

A MEMOIR

CELEBRATING 20 YEARS OF THE MAPUTO PROTOCOL

A collection of statements from
African Heads of State and
Government, Ministers and
Young Women Leaders

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SOLIDARITY FOR
AFRICAN WOMEN'S RIGHTS

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MD
20
Maputo
Protocol
at 20

 **Equality Now**
A just world for women and girls.

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ABBREVIATIONS

AFCF	Association des Femmes Chefs de Famille
FGM	Female Genital Mutilation
FIN	Female in Nigeria
KIND	Kudirat Initiative for Democracy
NGO	Non-Government Organization
PWMSA	Progressive Women's Movement of South Africa
SNEEG	National Strategy for Gender Equality and Equity
SOAWR	Solidarity for African Women's Rights
WHRDs	Women Human Rights Defenders
WiLDAF	Women in Law and Development in Africa
WIN	Women in Nigeria
WRAHP	Women's Rights and Health Project



FAIZA JAMA MOHAMED
DIRECTOR, AFRICA OFFICE
EQUALITY NOW –
SOAWR SECRETARIAT

A TRIBUTE

Since time immemorial, African women have endured grave injustices and continue to face countless obstacles to achieving their full potential in life. Violations including rape, and gender-based violence as a whole, and harmful practices such as child marriage and female genital mutilation (FGM) have harmed many lives and prevented many women and girls from reaching their full potential. Blatant discrimination, including from economic and civil-political opportunities, has further served to ensure women remain on the periphery of decision-making in public and private spaces. There was therefore an urgent need for a comprehensive and context-responsive legal framework to provide protection to the women and girls of Africa. At the right moment, the Maputo Protocol emerged as a resounding response and solution, embracing the principles of justice, equality, and respect for human rights. This visionary treaty recognizes that the advancement of women is not only a moral imperative, but also an essential prerequisite for the development and prosperity of any society.

With African women playing an important role in its development, the Maputo Protocol responds directly to the needs and realities of African women. Through its adoption, African nations have demonstrated their commitment to ending discrimination against

women and gender-based violence. It has become a rallying cry for activists, civil society organizations, and governments alike, sparking a movement for change that reverberates across borders.

Despite this great progress so far, our work is far from done. The Maputo Protocol is not merely a symbol of triumph but a call to action. There are still battles to be fought, mountains to be climbed, and barriers to be shattered. It beckons us to stand shoulder to shoulder, unwavering in our commitment to dismantling the structures of inequality and injustice that persist.

As we celebrate the history of the Maputo Protocol, let us not only acknowledge the progress made, but also recommit to its full implementation. Let us amplify the voices of women and girls, support their aspirations, and work tirelessly to dismantle the remaining barriers they face. Together, we can build a future where gender equality is not merely an aspiration, but a lived reality.

In solidarity,

Faiza Jama Mohamed
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ACKNOWLEDGEMENT

The process of compiling this publication to commemorate the Maputo Protocol and its significant influence on women's rights and empowerment has been a collaborative endeavor, enriched by the contributions and commitment of Equality Now staff, young African women leaders, as well as heads of state and ministers from the countries that were among the first to ratify or accede to the treaty. We express our deep gratitude, particularly to the various teams associated with the presidents, and to the respective ministers for serving as the crucial link. Additionally, it is essential to acknowledge the esteemed leaders who dedicated their time to respond and actively engage with us in formulating these statements.

