughters, sisters, cousins or friends. This is common with traditional male politicians, but not women who have developed constituencies of their own. In political parties, women elected in reserved seats for women members of parliament under the quotas are inexperienced and unqualified female party loyalists, who drive political party agendas and not the women's agenda at parliamentary level.

Sexism, sexualisation and sexual harassment in Politics

On 11th June 2019, The Observer, a Ugandan national daily published a story "Personal assistants accuse MPs of sexual harassment." In the article personal assistants complained of threats and intimidation by Members of Parliament. They also complained about poor working conditions. The Uganda parliament from its inception has been male dominated, with the current gender composition standing at 65.3% male and 34.7% female - replicating the insensitivity in gender legislative laws passed. The sexualisation and sexism of the political ground is further entrenched in the gender power dynamics with male politicians using their power and influence as a collective. This pattern occurs within a cultural context that discourages speaking out about individual grievances - a particularly noxious cultural norm for women in a patriarchal society. Women are also encouraged to take on less important positions in the political arena with the excuse of gender roles, sex and perceptions attributed back to culture. A young woman in the political space will at more than one time experience sexist statements from male politicians and which over time constitutes a pattern of sexual harassment. These experiences however are seen as insignificant: records are hidden or kept from the public eye by political parties, organisations and movements because such stories will be seen simply as individual incidents while the sexist incident makes headlines informally within the groups and caucuses. Sexual harassment and the lack of action on the issue is a strategy that works to eliminate women in the political field.

Reconstructing the politics, envisioning a feminist parliament

With less a year to the election in 2021, there is need for reconstructing and building the political ground for young women to be engaged in the political arena. The possibility of achieving a feminist parliament is as visionary as Rosa Parks, world renowned civil rights activist articulated “people always say that I didn’t give up my seat because I was tired...the only tired I was, was tired of giving in.” While envisioning a feminist parliament, young women must make the statement clear and refuse to give in taking the example for movements like the #MeToo movement. Young women must be able to create a collective force, already made possible with the statistics of the female population in Uganda, who are able to shift and recreate a feminist revolution in the political arena. This involves continuous collective organising and strategising within the women’s movement - with young women adopting a feminist mindset.

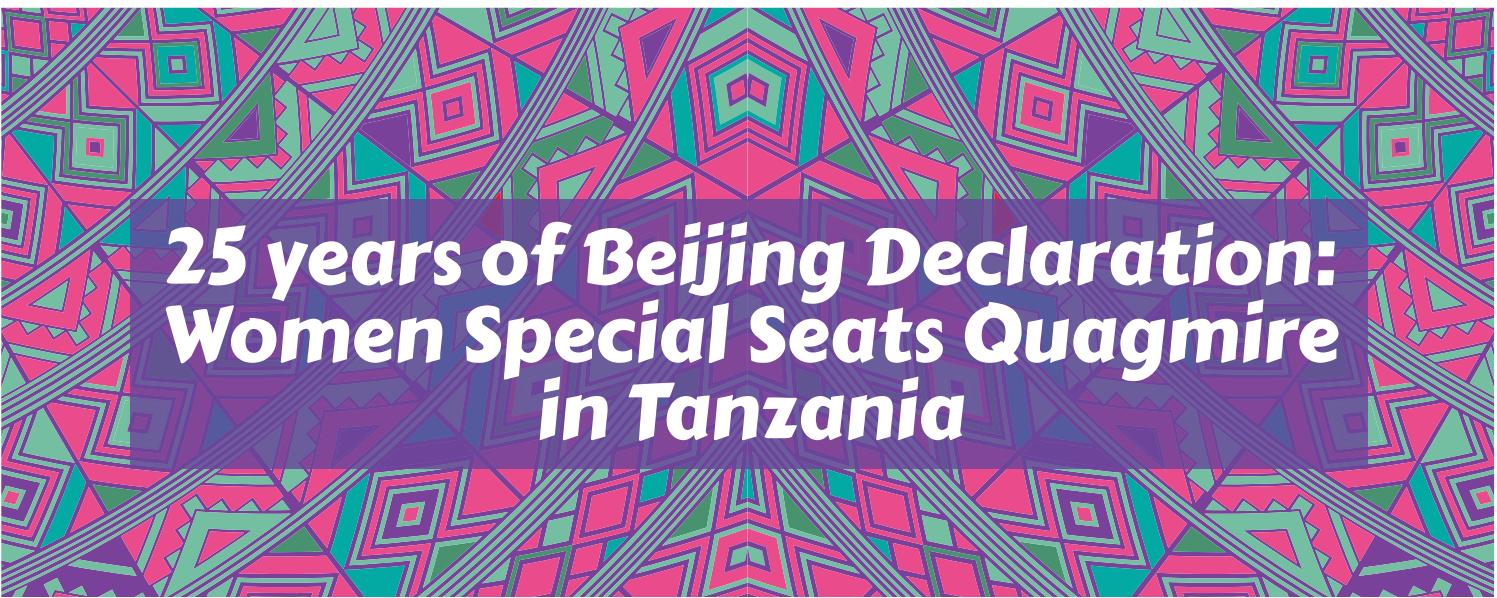
Herland, a feminist utopian novel published by Charlotte Perkins Gilman paints a women only society with domination having no place in the societies construction. Of the three men who stumble on this utopia, the most aggressive aches to fight, tries to “master” the women, and glorifies competition. The beauty is that women are however patient, strategize and work cooperatively but own the process like “a mild triumph as of winning some simple game.” The simple game of power is to therefore to strategize and grow collective power as a feminist block in the women’s movement and Uganda.

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25 years of Beijing Declaration: Women Special Seats Quagmire in Tanzania

Dr. Victoria Lihiru

Abstract

The article reflects on thirty-four years since the introduction of special seats or quota system arrangement to enhance women's political participation in Tanzania. Reflecting within the frame of twenty-five years of the Beijing Declaration and Platform for Action, the author argues that special seats arrangement in Tanzania has not been implemented in compliance with the objectives of its establishment. Alternatives for replacing the arrangement of the special seats with more practical approaches that would lead to the attainment of equal, meaningful and substantive representation of men and women in political decision-making processes are provided. Realising minimum political will to overhaul the entire electoral system and or adoption of new approaches, short term strategies for bettering the implementation of women special seats in line with its objectives established under article 4 of CEDAW and the spirit of the Beijing Declaration and Platform for Action are set forth.

