



The African Union's Mechanisms to Foster Gender Mainstreaming and Ensure Women's Political Participation and Representation

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Abstract

This paper analyses the African Union's (AUs) mechanisms to foster gender mainstreaming and women's political participation and representation in supranational/regional decision-making by evaluating the AU's capabilities and potential, and reflects on areas of cooperation on these issues between the AU, EU and UN. Challenges are identified and policy recommendations proposed for the promotion of inclusive political participation and representation.

The paper proceeds as follows. First, it addresses briefly the main international legal framework on gender equality and the history of the mechanisms set up by the AU to foster gender mainstreaming. Second, it traces the areas of cooperation between the AU, EU and UN and evaluates these mechanisms. It further shows how the AU's creation has benefited from the United Nations and European experience on the development of gender issues. In the third and final section, the paper concludes with a brief overview of the challenges and some recommendations, intended as a resource for action, to be taken up by policy-makers seeking to promote gender equality in political participation and representation.

Key concepts

- a) *Gender* Social and cultural differences between men and women that assign value and create unequal opportunities in life (Kabeer, 2003). These characteristics are variable. Policies and structures play a very important role in shaping the conditions of life, and in doing so they often institutionalize the social construction of gender.
- b) *Gender equality* The absence of discrimination based on gender in the allocation of resources, benefits and access to services.
- c) *Gender equity* Equal treatment in the distribution of benefits and opportunities between women and men under the law and in practice by mainstreaming gender into various areas of policy, and in public and private life.
- d) *Empowerment* The range of options that create opportunities and reinforce individual and collective capacities to exercise control over the life of individuals and offer them more choices.



e) *Gender mainstreaming* appeared for the first time in international texts after the third UN World Conference on Women (Nairobi, 1985) in relation to the debate within the UN Commission on the Status of Women (CSW) on the role of women in development. At the UN Fourth World Conference on Women held in Beijing in 1995, the strategy of gender mainstreaming was explicitly endorsed by the Platform for Action (PFA). ‘Mainstreaming a gender perspective is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in any area and at all levels. It is a strategy for making the concerns and experiences of women as well as of men an integral part of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres, so that women and men benefit equally, and inequality is not perpetuated. The ultimate goal of mainstreaming is to achieve gender equality.’ (ECOSOC, 1997)




Introduction

In the context of global economic and political crisis, the world has become increasingly interdependent. A revolution can easily spread to other countries with the aid of new technologies. The recent events in North Africa and Southern Europe are proof of this and show the same aim at work in different contexts. Women, men and young people from both continents marched together, calling for reform and regime change and for renewed and genuine democracy to achieve social justice, gender equality and civil and political rights.

Nowadays, many people feel that their governments, and the political parties that should provide them with a voice, do not represent them, and that participation, in many cases, is limited to casting votes. Inclusive political participation and representation are key concepts of democracy, and the functioning of democracy depends on people and on institutions. Africa has made advances in democracy building. To this end, the adoption of the African Peer Review Mechanism (APRM) under the New Partnership for Africa's Development (NEPAD) and the 2007 African Charter on Democracy, Elections and Governance have provided a framework for the inclusion of democratization in policy frameworks and declarations. Nevertheless, one of the key challenges today is reinforcing the relationship between states and citizens, ensuring that citizens have control over decision-making. The African Union (AU) Commission and the European Commission met in Brussels in May 2011 and focused their discussion on precisely these issues: democracy and growth.

Democracy cannot be effective if women are prevented, whether by law or by custom, from full participation in political life. Women's equal participation leads to governments being more representative and accountable. However, inadequate participation by women in the decision-making processes is a reality. In many countries, legislation has changed but customs have not, and because of this women's struggles continue. The growing recognition of the leadership role of women in all spheres of development, including their participation in decision-making at the international, regional and national level, is reflected in the creation of platforms of action related to gender. It is in this context that the AU has developed a gender policy and other instruments that focus on addressing gender inequalities and adopted a new resolution in 2011 that calls on countries to take concrete steps to increase women's political participation and leadership and report back to the United Nations (UN) Secretary General in 2013.



According to the Millennium Development Goals (MDG) 2012 Report, the proportion of seats held by women in single or lower houses of national parliaments in North Africa rose from 3 per cent in 2000 to 11 per cent in 2012. In Sub-Saharan Africa, the proportion of seats rose from 13 per cent in 2000 to 20 per cent in 2012. Rwanda now has the highest number of women in parliament (56 per cent after the 2008 elections) both in Africa and in the world. This sustained progress is largely due to the existence of quotas. Quotas are important but need to be accompanied by other factors such as societal support for women's representation and structural change in the political system towards more public participation and accountability. Proportional representation has proved to be the most important factor in bringing high numbers of women into parliament, but no one size fits all and flexibility is key. The citizens of each country should legitimate the electoral model best suited for effective participation and representation.

Decentralization, which has changed the political and institutional context for promoting the full and equal rights of citizens in many societies, has also contributed to an increase in the representation of women, showing that women need more than just tools and strategies to improve their political participation. Raising awareness and providing skills and education cannot be effective without the provision of resources and without developing institutions and systems. The election of Dr. Nkosazana Dlamini-Zuma as Chairperson of the AU Commission makes her the first woman to take up the post, the highest at the AU Commission, and shows the advancement of women at the political level. 'This is a victory not only for African women, but for Africans as a whole,' Dr. Dlamini-Zuma has said.



Gender mainstreaming and the AU: the institutional and legal framework


Main international legal framework on gender equality

The AU's approach to the advancement of women's rights and gender equality has been informed by UN frameworks and instruments. The commitment to the achievement of gender equality can be traced to the 1948 UN Charter and the Universal Declaration on Human Rights which states that rights and freedoms will not be limited by a person's gender and establishes that 'all human beings are born free and equal in dignity and rights'. In 1946 the UN created the Division for the Advancement of Women (DAW) to champion women's empowerment and gender equality in an effort to ensure that half of the world's population enjoys equal rights and is able to live in dignity as equal citizens everywhere.

