

NAIROBI, Kenya, July 13 (Infosplusgabon) - *To mark the 20th Anniversary of the Maputo Protocol and to promote the continued adoption and implementation of its progressive provisions, the Solidarity for African Women's Rights Coalition (SOAWR), Equality Now , and Make Every Woman Count (MEWC) has released the landmark report, 20 Years of the Maputo Protocol: Where are we now?, which summarizes the progress made in Africa towards the ratification, domestication, and implementation of the Protocol, highlighting key achievements and challenges.*

The Maputo Protocol holds immense importance as a legal instrument for the promotion and protection of women's rights in Africa. It addresses crucial issues affecting women's lives, serves as a comprehensive legal framework, promotes women's empowerment and participation, and establishes a system of accountability for African countries. All this fosters a culture of transparency and progress in the promotion of gender equality.

The Protocol explicitly condemns harmful practices such as female genital mutilation, child marriage, and violence against women - sending a clear message that these violations must be eradicated. By integrating the Protocol's principles into their legal systems, member states ignite a culture of gender equality.

The Maputo Protocol, adopted by the African Union (AU) in July 2003, has become one of the most ratified instruments in the AU, with 44 out of 55 Member States having ratified or acceded to it and eight countries having signed but not yet acceded to it as of June 2023.

While 80% of AU Member States have ratified or acceded to the Protocol, the new report highlights that the full implementation of the Protocol's provisions is still a work in progress, with some States submitting reservations to modify the legal effect of certain provisions.

Nonetheless, human rights campaigners agree that allowing reservations is preferable to States not adopting the Maputo Protocol at all. According to Rainatu Sow, Director of Make Every Woman Count, "The ratification of the Protocol is a crucial step towards achieving gender

equality. Ratifying the Maputo Protocol sends a powerful message that states are committed to protecting and promoting women's rights."

Challenges in reporting

The report notes that only 19 states have submitted initial reports as required under Article 26(1) of the Protocol, and most of the reports have been significantly delayed. As part of the report launch, SOAWR members are highlighting the need for increased training of Member States on reporting, strengthening data collection and collation through cross-sector collaboration, and improved clarity on reporting deadlines. They also call for the African Commission (ACHPR) to consider increasing the reporting time frame.

Progress is notable but not equal

Launched during the Maputo Protocol 20th Anniversary high-level celebrations in Nairobi, Kenya, the report reveals that progress is not evenly distributed, with some areas showing better outcomes for women compared to others.

Economic and social welfare rights

Economic and social welfare rights have improved considerably in AU Member States, with more than 50% of African countries enacting laws mandating equal remuneration for work of equal value and providing paid maternity leave of 98 days or longer. Several countries prohibit discrimination based on gender and sexual harassment in the workplace.

Legislation on marriage rights

Legislation on rights related to marriage has been enacted in AU Member States, addressing issues such as the legal age of marriage and increasing punishments for early, child, and forced marriages. Institutional reforms, including the establishment of national committees and

awareness campaigns, have contributed to the prohibition of child marriage in some countries.

Harmonizing national laws with the principles outlined in the Maputo Protocol and addressing deeply entrenched societal beliefs are crucial steps towards gender equality

Health and Healthcare

The report reveals that almost all countries have maintained constitutional provisions related to health and healthcare, with six countries enshrining rights related to reproductive healthcare. Legislative reforms integrated with laws and equality and gender-based violence have supported reproductive health rights. Efforts to combat violence against women, including female genital mutilation (FGM), have resulted in enacting constitutional reforms, adopting national action plans, and establishing support services.

Women's participation in political and decision-making processes

Constitutional provisions establishing quotas on women's representation in legislatures have been implemented in ten countries. The report highlights that national gender or development strategies have integrated approaches to increase women's participation in politics, and countries have launched campaigns to raise awareness and increase representation.

Protection from violence and armed conflict and specially protected women

The report also analyzes the state of protection of women and girls from violence in armed conflict and the rights of specially protected women's groups. It notes that this received attention amongst AU countries, with constitutional reforms and institutional reforms implemented in these contexts.

Challenges

While significant progress has been achieved over the past two decades, the report underscores that challenges remain. African governments are urged to prioritize eliminating harmful traditional practices, gender-based violence, and discrimination against women and girls.

Faiza Mohamed, Africa Regional Director at Equality Now, says, "Harmonizing national laws with the principles outlined in the Maputo Protocol and addressing deeply entrenched societal beliefs are crucial steps towards gender equality."

World's most progressive legal framework

During the launch ceremony on 11 July 2023 in Nairobi, Kenya, Chief Guest Hon. Aisha Jumwa, the Cabinet Secretary for Kenya's Ministry of Public Affairs, Gender and Affirmative Action, remarked, "The Maputo Protocol stands at a crucial moment whereby beyond earning recognition as one of the most important and progressive frameworks on women's rights, there is need for countries to reaffirm their commitments, accelerate efforts and deploy adequate resources in order to realize the aspiration of all women and girls in Africa. As Kenya, we are keen on ensuring that the provisions of the Maputo Protocol are implemented to their full extent."

In the report, the SOAWR Coalition urges the 11 remaining AU Member States - namely Botswana, Burundi, Central African Republic, Chad, Egypt, Eritrea, Madagascar, Morocco, Niger, Somalia, and Sudan - to renew their commitments and promptly ratify the Maputo Protocol. By doing so, they will fulfill their promises to the women and girls in their countries, contributing to a more equitable and prosperous continent. (Source : Equality Now).

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