Introduction

The Tanzanian Parliament, a primary decision-making body, has 37.18 per cent of women parliamentarians. 30 per cent of these representatives come from the arrangement of the special seats, and 7 per cent are constituency-based elected members of parliament.¹⁶ At the local government level, elected women councillors occupy up to 240 seats equivalent to 5.2 per cent of the 3946 elected councillors countrywide.¹⁷

As part of the temporary special measures,¹⁸ special seats arrangement for women, or quota system, has been the main way for Tanzanian women to access political seats at parliamentary and local government levels. Before its introduction, the first post-independence Tanzanian parliament (1962-1965) contained 7.5 per cent of women. The number was maintained below 10 per cent until 1985,¹⁹ where reform to the 1977 Tanzanian Constitution²⁰ introduced parliamentary quota enshrining 15 per cent and 25 per cent of all members of parliament and local councils respectively to be women. Because of the 1995, Beijing Declaration and Platform for Action,²¹ which acknowledges empowerment and autonomy of women and the improvement of women's social, economic and political status as essential for the achievement of both transparent and accountable government, the 1977 Tanzanian Constitution was amended again in the year 2000, increasing the parliamentary quota for women to 20 per cent²² and later to 30 per cent in 2005.²³

The women special seats arrangement has increased the number of women in the Tanzanian parliament, from 16.5 per cent after the 1995 first multiparty election, to 21.5 per cent after the 2000 general election. The number jumped from 30.3 per cent to 36 per cent, and then to 37.18 per cent after 2005, 2010, and 2015 general elections respectively.²⁴ The symbolic numbers have been critical in changing community perceptions

on the role of women as political leaders, and in encouraging the girl child on political and decision-making aspirations. Substantively, the women special seats arrangement has also had an impact on legislation of gender progressive policies and laws especially in the areas of marriage, sexual offences, education, labour, land ownership, elections and political participation. Despite its successes, the special seats arrangement in Tanzania has not been implemented in compliance with the objectives of its establishment.

The status of female holders of special seats brings serious concerns. There are local government authorities' guidelines and practices that prohibit special seat councillors from being members of local governments' ethics and finance committees.²⁵ Even in those committees, where special seats women can be members, such as the Committees on HIV and AIDS, Social Services, and Planning, the women holders of special seats are not allowed to chair such committees.²⁶ Also, local government guidelines are depriving special seats councillors from being mayors, deputy mayors, and chairpersons of districts, municipalities and city councils. In some wards, special seats councillors are not allowed to chair the Ward Development Committee (WDC) meetings even in the circumstance where an elected councillor, is for any reason absent. In these wards, it is easier for a village or street chairperson to act as a WDC chair than a special seat councillor.²⁷ This anomaly also hits women special seats parliamentarians, as by design, they also serve as councillors in their wards. Further, and as a matter of the constitutional requirement, a woman from special seats cannot qualify to be appointed as a prime minister.²⁸ These prohibitions give an impression that Tanzania as a nation looks at women in special seats as people with low status and they are unable to lead, and to take part in certain decisions. This practice is contrary to the spirit of Beijing Declaration and Platform for Action, and requirement of the Convention to Eliminate All Forms of Discrimination against Women (CEDAW), 1979, which Tanzania is a party to. CEDAW recognises special seats as temporary measures that are not supposed to further marginalise or discriminate against women. Still, at the parliamentary level, women in special seats are not availed with constituency development funds, for the misconceived reason that they do not have a constituency. The definition of a constituency is limited to physical boundaries of constituencies and does not extend to the women's interests that women special seats represent. Given that the major aim of temporary measures is to empower women and prepare them to run in competitive constituencies, a constituency development fund is a necessary catalyst for the realisation of this objective. Providing the funds to constituency members of parliament and denying the same to women parliamentarians sitting in special seats is

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The status of female holders of special seats brings serious concerns. There are local government authorities' guidelines and practices that prohibit special seat councillors from being members of local governments' ethics and finance committees. Even in those committees, where special seats women can be members, such as the Committees on HIV and AIDS, Social Services, and Planning, the women holders of special seats are not allowed to chair such committees.

contrary to the objectives of establishing temporary special measures under Article 4 of CEDAW.

Another concern is that special seats have been benefiting few women, despite its objective of needing to build political capacities and experiences of many women, who afterwards transition to competitive constituencies. Since its establishment, approximately 34 years ago, special seats have maximally in one election facilitated only 7 per cent of women to win constituencies. The root cause for low progression from special seats to competitive seats is the absence of term limit for women serving under special seats. One woman can serve under a special seat endlessly, some have been on special seats for twenty years. If women would serve on special seats, for instance for only two terms and then transition to constituencies, it would enable many other women to obtain such seats, gain political experience, head to the constituencies and leave the seats for other women.

There is an ill-founded argument that if a member of parliament or a councilor elected from a constituency or ward has no term limit, why should women with special seats be subjected to term limit? It is noteworthy that women in special seats, even though they have roles of the ordinary parliamentarians and or councillors, serve an additional purpose. They are supposed to hold such seats 'temporarily' to gain political experience, financial muscles, and expand political networks to eventually transition to competitive constituencies, as per the requirement of Article 4 of CEDAW. Absence of a term limit gives women already in special seats additional advantage to continue holding such seats, since they have a big network and influence within the political parties, women political parties' wings and beyond - a benefit that aspiring women do not have.

To address the above anomalies and ensure equal, substantive and meaningful men and women representation in decision-making processes, Tanzania has several options.

After three decades of its existence, and twenty-five years of the Beijing Declaration and Platform for Action, special seats have in one election, facilitated a maximum of only 7 per cent of women to win constituencies. This trend suggests that it will take another 102 years to have 50 per cent women in the Tanzanian parliament, calling for deliberate efforts to be taken. A replacement of the special seats arrangement can be in the form of combining the duality of the existing wards and constituencies to get half of the current number of wards and constituencies. The existing municipalities can also be turned into parliamentary constituencies. During elections, each party places two candidates, a man and a woman in each ward and constituency, allowing voters to vote for a man and

woman of their choices. This alternative automatically facilitates the attainment of equal numbers of men and women in councils and parliament. It allows the government to save trillions of shillings currently used to pay salaries, allowances and gratuities for the additional number of special seats for women on top of the actual number of elected councillors or MPs. It will also address the persistent questions from citizens as to whom the women special seats represent. The women will automatically be entitled to a constituency development fund and will qualify to be appointed prime minister. Challenges facing special seats councillors such as not being allowed to be municipal chairpersons, mayors, members of ethics and finance committees, and chairs of the WDC will automatically be addressed. The political will to replace the special seats arrangement is evident in the postponed 2014 Proposed Tanzanian Constitution.²⁹ The Proposed Constitution did away with women special seats arrangement and provided for equal representation of men and women in Parliament through Article 124 (4).³⁰ Although this Article was silent on the modalities for the attainment of equal representation of men and women, it obliged the Parliament under Article 124 (6) to enact legislation to classify the procedure of implementation of Article 124.

As the Beijing Declaration and Platform for Action requires States to take measures, including, electoral systems that encourage political parties to integrate women in elective and non-elective public positions in the same proportion and at the same levels as men, another alternative for Tanzania is to change the entire electoral system from a winner takes all system/First-Past-the-Post (FPTP) to Proportional Representation (PR). The PR system must be complemented with an additional requirement for political parties' candidates list to observe Zipper or Zebra System.³¹ As the new constitution is farfetched, the above recommendations can still be included in the Constitution of the United Republic of Tanzania, 1977 through a Miscellaneous Amendment.