Prominent among UN frameworks and instruments, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), also described as the 'international bill of rights for women', provides the basis for realizing equality between women and men. In addition, the UN conferences held in Mexico City (1975), Copenhagen (1980), Nairobi (1985) and Beijing (1995) and its Platform for Action, which aims to remove all obstacles in all spheres of public and private life based on a full and equal share in economic, social, cultural and political decision-making, as well as conferences in the 1990s on population and development, human rights, social development and human settlements, financing for development, trade and poverty reduction strategies, and the MDG primary global framework for international development intended to reduce poverty and to empower women (Goal 3) by 2015, all manifest the UN's commitment to foster gender equality. Initially, this was using the Women in Development approach (WID) of the 1980s. It was replaced by the Gender and Development approach (GAD) in the 1990s.

Main regional (AU) institutional and legal framework

The AU is composed of 53 member states and seven regional economic communities (RECs) representing Africa's sub-regions, as well as key programmes and instruments such as NEPAD and the APRM, all of which reflect the commitment of Africa's leaders to gender equality. At the national level, the AU is involved in legislative reviews and amendment processes. At regional levels, the AU has encouraged its member states to adopt, ratify, implement and domesticate treaties, conventions and decisions; has established a consensus on gender equality issues among member states; and plays an important role in supporting research on gender issues and



collecting regional data and statistics. At a sub-regional level, the AU has provided guidance to the RECs in complementing and harmonizing global and regional frameworks by integrating and translating various resolutions and commitments into their policies and plans of action.

The RECs have already started implementing some coordination and harmonization mechanisms, which will certainly help eliminate discrepancies; and the establishment of priority areas of focus will assist in producing results. But bolder action is still needed. The RECs are expected to monitor the implementation of integration-related policies and programmes, to mobilize the necessary resources to support such policies and programmes, and to report on progress.

For example, the RECs all possess dedicated gender units, which include declarations and tools for gender audits and mainstreaming. The Southern African Development Community (SADC) established a Gender Unit in 1996, adopted a Gender Policy Framework in 1997 and established gender focal points at the sectorial level. An SADC Plan of Action for gender and development was created to audit the programmes and to mainstream gender; while the Economic Community of West African States (ECOWAS) has instituted a gender policy to guide its member states in gender mainstreaming.

The establishment of NEPAD, adopted in Zambia in 2001, is another important initiative with considerable focus on gender issues. Its objective is to enhance Africa's growth and development and its participation in the global economy. Under the NEPAD/Spanish Fund for African Women's Empowerment, 38 projects were finalized from the first phase of the Fund. Under the second phase, 31 projects were approved for a total of EUR 8.2 million. The project proposals covered three priority sectors: economic empowerment, civil society strengthening and institutional strengthening.

The APRM, a self-monitoring instrument voluntarily accepted by member states of the AU, aimed at fostering the adoption of policies, standards and practices and strengthening accountability with respect to commitments to good governance as well as gender equality and women's empowerment. As of July 2012, 31 countries had joined the Mechanism: Algeria, Angola, Benin, Burkina Faso, Cameroon, Congo, Djibouti, Egypt, Ethiopia, Gabon, Ghana, Kenya, Lesotho, Liberia, Malawi, Mali, Mauritania, Mauritius, Mozambique, Niger, Nigeria, Rwanda, São Tomé and Príncipe, Senegal, Sierra Leone, South Africa, Sudan, Togo, Uganda, the United Republic of Tanzania and Zambia; and 15 countries had been peer-reviewed: Algeria, Benin, Burkina Faso, Ethiopia, Ghana, Kenya, Lesotho, Mali, Mauritius, Mozambique, Nigeria, Rwanda, Sierra Leone, South Africa and Uganda.



Pillars of AU gender mainstreaming


The gender architecture in the AU is conceived in line with AU aspirations and in consultation with stakeholders, member states, ministerial gender meetings, and the civil society forum, and is constituted by six pillars, as follows:

1. The constitutional framework: the Constitutive Act of the AU

The Organization of African Unity (OAU) was created in 1963 to celebrate African independence from colonial rule and to foster regional integration among African countries. Subsequently, the OAU established the Women's Division within its Community Affairs Department with the objective of mainstreaming gender in all actions. However, the division lacked the backing of a legal framework, financial and human resources, and gender mainstreaming did not take place. In 1995, the OAU committed itself to the African Platform for Action on Women, signed in Addis Ababa. Member states made efforts to formulate policies and programmes to translate the Dakar and Beijing platforms into action.

The OAU was transformed into the AU when the Constitutive Act of the AU was adopted on 11 July 2000 at Lomé, Togo (African Union, 2000). The Constitutive Act of the AU sets out the framework under which the AU is to conduct itself. All African heads of state except Morocco's, are members of the new regional organization, the AU. Article 3 of the Constitutive Act of the AU defines the organization's objectives, which include 'the promotion of democratic principles and institutions, popular participation and good governance'. Article 4 defines its principles as being to 'promote and protect human and peoples' rights in accordance with the African Charter on Human and Peoples' Rights and other relevant human rights instruments' and the 'promotion of gender equality'. Creating the necessary mechanisms for the promotion of gender equality is therefore an important aim of the AU.

The AU's Constitutive Act marks a major departure from the OAU Charter in a number of respects. It signalled a move from non-interference to non-indifference. It explicitly recognized the importance of human rights with the adoption of the African Charter on Human and Peoples' Rights (ACHPR). It seeks the promotion of social, economic and cultural development, an approach based on human-centred development, and a commitment to gender equality.




2. The legal framework: the African Charter on Human and Peoples' Rights reinforced by the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa

The ACHPR was adopted in July 2003 in Mozambique and came into effect in 2005 after being ratified by the requisite 15 AU member states. It was criticized, however, for the omission of women's rights from its provisions, despite the fact that women brought issues on gender inequalities to the African agenda through their participation in liberation struggles, and also for the emphasis given to cultural values, which appeared to create a dualism of norms regarding women's rights. The adoption of the Women's Rights Protocol sought to address these omissions.