On a final note, with a view that Tanzania will be taking steps towards adoption of any of the above recommendations, the current women special seats arrangement needs an immediate overhaul. The National Electoral Commission (NEC) which has a constitutional mandate to regulate special seats, should include in its special seats guidelines to political parties, a requirement that names submitted for allocation of women special seats should not include women who have served under such seats for more than two terms. Also, although the qualification for being a ward councillor or a member of parliament is just to know how to read and write, NEC, in consultation with political parties, should establish uniform procedures to guide the selection of women special seats. The fact that each political party has its procedure for getting women special seats, raises questions on the merit and quality of some of the women occupying special seats, further tarnishing the role of women as leaders, and defines their future electability. Further, the percentage of women in parliament and in councils should be increased to reach the target of equal participation of men and women in decision-making processes as aspired by the Beijing Declaration and Platform for Action. An increase can be in the form of setting aside 20 percent of the constituencies as women only constituencies and wards, where only women compete in those wards and constituencies as a means of supplementing 30 per cent women special seats.

(Endnotes)

- 16 The current parliament has 393, 264 are directly elected, 118 are indirectly elected, 10 are appointed and one is the Attorney General. UNITED REPUBLIC OF TANZANIA Bunge (National Assembly), available at <http://archive.ipu.org/parline-e/reports/2337.htm>, accessed on 11th November 2019.
- 17 Katar Mbashiru (2018), Tanzania Making Strides in Women Representation, available at <https://tgnp.org/2018/03/05/tanzania-making-strides-in-women-representation/>, accessed on 17th November 2019.
- 18 Temporary Special Measures refers to positive action, preferential treatment, or quota systems to advance women's integration into education, the economy, politics, and employment. Available at <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm>, accessed on 11th November 2019
- 19 Meena R 'Women participation in positions of power and influence in Tanzania' available at http://www.redet.udsm.ac.tz/documents_storage/2009-8-19-11-34-23_womenparticipationinpositionsofpower.pdf accessed on 14 November 2019.
- 20 (CAP 2 R:E 2002)
- 21 Fourth World Conference on Women in Beijing China' available at <http://www.un.org/womenwatch/daw/beijing/platform/declar.htm> accessed on 13rd2 November 2019.
- 22 TANZANIA: KEY HISTORICAL AND CONSTITUTIONAL DEVELOPMENTS, available at <http://www.kitouchakatiba.org/sites/default/files/legal-resources/Tanzania%20Key%20Historical%20and%20Constitutional%20Developments.pdf>, accessed on 10th November 2019.
- 23 Article 66-1(b) of the 1977 Constitution of United Republic of Tanzania.
- 24 Tanzania - Proportion of seats held by women in national parliaments (%), available at <https://www.indexmundi.com/facts/tanzania/indicator/SG.GEN.PARL.ZS>, accessed on 10th November 2019.
- 25 Interviews with Women in Local Government Association in Tanzania in May 2019.
- 26 Ibid
- 27 Ibid
- 28 Article 51 (2) of the 1977 Constitution of United Republic of Tanzania provides that, as soon as possible and in any case within fourteen days after assuming office, the President shall appoint a Member of Parliament elected from a constituency of a political party that has a majority of members in the National Assembly or, if no political party has a majority, who appears to have the support of the majority of the Members of Parliament, to be Prime Minister of the United Republic, and he shall not assume office until his appointment is first confirmed by a resolution of the National Assembly supported by a majority vote of the Members.
- 29 The 2014 Tanzanian Proposed Constitution is not yet a governing Constitution of the United Republic of Tanzania given that the referendum for its ratification has been postponed endlessly. 'Tanzania postpones referendum on constitution' available at <https://www.reuters.com/article/us-tanzania-politics/tanzania-postpones-referendum-on-constitution-idUSKBN0MT21U20150402> accessed 3 February 2016.
- 30 The explanation from the Constitutional Review Commission entails that each party will have to have both male and female candidates in a constituency, hence once that party wins, both male and female candidate have won.
- 31 It is defined as Quota requiring every other candidate on a party list to be a man and every other candidate to be a woman. Stina Larserud and Rita Taphorn (2007), Designing for Equality Best-fit, medium-fit and non-favourable combinations of electoral systems and gender quotas, available at <https://www.idea.int/sites/default/files/publications/designing-for-equality.pdf>, accessed on 9th November 2019.

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Care for Care Providers: Protecting Ugandan Domestic Workers in the Gulf and Beyond.

Twasiima Patricia Bigirwa

Abstract

This paper will focus on why the continued human rights abuses faced by Ugandan migrant domestic workers in the Gulf and neighboring regions is an urgent Ugandan policy issue that needs to be addressed. Section I of the paper will discuss the different social, economic and political factors that have driven women in Uganda to seek domestic work in the Gulf and beyond. It will highlight the country's unemployment rates that have resulted in the development of the labour exportation market. Section II of the paper will examine why this is an urgent issue, explaining Uganda's legal obligations and conclude with recommendations on the best policy approaches to protect migrant domestic workers in Section III.

Introduction

He said, "**I gave them their money, they sold you to me. You're my slave, you're going to work here as my slave."**¹"

Shahira, Ugandan former domestic worker in Oman

Like many Sub-Saharan countries, unemployment especially for the youth in Uganda remains a high cause of concern.² Compounded with other gendered and socio-political issues, women face the highest rate of unemployment and under-employment. Young women aged 15-29 years face a number of challenges including higher rates of joblessness and lower wages than their male counterparts.³ This is precisely the demographic that is most likely to be recruited into domestic servitude by wealthy families in the Gulf and Middle Eastern countries. It is estimated that thousands of young women in Uganda immigrate daily in an effort to find work.⁴ These women are usually employed as domestic workers in Middle Eastern countries, such as Saudi Arabia, where they look after children, provide household help, and perform other domestic and care work.

Unfortunately, many of those who are involved in domestic work are unable to find alternative employment. Understanding that it would create a new range of issues to expect migration of domestic workers to stop at this point, this paper will focus on recommendations on how to maximize protections for the young women

¹ Amy Fallon, 'The Only Hope is to Die': Suicide Soars Among Ugandan Migrants Abused in the Gulf, REUTERS (Nov. 20, 2016) <https://www.reuters.com/article/us-uganda-gulf-domestic-workers/the-only-hope-is-to-die-suicide-soars-among-ugandan-migrants-abused-in-the-gulf-idUSKBN1DU1X0>.

² See generally, YOUNG LEADERS THINK TANK FOR POLICY ALTERNATIVES, A PAPER ON THE CHALLENGES OF YOUTH (Un) EMPLOYMENT IN UGANDA, KAS UGANDA.

³ INT'L LAB. OFF., SCHOOL-TO-WORK TRANSITION SURVEY COUNTRY BRIEF (Jan. 2017). Available at, http://www.ilo.org/wcms5/groups/public/---ed_emp/documents/publication/wcms_429078.pdf.

⁴ Evelyn Lirri, Ugandan Domestic Workers Stuck Between Poverty Wages at Home and Extreme Exploitation Abroad, EQUALTIMES.ORG (June 16, 2017). <https://www.equaltimes.org/ugandan-domestic-workers-stuck?lang=en#XjslQ2gzbIX>.

working abroad. In what is a fast-growing industry, companies and individuals are making huge amounts of money selling the prospect of a better life to these young women and their families. In some cases, companies receive as much as U.S. \$1250⁵ per employee recruited, with others charging for training, visas, and other costs before making any work arrangements that allow the women to travel to their new jobs.

For many young women, the reality of trying to escape poverty at home is often far different from what they have envisioned: from earning enough money to support themselves and people at home to inhumane working conditions abroad, including no pay. The continued documentation of cases of exploitation, and physical and sexual abuse, has been a cause of concern for many civil society actors and activists.⁶

In January 2016, a previously signed agreement between Saudi Arabia and Uganda to provide as many as two million jobs for Ugandans was cancelled after the Ugandan Parliament banned the transportation of migrant workers to the country.⁷ The decision was based on reports of inhumane treatment, with some actions by employers leading to workers' deaths.⁸ The ban was later reversed in 2018, but the concerns and the reports of mistreatment have not subsided.

I. Ugandan Migrant Workers Working in the Gulf

A. The socio-economic factors driving women migrant domestic workers in Uganda to seek work in the Gulf region.

"Every year tens of thousands of Ugandan women leave their country to work abroad, particularly to Gulf states such as Saudi Arabia and Qatar, where they work as nannies, cooks and household help."⁹ For many of them, the choice between looking for a better chance of survival abroad no matter the circumstances of the work or remaining at home with no promise of a job to pay the bills is an easy one to make.

Uganda's high unemployment rates have left many with limited options. The total population of Uganda is estimated to be almost 45 million people.¹⁰ According to the 2016-2017 Uganda National Household Survey, 19 million are of working age¹¹ with 15 million engaged in some type of work, and 21.2%, a recorded 4 million, who are not working.¹² With an estimated 75% of the population below the age of 30,¹³ and such high unemployment rates, the expatriation market has become a new source of refuge from the desperate conditions at home. .

The limitations on access to social amenities, land and other resources and unequal power dynamics, among other factors make women in Uganda even more vulnerable to higher poverty rates. Gender norms continue to dictate the type of work women are able to access to.¹⁴ Perceptions on who is in charge of household chores and care work are primarily believed to be the work of women.¹⁵ Women globally spend 4.5 hours a day on unpaid¹⁶ work and 300% more time than men.¹⁷ The consequences of the often unaccounted for and thankless care work done by women has created an imbalance between men's paid labour and women's unpaid labour that go far beyond affecting women's lives and include effects on the national economy.

5 Evelyn Lirri, *Ugandan Domestic Workers Stuck Between Poverty Wages at Home and Extreme Exploitation Abroad*, EQUALTIMES.ORG (June 16, 2017). <https://www.equaltimes.org/ugandan-domestic-workers-stuck?lang=en#XjslQ2gzblX>

6 HUMAN RIGHTS WATCH "I ALREADY BOUGHT YOU" ABUSE AND EXPLOITATION OF FEMALE MIGRANT DOMESTIC WORKERS IN THE UNITED ARAB EMIRATES (2014) <https://www.hrw.org/report/2014/10/22/i-already-bought-you/abuse-and-exploitation-female-migrant-domestic-workers-united>.

7 Yasin Kakande, *Uganda Bans Maids Working in Saudi Arabia Amid Complaints of Mistreatment*, REUTERS (Jan. 23, 2016), <https://www.reuters.com/article/us-uganda-saudiarabia-workers-idUSKCN0V02PM>.

8 Yasin Kakande, *Uganda Bans Maids Working in Saudi Arabia Amid Complaints of Mistreatment*, REUTERS (Jan. 23, 2016), <https://www.reuters.com/article/us-uganda-saudiarabia-workers-idUSKCN0V02PM>.

9 Evelyn Lirri, *Ugandan Domestic Workers Stuck Between Poverty Wages at Home and Extreme Exploitation Abroad*, EQUALTIMES.ORG, (June 16, 2017), <https://www.equaltimes.org/ugandan-domestic-workers-stuck?lang=en#XjR4fVgzblU>.

10 WORLD POPULATION REV., (2019) <https://worldpopulationreview.com/countries/uganda-population/>.

11 UGANDA BUREAU OF STAT., UGANDA NAT'L HOUSEHOLD SURV. 2016/2017 REP. (2017). Working age is defined as the number of potential workers within an economy.

12 UGANDA BUREAU OF STAT., UGANDA NAT'L HOUSEHOLD SURV. 2016/2017 REP. (2017).

13 Geema Ahaibwe and Swaibu Mbowa, *Youth Unemployment Challenge in Uganda and the Role of Employment Policies in Jobs Creation*, BROOKINGS (Aug. 26, 2014), <https://www.brookings.edu/blog/africa-in-focus/2014/08/26/youth-unemployment-challenge-in-uganda-and-the-role-of-employment-policies-in-jobs-creation/>.

14 World Bank, *Gender at Work: A Companion to the World Development Report on Jobs* (2014).

15 World Bank, *Gender at Work: A Companion to the World Development Report on Jobs* (2014).

16 Claire Cain Miller, *How Society Pays When Women's Work Is Unpaid*, NEW YORK TIMES, Feb. 22, 2016 <https://www.nytimes.com/2016/02/23/upshot/how-society-pays-when-womens-work-is-unpaid.html>.

17 As reported by the COUNCIL ON FOREIGN RELATIONS, *GROWING ECONOMIES THROUGH GENDER PARITY* (Jan. 17, 2019).

It is no wonder that the majority of the migrant worker population is comprised of women.¹⁸ Women, especially affected by poverty, have been forced to turn to the informal sector, which includes migrant domestic work. Burdened with gender roles that limit their employment choices outside informal employment, women have continued to seek out domestic work even abroad.

B. The Global Development of the Labour Exportation Market and Women's Positioning

As long as unemployment rates at home and the demand for a labour force that caters to domestic work abroad remains, women will continue to move from lower income countries seeking better employment and life opportunities in higher income countries. While there are increased reports of people seeking to cross borders, the gendered nature of this migration has to be acknowledged.¹⁹ These realities are compounded by different social, political, and economic factors that affect how women are then able to navigate their lives. In order to understand the problems faced by transnational migrant domestic workers in their entirety, it is important to understand the role played by globalization.²⁰

Globalization has been explained as the "proliferation of cross-border flows and transnational networks."²¹ As the world collectively organized around being more interconnected, new global systems emerged that encouraged and facilitated this by advocating for free markets, easier movement of people across borders, etc.²² This also transformed previously established economies and political systems.²³ The disproportionate levels of development in countries in particular has been noted as a significant factor in the rise of international migration.²⁴ As more developed countries needed workers specifically tied to social and domesticated other areas of work, the need to seek for this employment elsewhere also grew.

This global network of migrant workers has come with varied consequences for women. On the one hand, there has been an economic impact that has allowed women's participation in income generating jobs, even those previously characterized under patriarchal standards as men's jobs,²⁵ such as working in industries. Women, particularly from lower income countries also have more opportunities to participate in free market trade. However, this participation is still hindered by cultural and societal norms, as well as unequal global power dynamics.