The target of the Protocol is to achieve full enforcement and ratification by 2015 and domestication by 2020. Of the 53 AU member countries, 49 have signed the protocol. The ratification by Congo and Guinea on the 6 August and the 17 September 2012 respectively, brings the total number of ratifications to 34. States which have ratified the Protocol are Angola, Benin, Burkina Faso, Cape Verde, Comoros, Côte d'Ivoire, Djibouti, Democratic Republic of the Congo, Equatorial Guinea, Gabon, The Gambia, Ghana, Guinea-Bissau, Kenya, Lesotho, Liberia, Libya, Malawi, Mali, Mauritania, Mozambique, Namibia, Nigeria, Rwanda, Senegal, Seychelles, South Africa, Tanzania, Togo, Uganda, Zambia, Zimbabwe, Congo and Guinea. Countries who have not signed the Protocol are Botswana, Egypt, Eritrea and Tunisia. These governments feel that their national laws and other international instruments to which they are signatory are more or equally progressive, and that there is no need or rush to ratify the Protocol. Additionally, reservations to the Protocol seem to lie mostly with Article 14 that makes provision for sexual and reproductive health rights, as well as with Article 21 on land inheritance. A major obstacle, however, seems to be misinformation about what exactly the Protocol allows, thus emphasizing the need for sensitization.

The African Charter established the African Commission on Human and Peoples' Rights inaugurated on November 1987 and located the Commission's Secretariat in The Gambia. It is officially charged with three major functions: the protection of human and peoples' rights; the promotion of human and peoples' rights; and interpretation of the African Charter on Human and Peoples' Rights.


In April 1999, the African Commission adopted Resolution ACHPR/res.38 (XXV) 99 on the appointment of a Special Rapporteur on the Rights of Women in Africa in recognition of the need to place particular emphasis



on the problems and rights specific to women in Africa. The mandate was renewed four times and provides as follows: to serve as a focal point for the promotion and protection of the rights of women in Africa; to assist African governments in the development and implementation of their policies for promotion and protection of the rights of women in Africa; to undertake promotional and fact-finding missions in African countries that are members of the AU in order to disseminate the human rights instruments of the AU and to investigate the situation of women's rights in the countries visited (since 2000 about ten missions have been held); to follow up on the implementation of the African Charter and its Protocol by state parties, by preparing reports; to draft resolutions on the situation of women in various African countries and propose them to the members of the Commission for adoption; to carry out a comparative study on the situation of the rights of women in various African countries; to define guidelines for state reporting; and to collaborate with relevant actors responsible for the promotion and protection of the rights of women internationally, regionally and nationally.

3. Reporting framework: the Solemn Declaration on Gender Equality in Africa (SDGEA)

Adopted by AU heads of state and government at their July 2004 Summit, the SDGEA is divided into six thematic areas of action: Health, Peace and Security, Governance, Human Rights, Education and Women's Empowerment. The heads of state and government reaffirmed their commitment to the principle of gender equality as enshrined in Article 4 of the Constitutive Act of the AU, as well as other existing commitments set out at regional, continental and international levels, and committed themselves to report annually on their progress in gender mainstreaming. According to the data of the workshop held in Addis Ababa, Ethiopia on 27–28 October 2011, countries that have submitted reports are Algeria, Benin, Burkina Faso, Burundi, Cameroon, Chad, Congo, Côte d'Ivoire, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Gabon, The Gambia, Ghana, Lesotho, Liberia, Libya, Mali, Mauritius, Namibia, Niger, Nigeria, Rwanda, Saharawi Arab Democratic Republic, Senegal, Seychelles, South Africa, Swaziland, Togo, Tunisia, Uganda, Zambia and Zimbabwe. The following countries have so far not submitted any report on the implementation of the SDGEA since reporting started in January 2007: Angola, Botswana, Cape Verde, Central African Republic, Comoros, Democratic Republic of the Congo, Eritrea, Guinea-Bissau, Guinea, Kenya, Madagascar, Malawi, Mauritania, Mozambique, São Tomé and Príncipe, Sierra Leone, Somalia, Sudan, South Sudan and Tanzania. In addition, the Chairperson of the AU Commission is expected to submit an annual report on progress in implementation of the declaration at national and regional levels.




During the AU Assembly of Heads of State and Government that took place in Equatorial Guinea in June 2011, the Assembly decided that each Specialized Technical Committee (STC) will replace the Sectorial Ministerial Conferences from January 2013 and should meet once every two years. In the case of the STC on Gender and Women's Empowerment, meetings are held every year and the Committee monitors and evaluates mainly the African Women's Decade, the reporting of the SDGEA, and the Elimination of Female Genital Mutilation Convention, among others.

4. The policy framework: the AU Gender Policy and Action Plan

These were approved in 2009 and adopted in 2010. The Gender Policy provides the basis for the elimination of barriers to gender equality and fosters the reorientation of existing institutions by making use of gender-disaggregated data and performance indicators. It also establishes measures to hold managers accountable for policy implementation. The Assembly of Heads of State and Government is the supreme organ of the AU and one of its functions is to determine the sanctions to be imposed on any member state for non-compliance with the decision of the Union.

The policy commitments target eight areas. One of the commitments is the creation of an enabling and stable environment to ensure that all political declarations and decisions are geared towards the elimination of persisting barriers that militate against gender equality and women's empowerment. Gender parity and representation is to be enforced in all AU structures (already achieved in the Commission with the appointment of five women and five men), and operational policies and practices are to be in alignment with UN and AU gender policies. Other commitments are the development of policies that support gender mainstreaming and capacity building in gender mainstreaming (the sixth AU Course on Gender Responsive Economic Policy-Making in Africa, AU and UN African Institute for Economic Development and Planning (IDEP) took place in February 2012 in the field of gender mainstreaming, and the AU third Training of Trainers on the Gender Training Manual took place in May 2012 in Ghana); avoiding duplication of efforts, resources and interventions; and promoting best practices in the continent by facilitating the alignment, harmonization and effective implementation of RECs and member states' gender policies (a target was set up for 2011 'where appropriate' but has not yet been achieved).