These benefits, however, have not transformed the structural imbalances between men and women in the workforce. Much of the work available to women is still characterized by less pay and poor working conditions.²⁶ A World Bank Report has stated that women still lack agency in many of the jobs they are undertaking.²⁷ This reality is further compounded for women across Africa, including Uganda. For lower income countries, neo-liberal policies including structural adjustment policies spearheaded by countries such as the United States, and institutions such as the World Bank and IMF,²⁸ aimed at new economic policies. These have resulted in the liberalization of trade and markets, privatizing state enterprises, and social services, among others.²⁹ These policies have also been characterized by a lack of transparency and the unequal power and bargaining forces between governments.³⁰ While on the surface these structural adjustment policies have been lauded as key drivers of growth, their focus has been on massive natural resource extraction, the forced shift from internally generated solutions, and the privatization of social services that have inadvertently made amenities such as health care and education less accessible to large segments of the population.³¹

18 Stuart Rosewarne, *Transnationalization and the Capitalization of Labor: Female Foreign Domestic Workers*, in *WOMEN MIGRANT WORKERS: ETHICAL, POLITICAL & LEGAL PROBLEMS* 199 (Zahra Meghani ed., 2016).

19 Katie Willis, Brenda Yeoh, *Gendering Transnational Communities: a Comparison of Singaporean and British Migrants in China*, 33 *GEOFORUM* 553, 554 (2002).

20 Stephen Castles, *Migration and Community Formation under Conditions of Globalization*, 36 (4) *INT'L MIGRATION REV.* 1143, 1143 (2006).

21 Stephen Castles, *Migration and Community Formation under Conditions of Globalization*, 36 (4) *INT'L MIGRATION REV.* 1143, 1143 (2006).

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23 Stephen Castles, *Migration and Community Formation under Conditions of Globalization*, 36 (4) *INT'L MIGRATION REV.* 1143, 1143 (2006).

24 Ronald Skeldon, *International Migration as a Tool in Development Policy: A Passing Phase?*, 34 *POPULATION & DEV. REV.* 1, 1 (Mar. 2008).

25 Valentine M. Moghadam, *Gender and Globalization: Female Labor and Women's Mobilization*, 2 *J. WORLD SYST. RES.* 367, 388 (1992).

26 Valentine M. Moghadam, *Gender and Globalization: Female Labor and Women's Mobilization*, 2 *J. WORLD SYST. RES.* 367, 377 (1992).

27 *WORLD BANK, GENDER AT WORK: A COMPANION TO THE WORLD DEVELOPMENT REPORT ON JOBS* (2014).

28 Kingston Christina S, Irikana Godspower, Dienye Victory & Kingston Kato Gogo, *The Impacts of the World Bank and IMF Structural Adjustment on Africa: The Case Study of Côte D'Ivoire, Senegal, Uganda and Zimbabwe*, 1 *SACHA J. POLY & STRATEGIC STUD.* 110, 116 (2011).

29 Institute for Pol'y Studies, *Structural Adjustment Programs & Poverty Reduction Strategy* https://ips-dc.org/structural_adjustment_programs_poverty_reduction_strategy/

30 Institute for Pol'y Studies, *Structural Adjustment Programs & Poverty Reduction Strategy*, https://ips-dc.org/structural_adjustment_programs_poverty_reduction_strategy/

31 Kingston Christina S, Irikana Godspower, Dienye Victory & Kingston Kato Gogo, *The Impacts of the World Bank and IMF Structural Adjustment on Africa: The*

The creation of a cheaper labour force market has had dire consequences on the lives of women, who are most often the underpaid and mistreated employees.

Consequentially, the burden on women to double the work, both at home and now in the workforce, has continued to grow. In maintaining the need to keep labour costs low, women, already vulnerable to lower pay and institutionalized biases, continue to be forced to take such types of employment. Defined as the feminization of labour,³² the growth of globalization and policies pushing for free markets banks on the cheap labour of women, without reducing their responsibilities in the home.³³ The “nature of market reforms,” coupled with existing inequalities between men and women, have affected women more significantly than men.³⁴

A great part of the development of the labour exportation market can be attributed to globalization. Globalization created a crisis of care, particularly for middle- and higher-income women, which led to a demand for labour to handle domestic care work in their homes.³⁵ In higher income countries, as more women become skilled and had better employment opportunities, the demand for cheaper labour inevitably opened up opportunities for the growth of the migrant domestic work force.³⁶

The labour exportation industry is currently one of the most profitable industries worldwide with development impacts, particularly on low income countries.³⁷ According to the World Bank, remittances from economic migration are worth up to U.S. \$613 billion worldwide.³⁸ Uganda, like many other countries faced with high unemployment rates at home, has embraced the exportation of labour industries. This initiative is spearheaded by the government under the Ministry of Gender, Labour and Social Development, under the Labour Externalisation Policy.³⁹

Since 2015, the Ministry has made efforts to regulate the movement of labour in the country that is characterized by the movement of Ugandans to Gulf countries such as Qatar, Jordan, Saudi Arabia, Oman, Iraq, and the United Arab Emirates.⁴⁰ The Ministry of Gender, Labour and Social Development acknowledges that the number of migrant domestic workers rises every year.⁴¹ The official number of companies licensed to recruit and externalize migrant domestic workers in Uganda stands at 187.⁴² According to one study, 70,000 Ugandans have been recruited as workers into countries in the Middle East while several hundred pursued jobs on their own.⁴³ Remittances to Uganda have also increased up to \$1.21 billion, boosted by the labour exportation market.⁴⁴

C. Experiences and Processes of Ugandan Women Migrant Domestic Workers

Migrant domestic work exists in a “privatized economy of household labor.”⁴⁵ This work has been historically undervalued and exists within histories of classed and racialized systems that have facilitated unequal power relations between domestic workers and their employers. The link between migration status and exploitation has been reported by the UN Special Rapporteur on Contemporary Forms of Slavery.⁴⁶ For Ugandan domestic workers working in the Gulf and beyond, this is no different and thus the money they seek in this employment

Case Study of Côte D'Ivoire, Senegal, Uganda and Zimbabwe, 1 SACHA J. POLY & STRATEGIC STUD. 110, 117 (2011).

32 Cristina Morini, *The Feminization of Labour in Cognitive Capitalism*, 87 FEMINIST REV. 40, 41 (2007).

33 Angela Dziedzom Akorsu, *Feminization of Labor*, THE WILEY BLACKWELL ENCYCLOPEDIA OF GENDER & SEXUALITY STUDIES 1,2 (Apr. 2016).

34 Valentine M. Moghadam, *Gender and Globalization: Female Labor and Women's Mobilization*, 2 J. WORLD SYST. RES. 367, 377 (1992).

35 Lourdes Benería, *The Crisis of Care, International Migration, and Public Policy*, 14 FEMINIST ECON. 1, 2 (2008).

36 Michelle Christian & Assumpta Namaganda *Transnational Intersectionality and Domestic Work: The Production of Ugandan Intersectional Racialized and Gendered Domestic Worker Regimes*, 33 INT'L SOC. 315, 317 (2018).

37 Geoffrey Bakunda & George F. Walusimbi Mpanga Private, *Labor Export as Government Policy: An Assessment of Uganda's Potential for Export of Labor in the Framework of Regional and Multilateral Agreements*, INV. CLIMATE & BUS. ENV'T RES. FUND 1,29 (July 2011)

38 Toby Shapshak, *Global Remittances Reach \$613 Billion Says World Bank*, FORBES (May 21, 2018), <https://www.forbes.com/sites/tobyschapshak/2018/05/21/global-remittances-reach-613bn-says-world-bank/#4c626bf5ddc>.

39 GOVERNMENT OF UGANDA, MINISTRY OF GENDER LABOUR AND SOCIAL DEVELOPMENT, <https://www.gov.ug/Ministry/ministry-gender-labour-and-social-development>.