The Commission initially developed a five-year Gender Mainstreaming Strategic Plan (GMSP) for social and political clusters, aimed at providing a framework for the AUC, RECs, AU organs and member states in gender mainstreaming and women's empowerment. Once the Gender Policy was approved, the GMSP was revised and aligned with the Action Plan for the Women's Decade (see below). It guides the implementation of commitments by AU organs, member states and RECs and is reviewed periodically through the establishment of gender-responsive political and governance policies, the adoption of affirmative action programmes, quota shares and representation to increase women's participation in decision-making. It also aims to build gender-sensitive democratic and accountable governance, put in place accountability mechanisms to promote gender-equality commitments, and build capacity for women to become effective political actors.

The Commission has begun operationalizing the Gender Management System (GMS) as part of the new AU Specialized Technical Committee structure. Under this structure, ministers of gender and women's affairs will play an important role in determining policies in the continent. Until today, only a few AU member states have established the GMS (contained in Part IV of the AU Gender Policy as an objective to be achieved by 2020). The mobilization and allocation of financial and non-financial resources to implement this policy and the Action Plan is critical.

5. The implementation framework: the African Women's Decade

The declaration of the Women's Decade (2010–2020) provides a road map for the realization of the objectives for the Decade and is intended to strengthen the Directorate through the funding of initiatives planned for the Decade and the Women and Gender Development Directorate (WGDD), as well as establishing a coherent dialogue on gender. The theme of the Decade is 'Grass-roots Approach to Gender Equality and Women's Empowerment', emphasizing a bottom-up approach to development. At national level, committees take responsibility for the development of annual work plans and budgets for the committees at all levels and the preparation of annual reports on the activities on the implementation of the Decade. At regional levels, the RECs oversee the setting up of working committees for the African Women's Decade, support advocacy campaigns and prepare annual reports on the activities on the implementation of the Decade.



6. Financing mechanism: the Fund for African Women

The Fund for African Women was created as a single mechanism to ensure policy implementation as well as the effective mainstreaming of gender in policies, institutions and programmes at regional, national and local levels. It became operational in 2011. The AU organs, RECs and member states in this regard are committed to allocate a budget for the implementation of policy (member states are requested to devote 1 per cent of assessed contribution to the Fund; some members states have contributed more) and, since the funds mobilized through this means are insufficient, to strengthen partnerships with international financial agencies and institutions to increase technical expertise, and facilitate the exchange of best practices and financial support for the implementation of AU gender policy. During its first year of operation in 2011, the Fund supported 53 grassroots projects across 27 AU member states. (Australia has also supported the fund.)

Although all these instruments have enabled the member states and the RECs to advance their own legal, administrative and institutional frameworks to make progress on women's rights and gender equality, many lack political backing and resources, inhibiting the use of these tools and the implementation of strategies. It should also be noted that most instruments adopted by the AU since 2003 make provision for gender equality and women's participation. The current mechanisms for enforcement and implementation include reporting, fact-finding missions, and advice on and recommendations for implementation mechanisms. One of the AU's roles is to ensure effective follow-up and monitoring, and the AU Commission should step up its advocacy, follow-up and monitoring role, and conduct proper assessments and evaluations of the impact of gender instruments. To effectively enforce these instruments, various bodies were established, such as the African Commission on the Charter on Human and People's Rights, and the African Court.



Structures at the AU responsible for gender mainstreaming

The Women and Gender Development Directorate created in 2002 in the Office of the Chairperson of the Commission, hosts programmes on women's empowerment and has an overall mandate for ensuring that capacity is built for all AU organs, the RECs and member states to understand gender and develop skills for achieving gender mainstreaming targets by 2020 in order to close the existing gender gaps and deliver the promise of equality for all African women. In this regard, the WGDD has organized several courses. It initiated a Gender Audit in 2006 (supported by the United Nations Fund for Women, UNIFEM), which indicated that although some progress has been made, the AU Commission needs to do more to achieve the AU's commitments and objectives on gender equality and women's empowerment. The recommendations of the Gender Audit were taken into account in the elaboration of the Gender Policy.

The WGDD organized a workshop in 2011 for AU member states that had not reported on the SDGEA with the objective of informing them of the process and harmonizing gender policies. The Directorate faces financial challenges and has been unable to implement gender mainstreaming in other policy areas beyond the AU Commission itself. The WGDD presents funding projections to the Assembly every year; nevertheless, funds are not always enough. In terms of capacity, the WGDD is increasing the capacity of the department through training, and a new division in the Directorate has been created. Several committees have been established, and they provide technical assistance to the Directorate. The WGDD has also worked closely with the AU Department of Political Affairs, especially on security issues. During the last election in Somalia, it supported women candidates, and now the focus is on working with the team elected in the country, analysing the kind of assistance they need. The WGDD has also worked with the AU Department of Social Affairs to encompass gender equality in a number of its programmes.

The Africa Union Women's Committee (AUWC) was established in 2003 following a decision by the Executive Council of the AU to transform the African Women Committee on Peace and Development (AWCPD) into the AUWC, an advisory body to the Chairperson on gender and development. Among its functions is to watch over progress towards gender equality on the continent, working with government and civil society within the framework of the SDGEA and the Women's Rights Protocol.



Areas of cooperation between the AU, the EU and the UN in the field of gender mainstreaming and women's political participation

The AU is progressively strengthening cooperation with the UN and the European Union (EU) on gender mainstreaming and women's political participation and representation. The UN and the EU have played a very important role in putting gender on the agenda of their member states and reconfirming member states' commitment to international agreements such as CEDAW. The EU and the UN are well placed to transfer knowledge of the institutionalization of gender equality and on strategies for gender mainstreaming derived from their experiences and legal and policy instruments.

The aid effectiveness landscape has been defined by four high-level global conferences: in Rome (2003), Paris (2005), Accra (2008) and the last in Busan (2011). The Paris conference yielded a global consensus on aid effectiveness and set out the following conditions: ownership, alignment, harmonization, management for results and mutual accountability, under which global aid governance can achieve effectiveness and transform relations between North and South so that both donors and recipients mutually construct and implement the mechanisms and outcomes for development. However, the absence of a commitment to women's empowerment and gender equality in the Paris Declaration has been highly criticized. The Accra Agenda for Action reviewed this absence and contained a statement on gender equality as a crosscutting issue.

Legal and institutional framework of cooperation between the AU and EU

In 1995, the European Commission (EC) produced the document 'Integrating Gender Issues in Development Cooperation'. The integration of gender equality in internal and external matters of the EU was formalized in 1997 with the Amsterdam Treaty (Article 3 (2)), which mandated a progressive commitment to the principle of gender equality in development cooperation. Furthermore, in 2001 the Commission produced the Programme of Action for Mainstreaming Gender Equality in EC Development Cooperation. In the EU Consensus on Development, adopted in 2005, mainstreaming gender equality was highlighted as a central priority of the EU's development policy: the 'EU will include a strong gender component in all its policies and practices in relations with developing countries' (Article 19).




Presently, the EU's instrument on gender equality promotion in Africa is the EU Plan of Action on Gender Equality and Women's Empowerment in Development (2010–2015), which emphasizes that gender equality is essential to development and commits countries to report annually on progress toward gender equality. The Action Plan has a coordinated approach to deliver on gender equality commitments and increase impact on the ground, focusing on political and policy dialogue with partner countries, mainstreaming gender in all programmes and identifying specific actions requiring targeted support. The European institutions are the second biggest donor worldwide for Africa through various funding instruments such as the Instrument for Stability (IfS) and the European Instrument of Democracy and Human Rights. The EU Delegation to the AU was established to create closer linkages between the EU and the AU in operational terms and at the level of political dialogue.

The partnership between the AU and the EU is the fruit of a gradual relationship. The EU tended to favour region-to-region cooperation, first through their grouping with African, Caribbean and Pacific (ACP) countries and more recently in the context of the Joint Africa–EU Strategy (JAES), set up as a move from a donor-recipient relationship to one of equals. Since the first Africa–EU Summit in Cairo in 2000, considerable changes have taken place on both continents. This summit underlined the need to combat gender-based discrimination and violations, and to include a gender perspective in policies, programmes and legislative action, but with reservations (the summit stated 'where appropriate').

During the second Africa–EU Summit in Lisbon in 2007, both organizations determined to work together on key political challenges such as gender issues. Lastly, in the third Africa–EU Summit in Tripoli in 2010, the action plan for 2011–2013 included the development of a strategy of cooperation on gender equality and the establishment of a gender observatory. The European Commission has committed EUR 24.4 billion through its various financial instruments for the period 2007–2013 in support of the JAES and its thematic partnerships.

No development strategy will be effective unless women play a central role: the elimination of gender-based inequalities is a key prerequisite for achieving peace, security and sustainable development. In this regard, the JAES needs to mainstream gender into the eight priority areas of cooperation (since it does not include gender as a priority): peace and security; democratic governance and human rights; trade, regional integration and infrastructure; the MDGs; energy; climate change; migration, mobility, and employment; and science, information and space. In each of these eight priority areas,



African and European experts meet on a regular basis to strengthen Africa–EU cooperation. Every six months, AU and EU Commission staff, together with representatives from member states, the Pan-African and European parliaments, civil society, and the private sector, meet to discuss progress and develop new areas of cooperation. Through regular political dialogue, African and European member states, as well as the AU and EU commissions, monitor progress and provide political leadership.

The JAES is financed through the European Development Fund (EDF), the Development Cooperation Instrument (DCI), and the European Neighbourhood Policy Instrument (ENPI, North African Countries), the Instrument for Stability as well as various thematic programme instruments. The EDF is the main instrument for providing Community aid for development cooperation in the ACP countries under the Cotonou Agreement. It is funded directly from member states' contributions, which are voluntary. The DCI is a legally binding instrument constituting the main funding tools for development cooperation with non-ACP countries. It provides funding both thematically and geographically. Prior to the adoption of the DCI in 2006, there was a specific budget line for gender equality work. This now falls under one of the five core themes of the budget line 'investing in people'. Resources allocated are only 5 per cent of the total resources available for the thematic programme for the whole 2007–2013 period. The ENPI covering the neighbourhood countries is part of the Community budget and therefore the European Parliament has the right of scrutiny over it.

Legal and institutional framework of cooperation between the AU and UN

The UN is also assisting the AU and NEPAD to translate the Global and African platforms for action into reality, mainly through the UN Economic Commission for Africa (ECA) and other agencies, such as UN Women and United Nations Development Programme (UNDP). Support by the UN ranges from technical assistance and capacity building to funding of programmes and projects. The most recent report by the Secretary-General on the UN system support for NEPAD (E/AC.51/2012/5) contains detailed information on the nature and scope of the support provided during the past year.

UN agencies and organizations hold consultations with key African institutions on strengthening coherence, promoting synergy and delivering a more coordinated UN support to development in Africa, so as to improve the collective response by the UN system in addressing priority needs of the region




through the Regional Coordination Mechanism for Africa (RCM–Africa), which holds its annual meetings in Addis Ababa. The 13th session of UN agencies working in Africa in support of the AU and its NEPAD programme and the Ten-Year Capacity Building Programme for the AU took place in November 2012. RCM–Africa aims to ensure coordination and coherence in the delivery of support by UN organizations to AU organizations for greater effectiveness and impact. It aims to achieve this through increased joint programming and implementation of activities, operationalized through a cluster system.

Among its main achievements, the RCM extended support in servicing AU summits and in implementing various programmes for Africa’s development, including mainstreaming crosscutting issues such as gender and employment in the work of the United Nations agencies and organizations working in Africa.