40 Uganda's Labour Export Now Earns it \$1.2 Billion, DAILY MONITOR (Jan. 29, 2019), <https://www.monitor.co.ug/News/National/Uganda-s-labour-export-now-earns-it-1-2-billion/688334-4956376-157imv5z/index.html>

41 PRELIMINARY REPORT ON GENDER, LABOUR AND SOCIAL DEVELOPMENT ON THE EXTERNALIZATION OF LABOUR PHENOMENON, PARLIAMENT OF THE REPUBLIC OF UGANDA, 2 (Nov. 2019).

42 PRELIMINARY REPORT ON GENDER, LABOUR AND SOCIAL DEVELOPMENT ON THE EXTERNALIZATION OF LABOUR PHENOMENON, PARLIAMENT OF THE REPUBLIC OF UGANDA, 2 (Nov. 2019).

43 YOUTH FOR POLY, YOUTH FOR POLICY PERSPECTIVES: COLLECTION OF BRIEFING PAPERS ON KEY POLICY CHALLENGES IN UGANDA (Nov. 2018) https://youth4policy.org/wp-content/uploads/2019/01/Y4P-Policy-Papers-Final_Online-Version.pdf#page=33

44 Uganda's Labour Export Now Earns it \$1.2 Billion, DAILY MONITOR (Jan. 29, 2019), <https://www.monitor.co.ug/News/National/Uganda-s-labour-export-now-earns-it-1-2-billion/688334-4956376-157imv5z/index.html>

45 Fiona Williams, *Migration and Care: Themes, Concepts and Challenges*, 9 Soc. POLY & SOCIY 385, 386 (2010).

46 Report of the Special Rapporteur on Contemporary Forms of Slavery, Including its Causes and Consequences, Gulnara Shahinian, U.N. Doc A/HRC/15/20, 47 (June 2010).

is hard earned. As countless reports⁴⁷ and news stories⁴⁸ show, their working conditions are characterized by inhumane working conditions, violations to contracts, and many other failings. An estimated 2.1 million people are employed as domestic workers in ten of the Middle Eastern countries.⁴⁹ There is a high demand for domestic work, and yet despite this, governments in that region have failed to make any real legislative effort to protect workers and their human rights.⁵⁰

Consider the story of Hasifa Walugambire⁵¹ who suffered violations to her initial contract. After she was promised a job in a bank in Oman where she would earn \$690 per month, she closed her store in Kampala, Uganda. Instead, she found herself forced to work as a domestic worker, working more than 15 hours a day, and beaten for any perceived disobedience.⁵² This story is just one of the major accounts of the dehumanizing ways in which migrant woman domestic workers are treated.

In a 2014 Human Rights Report, ninety-nine women interviewed reported that most of their employers confiscated their passports, physically abused and confined them to the homes.⁵³ They also spoke of long work hours and hardly any access to food or medical care, among other egregious abuses.⁵⁴

These abuses are enabled by a myriad of factors, made even more pronounced by the fact that limited labour protections are given to migrant domestic workers under the visa sponsorship system that is common in the Gulf region. Some of the countries in the region offer no legal protection for domestic workers in their laws.⁵⁵ The *kafala*, as this visa system is known, creates a great power imbalance between employers and employees. Simply put, it "ties migrant workers to individual employers who act as their visa sponsors and restricts migrant workers' abilities to change employers."⁵⁶ This system has been criticized by the UN Special Rapporteur on Contemporary Forms of Slavery⁵⁷ highlighting the risks this system creates easy access to young, inexperienced workers who are susceptible to exploitation.⁵⁸ Many vulnerable women however, have no option but to accept any working conditions, until they can't take it anymore. The luckier ones have managed to make it back home, while many continue to lose their lives.⁵⁹

The institutional bedrock to protect migrant domestic workers in Uganda is enshrined in the Employment Act of 2006 and the Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations of 2005.⁶⁰ In 2015, the Ministry of Gender, Labour and Social Development developed the Guidelines on Recruitment and Placement of Uganda Migrant Workers aimed at protecting migrant domestic workers against abuse.⁶¹ These guidelines are intended to among others ensure that migrant domestic workers are duly registered, vetted and trained before their departure. However, not everyone follows these processes as they depart and even fewer of the returning domestic workers do.⁶²

47 Amy Fallon, *The Only Hope is to Die: Suicide Soars Among Ugandan Migrants Abused in the Gulf*, Reuters (Nov. 20, 2016) <https://www.reuters.com/article/us-uganda-gulf-domestic-workers/the-only-hope-is-to-die-suicide-soars-among-ugandan-migrants-abused-in-the-gulf-idUSKBN1DU1X0>.

48 "MIDDLE EAST FAILING TO PROTECT DOMESTIC WORKERS", HUMAN RIGHTS WATCH NEWS RELEASE, Oct. 28, 2013, <http://www.hrw.org/news/2013/10/28/middle-east-failing-protect-domestic-workers>.

49 ILO, *Domestic Workers Across the World: Global and Regional Statistics and the Extent of Legal Protection* (Geneva: ILO, 2013), p. 31.

50 "MIDDLE EAST FAILING TO PROTECT DOMESTIC WORKERS", HUMAN RIGHTS WATCH NEWS RELEASE, Oct. 28, 2013, <http://www.hrw.org/news/2013/10/28/middle-east-failing-protect-domestic-workers>.

51 Evelyn Lirri, *Ugandan Domestic Workers Stuck Between Poverty Wages at Home and Extreme Exploitation Abroad*, EqualTIMES.ORG (June 16, 2017). <https://www.equaltimes.org/ugandan-domestic-workers-stuck?lang=en#XjsIQ2gbIX>

52 Evelyn Lirri, *Ugandan Domestic Workers Stuck Between Poverty Wages at Home and Extreme Exploitation Abroad*, EqualTIMES.ORG (June 16, 2017). <https://www.equaltimes.org/ugandan-domestic-workers-stuck?lang=en#XjsIQ2gbIX>

53 HUMAN RIGHTS WATCH "I ALREADY BOUGHT YOU" ABUSE AND EXPLOITATION OF FEMALE MIGRANT DOMESTIC WORKERS IN THE UNITED ARAB EMIRATES (2014) <https://www.hrw.org/report/2014/10/22/i-already-bought-you/abuse-and-exploitation-female-migrant-domestic-workers-united>

54 HUMAN RIGHTS WATCH "I ALREADY BOUGHT YOU" ABUSE AND EXPLOITATION OF FEMALE MIGRANT DOMESTIC WORKERS IN THE UNITED ARAB EMIRATES (2014) <https://www.hrw.org/report/2014/10/22/i-already-bought-you/abuse-and-exploitation-female-migrant-domestic-workers-united>.

55 "MIDDLE EAST FAILING TO PROTECT DOMESTIC WORKERS", HUMAN RIGHTS WATCH NEWS RELEASE, Oct. 28, 2013, <http://www.hrw.org/news/2013/10/28/MIDDLE-EAST-FAILING-PROTECT-DOMESTIC-WORKERS>.