At its 12th session (2011), the Mechanism made significant progress towards the implementation of a ten-year capacity-building programme for the AU. Recommendations were made on the development of an effective monitoring and evaluation mechanism for the work programme. To strengthen coherence and synergies, the need for financial resources was underscored as a key challenge, and to facilitate the implementation of capacity-building support to the AU, a comprehensive work programme for the UN system, outlining the priority areas of the AU and NEPAD, the expected specific support and frameworks for monitoring and evaluating the implementation of interventions, was finalized.

The Economic and Social Council (ECOSOC) of the UN established the ECA in 1958 as one of the UN’s five regional commissions. The ECA’s dual role as a regional arm of the UN, and as part of the regional institutions, positions it well to support member states’ efforts to address challenges and to take gender issues to the top of the African development agenda. The ECA is committed to putting gender at the forefront of its programmes as an institutional response to the Beijing and Dakar mandates and commitments to gender mainstreaming.

The ECA Conference of Ministers meeting in February 1975 ratified the clauses of Resolution 269 regarding the integration of women in the development process and the creation of the African Centre for Women (ACW). Within the UN system, the ACW is the only regional structure directly responsible for the coordination of women/gender and development programmes in Africa. In this capacity, it works in conjunction with national,



sub-regional and regional structures and plays the role of catalyst by fostering the mainstreaming of gender in the strategic orientation of the ECA, its outputs and activities.

To this effect, the ECA has developed a programme for gender mainstreaming and a gender-aware policy and programme formulation. To facilitate an effective monitoring mechanism on gender equality and women's advancement, the ECA introduced the African Gender and Development Index (AGDI), designed to measure the gap in the status of women and men in Africa and to assess the progress made by African governments in implementing the gender policies they have developed. The AGDI is a composite index consisting of two parts, a Gender Status Index (GSI) and the African Women's Progress Scoreboard (AWPS).

In August 2001, the ACW changed its name, following a decision made by the Executive Secretary of the ECA. It was then named the African Centre for Gender and Development (ACGD). It accounts for its activities at the Conference of Ministers through the Committee on Women and Development (CWD). The CWD is mandated to orient the policies of the ECA into areas concerning gender equality and to advise the ECA on the implementation of appropriate strategies for the economic and social advancement of women. It also comprises the framework for the follow-up and evaluation of the implementation of the African Platform for Action.

The creation of the CWD further signifies a serious commitment to gender issues. The CWD is one of the eight statutory subsidiary organs of the ECA. It sits once every two years to deliberate on women's and gender issues and submits reports and recommendations to the ECA's Council of Ministers. Among its functions are the revision of the progress in the Implementation of the Global and Regional Platforms for Action and of the activities carried out in the region in the framework of relevant programmes for the advancement of women, the harmonization and coordination of sub-regional programmes on women in development approved within sub-regions, and the mobilization of resources for the implementation of the programmes of action agreed at sub-regional and regional levels.

With regard to sub-regional activities, particular emphasis is placed on advisory services and technical assistance aimed at building the capacity of the RECs to implement their agendas and particularly to promote regional integration. The ECA also convenes the annual regional consultations of UN agencies working in Africa for information-sharing as well as enhanced collaboration in Africa.



In July 2010, the UN created an entity for gender equality and the empowerment of women, UN Women, whose first priority was the advancement of women's political participation. Before UN Women, the former UNIFEM supported the AU in putting gender equality on the policy-making agenda of regional and national actors, and with the establishment of a liaison office to the AU in 2008 with the objective of providing technical and financial assistance to support women's rights.

A memorandum of understanding (MoU), signed in 2005, guides UN Women's partnership with the AU through the WGDD in three areas: capacity building for human rights programming, gender mainstreaming and monitoring within the AU; strengthening women's human rights in conflict and post-conflict situations; and mobilizing women's agency and effective participation through AU institutions. UNIFEM has supported the mainstreaming of guidelines and manuals, such the development of the AU Handbook on 'Good Practices in Gender Mainstreaming and Women's Empowerment in Africa'. Additionally, UN Women supported the publication of a quarterly newsletter on progress towards gender equality within the AU, and in partnership with the African Center for Gender and Social Development of the ECA, launched the publication 'Multi-Sectorial Approach to Women's Rights in Africa – Manual' in May 2011. The Manual was developed to promote the adoption and use of a multi-sectorial approach to women's rights. In the first years of its operations the Liaison Office has supported the AU in the mapping of regional and sub-regional networks that either were already working with or had an interest in partnering with the WGDD in supporting AU institutions and organs to mainstream gender equality and women's empowerment, in the development of the Gender Audit and the elaboration of the AU Gender Policy, the SADC Gender Policy and the Gender and Development Protocol, and finally, in the creation of gender units and gender management structures and in the placement of gender advisors.

The UN Inter-Agency Task Force on Africa, chaired by the Special Adviser on Africa, also provides an effective framework for the entities of the UN system to share expertise and experience. Among other activities, the Task Force actively participated in the preparation of the reports of the Secretary-General on UN system support to NEPAD and in the consultation process on the establishment of a monitoring mechanism to review commitments relevant to Africa's development needs.



Gaps and challenges on gender mainstreaming and women's political participation and representation

During the 20th Pre-Summit Consultative Meeting on Gender Mainstreaming in Addis Ababa in November 2011, Dr Ping emphasized the successes and progress made by the AU Commission in mainstreaming gender, and at the same time stressed that much work remains to be done to achieve the AU's commitments and objectives on gender mainstreaming and women's empowerment. Dr Ping said that 'while the efforts are commendable, achievement of human development in Africa will only be possible when gender equality and women's empowerment become a reality'. Member states were encouraged to translate commitments on gender equality and women's empowerment into national, regional and continental policies and programmes. Countries that had ratified the Protocol were encouraged to embark on the process of domestication and those that had not yet ratified were urged to do so, as were those that had neither signed nor ratified.

However, more important than the ratification of rights is their domestication and implementation, though ratification has the potential to strengthen the work of national mechanisms by creating additional accountability, harmonizing approaches across countries and circumventing resistance and challenges to gender equality at the national level. The enforceability of rights also depends on access to courts. Courts are often inaccessible to people who are not familiar with the system. The AU should promote the establishment of alternative well-resourced mechanisms complemented by an independent judiciary and an active legislature, which employ both formal and informal complaints processes and are easily accessible.

To date, 70 per cent of member states have gender policies and yet few of them have been implemented. Many states have gender mechanisms responsible for overseeing the implementation of the SDGEA. The type of agency varies greatly among countries, reflecting differences in government structures as well as political choices, but they have in common inadequate tracking and monitoring and evaluation systems, both within the AU itself but in particular in its member states. Countries usually provide better and more frequent reporting to international organizations such as the UN, in comparison with regional organizations such as the AU.

It takes time for gender mainstreaming to trickle down from the AU to member states. Work at the regional level does not replace work at the national level, but it can complement it and strengthen it by using both top-down



and bottom-up approaches. The trend toward decentralization has added new challenges for national machineries, as building on progress depends on the extent to which local authorities are mandated and capable of addressing gender inequality issues. Linkages and partnerships between continental and national mechanisms would, therefore, facilitate accurate and effective reporting as well as harmonize such reporting. The fact that there are no sanctions attached to failing to comply with reporting obligations is seen as a major weakness in the enforcement and implementation system.

The scarce capacities and resources of the gender machineries, the slow process of change at legislative and policy levels, the lack of real political backing, unclear mandates, overlapping memberships that can create confusion, and the weak binding power of declarations, protocols and policies over member states results in negative gender impacts and makes difficult the translation of commitments on gender equality and women's empowerment into concrete policies, programmes and actions.

Furthermore, the recent global economic crisis has provided opportunities but also great challenges. The lack of financial resources of developing countries has resulted in austerity packages, reductions in government spending and budgetary cuts which are not likely to favour social sectors and gender issues. Regarding the AU's financial constraints, Murithi notes that, although Africa has the resources to fund and implement its regional strategies, access to these resources are 'distorted by forces of globalization' (Murithi, 2010: 203) and some states fail to contribute to the sustenance of the AU.

Leadership by national machineries and adequate data are important elements in gender mainstreaming strategies. Gaps in these areas also hinder progress in the implementation of global commitments on gender equality. Many countries have identified the need to improve the quality and availability of data. This reflects the importance of reliable data disaggregated by sex. Monitoring, evaluation and performance indicators are also urgently required for gender analysis and the implementation of the gender mainstreaming strategy. All these challenges need to be addressed and sustainable solutions sought.



The way forward

After assessing gaps and challenges, we can conclude that overall there has been greater support for gender equality from the AU, the EU and the UN in recent years, and this section now considers potential opportunities and policy recommendations. The AU in partnership with the UN and the EU can make a difference in Africa, especially in the countries where the Arab Spring has made manifest the deficiencies of existing political systems. There is now an opportunity to focus on women's empowerment as a cornerstone of democracy, and closer collaboration and coordination among these organizations will enhance efficiency by avoiding duplication of efforts and services and ensure complementary planning and programme delivery that will accelerate the integration of a gender approach in policies, planning, programming, monitoring and evaluation. It will also help to manage competition for scarce resources.

The mechanisms analysed should be more 'people-centred', particularly to ensure the effective participation of women, who make the greatest contribution to the development process. Therefore legal and policy commitments should always be accompanied by measures to combat societal discrimination and address gender inequalities and women's empowerment. A twin-track approach on gender mainstreaming and specific policy and programmes is needed.

Although African leaders have undertaken to promote the principles of the AU, including respect for gender and human rights in all member states, implementation of these principles remains a challenge. Thus the AU Commission should step up its advocacy, follow-up and monitoring role, and conduct proper assessments and evaluations of the impact of gender instruments reinforcing the mechanisms in place to track progress. In this regard, the AU is making efforts to monitor the implementation of regional policies at the national level. It has developed mechanisms to monitor and assess the impact of policies, agreements and decisions at the national level, including the collection, compilation, analysis and use of data disaggregated by age and by sex and gender statistics. The AU should continue developing and using appropriate qualitative and quantitative indicators, whose role in supporting research on gender issues and in collecting regional data and statistics is also highly relevant. As an aspect of this, documentation of regional experiences and lessons learnt for the advancement of women is required.

The Women's Decade provides another entry point for the UN and the EU in the promotion of gender equality in Africa through the mobilization of




resources for the implementation of programmes of action agreed at sub-regional and regional levels, especially in the context of global economic crisis. The EU and the UN should focus their support on this issue, taking into account the fact that expertise for gender equality is available in Africa and putting in place creative resource mobilization strategies in order to promote sustainability.

The AU needs to build a closer partnership with the RECs, which are regarded as the pillars of the AU, and with civil society organizations (CSOs). The active involvement of a broad and diverse range of institutional actors from the public, private and voluntary sectors should be encouraged in order to work for equality between women and men. In this regard, CSOs are an essential partner in development and in the promotion of equal and democratic governance; the bottom-up feedback facilitates linkages between policy and practice. Therefore the AU, the EU and the UN should work more closely with CSOs, due to their capacity to mobilize public support and solidarity, and their ability to combine development and advocacy actions anchored in the economic, social and cultural realities of people's lives. For example, to ensure the implementation of the Women's Protocol at the national level, there is a need to disseminate it widely. Women's organizations have an important role to play lobbying governments to ratify the Protocol and bring into force, while at the same time asking for the allocation of adequate financial, human and material resources for the WGDD to mainstream gender in the AU.

Nevertheless, adequate funding and dialogue mechanisms are required in order to ensure CSO participation. The EU and the UN have a significant programme of support to the AU, which could be used to widen, in an extensive and systematic manner, access and participation for civil society organizations in AU processes of policy-making and debate. Civil society is mentioned in several places in the JAES, especially in the role of monitoring, but mechanisms should be in place to translate the principles agreed at political level into practice. In most other SADC countries, while non-governmental organizations are recognized, their relationships with the national mechanisms are not spelt out and proceed on an ad hoc basis.