56 "MIDDLE EAST FAILING TO PROTECT DOMESTIC WORKERS", HUMAN RIGHTS WATCH NEWS RELEASE, Oct. 28, 2013, <http://www.hrw.org/news/2013/10/28/MIDDLE-EAST-FAILING-PROTECT-DOMESTIC-WORKERS>.

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58 U.N. HUMAN RIGHTS COUNCIL, *REPORT OF THE SPECIAL RAPPORTEUR ON CONTEMPORARY FORMS OF SLAVERY, INCLUDING ITS CAUSES AND CONSEQUENCES*, June 18, 2010, paras. 47-48.

59 Preliminary Report On Gender, Labour and Social Development On The Externalization Of Labour Phenomenon, parliament of The Republic of Uganda, 16 -20 (Nov. 2019).

60 PRELIMINARY REPORT ON GENDER, LABOUR AND SOCIAL DEVELOPMENT ON THE EXTERNALIZATION OF LABOUR PHENOMENON, PARLIAMENT OF THE REPUBLIC OF UGANDA, 12 (Nov. 2019).

61 NAMAGANDA ASSUMPTA & NKIROTE LAIBONI, *WOMEN'S LABOR MIGRATION ON THE AFRICA-MIDDLE EAST CORRIDOR: EXPERIENCES OF MIGRANT DOMESTIC WORKERS FROM UGANDA*, GLOBAL ALLIANCE AGAINST TRAFFIC IN WOMEN, 14 (2019).

62 NAMAGANDA ASSUMPTA & NKIROTE LAIBONI, *WOMEN'S LABOR MIGRATION ON THE AFRICA-MIDDLE EAST CORRIDOR: EXPERIENCES OF MIGRANT DOMESTIC WORKERS FROM UGANDA* 14 (2019).

II. Why Addressing the Issues Faced by Migrant Domestic Workers Should Be A Priority for the Ugandan Government

The mistreatment of migrant domestic workers is often explained away as an action of individual employers and not as a result of state mechanism including immigration laws and policies that make this exploitation possible.⁶³ Despite the fact that there are a number of legal and policy frameworks intended to curb this abuse, the continued prevalence of abuse warrants an emphasis of Uganda's obligations.

The human rights of migrant domestic workers should be an immediate priority first because women's human rights are human rights for all. States are obligated to protect the universal and inalienable human rights of all, without distinction, as recognized by international human rights treaties.⁶⁴ This role in guaranteeing human rights places a duty on countries of "origin, transit and destination" to ensure that the rights of migrant domestic workers within their countries are protected.⁶⁵

The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which has been ratified by Uganda, set out guiding principles aimed at protecting migrant domestic workers.⁶⁶ These rights include non-discrimination,⁶⁷ freedom of movement,⁶⁸ right to life,⁶⁹ freedom from torture and other degrading practices,⁷⁰ among other rights enshrined in the convention. While many migrant-receiving countries in the Gulf region and beyond have not ratified the Convention, it lays out a foundation of international human rights standards that warrant enforcing. The ILO Convention on Decent Work for Domestic Workers equally sets out specific duties and obligations for both state and non-state actors to ensure the protection of domestic workers. While none of the Conventions dedicated to domestic workers address the power imbalances that often characterize employee and employer relationships, they lay out important rights that can be used to inform the advocacy of migrant domestic workers.⁷¹ It is using this backdrop that the Ugandan government should ensure that the contracts between employers are standardized to meet international legal standards and limit the possibility of exploitation of migrant domestic workers.

Additionally, several human rights instruments guarantee women's employment rights and economic security under international human rights law. The International Covenant on Economic, Social and Cultural Rights recognizes several rights of workers including the "right of everyone to the opportunity to gain his living by work which he freely chooses or accepts."⁷² The Convention specifically protects the right to fair and equal wages under Article 7.

Other provisions that protect workers' rights include the right to adequate working conditions and employment without discrimination. Uganda has also ratified the Convention on the Elimination of all Forms of Discrimination against Women, which sets an obligation for states parties to take "all appropriate measures to eliminate discrimination against women in the field of employment."⁷³ All of these efforts are in addition to the regulations set out by the International Labour Organization that aim to protect women in the workplace and specifically address the fair treatment of women. International law has set a minimum standard by which countries all around the world should treat migrant domestic workers. Using these standards enshrined in these various instruments, Uganda's policy angle must focus on promoting and enforcing these rights.

⁶³ Migrant Domestic Workers in the UK, 399

⁶⁴ UDHR Preamble

⁶⁵ UN WOMEN, USING THE INTERNATIONAL HUMAN RIGHTS SYSTEM TO PROTECT AND PROMOTE THE RIGHTS OF WOMEN MIGRANT WORKERS (2017), <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2017/policy-brief-human-rights-mechanisms-en.pdf?la=en&vs=5054>

⁶⁶ THE INTERNATIONAL CONVENTION ON THE PROTECTION OF THE RIGHTS OF ALL MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES (ICRMW), preamble.

⁶⁷ ICRMW art. 7.

⁶⁸ ICRMW art. 8.

⁶⁹ ICRMW art. 9.

⁷⁰ ICRMW art. 10.

⁷¹ Siobhán Mullally & Clíodhna Murphy, *Migrant Domestic Workers in the UK: Enacting Exclusions, Exemptions, and Rights*, Human Rights Quarterly 397, 402 (2014).

⁷² International Covenant on Economic, Social and Cultural Rights (ICESCR) art. 6

⁷³ Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) art. 11

B. Aligning with Domestic Interests

Ultimately, advancing the financial wellbeing of Ugandan women economically benefits Uganda. "Both advanced and developing countries stand to gain if women participate in the labour force at the same rate as men, work the same number of hours as men, and are employed at the same levels as men across sectors."⁷⁴ The McKinsey Global Institute estimates an up to \$12 trillion global GDP increase by 2025 if every country were able to move towards gender equality.⁷⁵ If Uganda matched women's participation to men's, this would propel a gain of 22 billion dollars.⁷⁶ Higher income for women in Uganda could help them maintain better health, control of their reproductive choices, and even reduce domestic violence against them. Connections have been made between economic and political security and stability, the interest in protecting the human rights of women who become immigrant workers, and the economic growth potential Uganda would see if women were able to fully participate safely and freely in the labour force.

III. Targeted Responses to Protect Migrant Domestic Workers

The Committee on Gender, Labour and Social Development has also noted that there are a number of challenges hindering its institutional capacity to achieve its mandate.⁷⁷ Among the problems cited include under staffing at Ministry of Gender, Labour and Social Development designed to specifically coordinate labour externalization issues.⁷⁸ The other issues cited include limited coordination among other government agencies and departments as well as limited funding and lack of autonomy.⁷⁹ Given that the Uganda receives a considerable amount of money in the form of remittances, there should be an equal investment in ensuring that workers are protected as they migrate for work.

The Employment Bill currently proposes several protection measures for domestic workers including consequences for labour recruiting agencies for migrant workers that are abused abroad.⁸⁰ In order to address the gaps in existing laws and policies, there must be a prioritization of enacting this Bill through consultations with migrant domestic workers, civil society organizations and other stakeholders. The process of passing the Bill into law is specifically important as it ought to incorporate the current problems as reported by migrant domestic workers, trade unions and several other government and non-government agencies.