It is similarly unclear whether CSOs are a part of national mechanisms or partners outside the framework of institutional mechanisms (Warioba, 2005). It is therefore crucial that CSOs continue to hold governments accountable with respect to their commitments. At the 20th African Women's Pre-Summit on Gender Mainstreaming in the AU in Addis Ababa in July 2012, representatives of African CSOs and African women leaders meeting under the umbrella of the Gender is My Agenda Campaign (GIMAC)




convened by Femmes Africa Solidarité (FAS) in partnership with the ECA, the AU Commission and the WGDD, insisted on the determination and commitment of GIMAC members to monitor, evaluate and report on AU member states' policies on women's rights, particularly the implementation of the SDGEA and the Women's Protocol. They also recalled the commitment of African heads of state and government to take all necessary steps to achieve gender equality in Africa by implementing and reporting on the SDGEA, and proposed recommendations regarding the ratification of the Women's Protocol and reporting on the SDGEA, the strengthening of collaboration with civil society, particularly with women's organizations, and ensuring the integration of gender concerns in outcome documents of the AU. The GIMAC members made a commitment to utilize the SDGEA monitoring index to produce shadow reports and continue to recognize countries that are performing well in gender mainstreaming and women's empowerment.

The AU and EU partnership should more actively promote women's political participation since both organizations are in a position to bolster national efforts by facilitating dialogue, coordination and consensus building in order to achieve sustainable and equitable development. The EU and the UN could support African-proposed or led initiatives on gender in order to avoid weakening local ownership of the process of gender equality in Africa. This is essential to transformation in African societies, providing horizontal collaborative efforts while at the same time building on experience to expand programmes in the field of women's political participation and supporting institutional capabilities for gender mainstreaming and, ultimately, equality.

The AU needs to adapt lessons from the UN and EU on gender equality. For example, the EU could provide technical assistance to the AU election observation missions adapted to the African context and could support gender advisory teams in AU Missions. These relationships should not be guided by an institutionalized donor-recipient mentality. Regional organizations (ROs), such as the AU, understand the local situation and are often more accepted than outsiders and more committed to engage for the medium to long term. 'An African solution to African problems' is an appropriate initiative.

One of the strategies to accelerate enhancing women's participation in development and creating an enabling environment for achieving gender equality is the celebration of the new partnership, signed in April 2012, between the EU and UN Women set up to strengthen cooperation in their work on empowering women and gender equality and ensuring closer collaboration, sharing of information, expertise and analysis in order effectively to advance women's rights in the Southern Mediterranean region,



Africa and Europe. The EU and UN Women are already working together regularly on the Increasing Accountability in Financing for Gender Equality Programme, set up to help national governments, civil society and donors to improve resources and accountability on gender equality in 15 countries (Bolivia, Cameroon, Ethiopia, Haiti, Honduras, Jordan, Kyrgyzstan, Nepal, Nicaragua, the occupied Palestinian territory, Peru, Rwanda, Senegal, Tanzania and Ukraine, in addition to targeted activities in Zambia), and the EC has established a multi-year programme with the UN to promote gender equality through technical assistance, training and funding in various world regions, including four African countries.



Conclusion

There are not much data on whether and to what extent changes in ROs such as the AU at the regional level have contributed to subsequent changes at a national level, mainly because of the lack of monitoring systems and because these changes are at long-term. Nevertheless, ROs tend to have easier access to a wider range of media and diffusion of their news transcends national boundaries. By tabling an issue in an RO forum, it is easier to obtain buy-in from government representatives, even in the case of sensitive issues that are more difficult to address at the national level (UNIFEM, 2009).


Thus ROs can play an important role in achieving progress on international, regional and national-level goals for gender equality and women's empowerment. Efforts are required in promoting and ensuring inclusive political participation and representation in order to address conflict and crises, and to ensure democracy. Despite commitments to gender equality, discrimination against women and a lack of effective participation by women in decision-making continue. Therefore legal and policy commitments always need to be accompanied by measures to combat gender inequality. Africa and its development partners must accord priority to measures to promote gender equality and women's empowerment in all spheres of society. For their part, African countries should also mobilize and allocate more resources from within the continent in order to strengthen the gender architecture.

At the national level, ROs are involved in legislative reviews and amendment processes of their member states' compliance with international and regional gender equality standards. At the regional level, they help to establish consensus and facilitate dialogue and coordination on gender equality issues and can serve as platforms for enhancing collective capacity and influence at regional and national levels and providing networking, exchange of best practices and experiences. Due to their wide membership, they can also act as catalysts to promote gender equality and women's human rights with the potential of influencing policies, agendas and practices, not only at regional level but also at national level, having a multiplier effect and creating peer pressure among member states in order to advance an agenda of promoting gender and women's right priorities. They have developed and are implementing policies and agreements that are more or less binding for member states. In addition, the costs imposed by these organizations, such as sanctions or expulsion, can create an incentive for members to work within the rules of the system.



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Acronyms and abbreviations

ACHPR	African Charter on Human and Peoples' Rights
ACP	African, Caribbean and Pacific
ACW	African Centre for Women
AECID	Agency of International Cooperation for Development (Spain)
APRM	African Peer Review Mechanism
AU	African Union
AUWC	African Union Women's Committee
AWCPD	African Women Committee on Peace and Development
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CSO	civil society organization
CWD	Committee on Women and Development (UN Economic Commission for Africa)
DAW	Division for the Advancement of Women (UN)
EC	European Commission
ECA	Economic Commission for Africa (UN)
ECOSOC	Economic and Social Council (UN)
EU	European Union
EUR	euro
IDEP	African Institute for Economic Development and Planning (ECA)
JAES	Joint Africa–EU Strategy
MDG	Millennium Development Goal
NEPAD	New Partnership for Africa's Development
OAU	Organization of African Unity
REC	regional economic community
RCM	Regional Coordination Mechanism
RO	Regional Organization
SADC	Southern African Development Community
SDGEA	Solemn Declaration on Gender Equality in Africa
UN	United Nations
UNDP	United Nations Development Programme
UNIFEM	United Nations Fund for Women
WGDD	Women and Gender Development Directorate (AU)

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