The law needs to include penalties and consequences for labour agencies and individuals found to be in violation of the established procedures. The ILO Domestic Workers Convention under Article 15 has specifically recognized the need to ensure that private employment agencies are as accountable to protect the rights of migrant domestic workers. The harmonizing of employment laws should also include setting a minimum wage for employers and reviewing the National Social Security Act to factor in migrant domestic workers.⁸¹

Pre-departure training and orientation training for migrant domestic workers must be made mandatory and extend to include pre-migration expectations, orientation on their rights, information on Ugandan embassies and consulates among others. While there is already an established regulation requiring that labour agencies ensure that prospective migrant domestic workers are well prepared, there needs to be an evaluation of this training. In partnership with trade unions and government agencies, there should be a deliberate action to supervise and thus ensure that all migrant domestic workers are well trained in their rights both at home and in the countries of employment, expectations and cultural differences, among others before they depart.

⁷⁴ Council on Foreign Relations, *Growing Economies Through Gender Parity* (Jan. 17, 2019).

⁷⁵ Jonathan Woetzel, Anu Madgavkar, Kweilin Ellingrud, Eric Labaye, Sandrine Devillard, Eric Kutcher, James Manyika, Richard Dobbs, and Mekala Krishnan, *How Advancing Women's Equality Can Add \$12 trillion to Global Growth*, MCKINSEY GLOBAL INSTITUTE (Sept. 2015).

⁷⁶ Council on Foreign Relations, *Growing Economies Through Gender Parity* (Jan. 17, 2019).

⁷⁷ PRELIMINARY REPORT ON GENDER, LABOUR AND SOCIAL DEVELOPMENT ON THE EXTERNALIZATION OF LABOUR PHENOMENON, PARLIAMENT OF THE REPUBLIC OF UGANDA, 12 (Nov. 2019).

⁷⁸ PRELIMINARY REPORT ON GENDER, LABOUR AND SOCIAL DEVELOPMENT ON THE EXTERNALIZATION OF LABOUR PHENOMENON, PARLIAMENT OF THE REPUBLIC OF UGANDA, 12 (Nov. 2019).

⁷⁹ PRELIMINARY REPORT ON GENDER, LABOUR AND SOCIAL DEVELOPMENT ON THE EXTERNALIZATION OF LABOUR PHENOMENON, PARLIAMENT OF THE REPUBLIC OF UGANDA, 13 (Nov. 2019).

⁸⁰ Moses Kyeyune, *Labour Agencies Face Shs400m Fine in Draft Law on Migrant Workers*, DAILY MONITOR (Dec. 3, 2019) <https://www.monitor.co.ug/News/National/labour-agencies-face-Shs400m-fine-draft-law-migrant-workers/688334-5373394-856351z/index.html>.

⁸¹ NAMAGANDA ASSUMPTA & NKIROTE LAIBONI, *WOMEN'S LABOR MIGRATION ON THE AFRICA-MIDDLE EAST CORRIDOR: EXPERIENCES OF MIGRANT DOMESTIC WORKERS FROM UGANDA*, GLOBAL ALLIANCE AGAINST TRAFFIC IN WOMEN, 29 (2019).

Beyond established civil society organizations, it is also important to support community organizing efforts including the trade unions. This work is often faced with a number of challenges including limited funding. Reconceptualizing the importance of these movements and working to fund such work can directly empower the women affected by the crisis of foreign migrant domestic work would be an important part of Ugandan policies. In adopting such an approach, the government can draw inspiration from the Equality Fund⁸² and similar philanthropic efforts that are working to refine the model of financing organizations that work to advance women's human rights. This is specifically important as it seeks to undo some of historic power imbalances and empower communities and women at the forefront of advocating on behalf of foreign domestic workers.⁸³

The second recommended policy approach is bilateral diplomacy. Bilateral diplomacy between Uganda and countries can include enacting labour exportation guidelines, negotiating opportunities for training Ugandan women to better equip them with skills to find better jobs. There needs to be an emphasis on both individual (employer) and State responsibility in ensuring protections for employees. One of the noted conflicts is with harmonizing the migrant domestic workers' employment contracts with existing Ugandan labour laws.⁸⁴ Uganda should work with different States paying special attention to countries where there is an existing relationship and several migrant domestic workers⁸⁵ such as Saudi-Arabia and others.

Beyond the above discussed legal and policy reforms however, it is important to begin to reimagine the understandings of work. The first step is to recognize the value of care work and undo dichotomies created to divide public and private spaces especially from state scrutiny. Domestic work done in the home should be recognized to be as tasking as any other work and thus fairly compensated. This allows room to introduce elements of leave and sick days as well as the other labour rights recognized in other fields of work. Similarly, the limitations introduced by migration laws must be addressed by both state and non-state actors if there is to be a new respect for migrant domestic workers rights. Migration laws and policies that are steeped in racist undertones result into denial of migrant worker's rights and creates a myriad of challenges in advocating for laws and policies that protect migrant workers. Migrant domestic workers are therefore easily othered and exploited because of their lack of "citizenship status."⁸⁶ To undo this, it is imperative that states redefine laws and polices around immigration and citizenship.

Conclusion

Migrant domestic workers from Uganda face multiple forms of discrimination both at home and abroad that are compounded by socio-economic factors. Approaches to correcting these injustices should take into account that Uganda relies on remittances from abroad, and many of these women have failed to find employment in their home countries. A total ban of such migrant domestic work would therefore create new challenges. In the long run, Uganda needs to work to create safe and fairly remunerated labour and conditions that allow its citizens the ability to work and create work. For now, however, it is imperative that the focus be on working with the home country and destination or target countries where they go to work to ensure that their rights are protected.

⁸² Global Affairs Canada, *The Equality Fund: Transforming the Way We Support Women's Organizations and Movements Working to Advance Women's Rights and Gender Equality*, (June 26, 2019) <https://www.canada.ca/en/global-affairs/news/2019/06/global-affairs-canada---the-equality-fund-transforming-the-way-we-support-womens-organizations-and-movements-working-to-advance-womens-rights-and-g.html>

⁸³ Global Fund Community Foundation, *Launch of the Equality Fund, a Historic Commitment to Gender Equality* <https://globalfundcommunityfoundations.org/news/launch-of-the-equality-fund-a-historic-commitment-to-gender-equality/>

⁸⁴ NAMAGANDA ASSUMPTA & NKIROTE LAIBON, *WOMEN'S LABOR MIGRATION ON THE AFRICA-MIDDLE EAST CORRIDOR: EXPERIENCES OF MIGRANT DOMESTIC WORKERS FROM UGANDA*, GLOBAL ALLIANCE AGAINST TRAFFIC IN WOMEN, 19 (2019).

⁸⁵ See generally, *PRELIMINARY REPORT ON GENDER, LABOUR AND SOCIAL DEVELOPMENT ON THE EXTERNALIZATION OF LABOUR PHENOMENON*, PARLIAMENT OF THE REPUBLIC OF UGANDA (NOV. 2019). Countries mentioned with a high number of Ugandan domestic workers include Qatar, Oman, Kuwait, etc.

⁸⁶ Fiona Williams, *Migration and Care: Themes, Concepts and Challenges*, 9 Soc. Pol'y & Soc'y 385, 386 (2010).



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