We are particularly indebted to:

His Excellency, Filipe Nyusi, President of the Republic of Mozambique

His Excellency, Mr Hakainde Hichilema, President of the Republic of Zambia

His Excellency, Azali Assoumani, President of the Union of Comoros,

H.E Mrs. Mona Othman Aden, Minister of Women and the Family, Republic of Djibouti

Hon. Marie-Celine Zialor, Minister for Youth, Sports & Family, Republic of Seychelles

Hon Jean Muonaowauza Sendeza, Minister of Gender, Community Development and Social Welfare, Republic of Malawi

Hon. Pitso Lesaoana, Minister of Gender, Youth, Sports, Culture and Social Development, Kingdom of Lesotho

Hon. Loub Yacout Zaïdou, Minister for Health, Solidarity, Social Protection and Gender Promotion, The Union of the Comoros

Hon. Adjovi Lolonyo Apédoh-Anakoma, Minister of Social Action, Promotion of Women, and Literacy, Togolese Republic

Hon. Doreen Nampiyé Sioka, Minister of Gender Equality, Poverty Eradication and Social Welfare, The Republic of Namibia

Hon. Fatou Kinteh, Minister of Gender, Children and Social Welfare, The Gambia

H.E. Saviya Mint N'Tahah, Minister of Social Action, Children, and Family, The Republic of Mauritania

Your insights and perspectives have added depth and diversity to this work, showcasing the importance of the Maputo Protocol in Africa. Your courage and commitment are a beacon of hope and inspiration for future generations. Our appreciation extends to the SOAWR members who lent their support throughout this exercise. Your commitment to promoting gender equality and advocating for the rights of women and girls is deeply commendable.

Lastly, we extend our gratitude to the readers and advocates who will engage with this publication. Your interest in furthering the understanding and implementation of the Maputo Protocol is a testament to the collective commitment to gender equality and women's rights. In honoring the Maputo Protocol and its enduring impact, we celebrate the collaborative spirit that has made this memoir possible.

Together, we strive for a world where every woman and girl can fully enjoy her rights and live a life of dignity, respect, and opportunity.

We are grateful to Edwin Adoga Ottichilo, who joined us for a brief period to lead on compiling this memoir. It has not been an easy task but the efforts made have paid off well.

Sylvia Obaga
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1. INTRODUCTION



In commemoration of the 20th Anniversary of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), Equality Now took on a special initiative to gather statements from presidents, prime ministers, and ministers of the first countries that ratified the Protocol¹. In instances where the heads of state/government were unavailable, statements were collected from the relevant gender ministers. The intent was to celebrate the milestone achieved through the implementation of the Maputo Protocol by engaging these high-ranking officials and further discussing their plans for commemorating its adoption and subsequent progress to date. The exercise gathered 12 statements from the Heads of State and Government, along with those from the respective gender ministers.

A contextual and historical analysis of the first 20 countries that ratified or acceded to the Maputo Protocol, and interaction with the leaders of these countries, sought to bring out the motivations behind each government's decision to ratify or accede to the Maputo Protocol, their continued commitment to its principles, and the progress as well as challenges in its implementation.

Simultaneously, this memoir incorporated insights from 13 young women leaders and activists. These inspirational young women shared their perceptions and provided recommendations, focusing on their vision for Africa. The process of selecting these young leaders involved collaboration with the members of the Solidarity for African Women's Rights (SOAWR) Coalition², who identified individuals based on their notable contributions and leadership within their respective countries, as well as on their active engagement with socio-economic and political issues.

By collecting these diverse perspectives, Equality Now aimed to echo the significance of the Maputo Protocol's 20-year journey, while amplifying the voices of established³ and emerging leaders working towards women's rights and gender equality on the continent.

1 The list of 20 countries was extracted from the AU Commission's status list of the Maputo Protocol, available at: <https://au.int/sites/default/files/treaties/37077-sl-PROTOCOL%20TO%20THE%20AFRICAN%20CHARTER%20ON%20HUMAN%20AND%20PEOPLE%27S%20RIGHTS%20ON%20THE%20RIGHTS%20OF%20WOMEN%20IN%20AFRICA.pdf>

2 Solidarity for African Women's Rights (SOAWR) is a coalition of more than 80 civil society organizations working across 33 countries. Established in 2004, SOAWR works to ensure that the rights of girls and women as articulated in the Maputo Protocol are prioritized by policymakers on the African continent.

3 Heads of state/government, as well as respective ministers of gender and women empowerment/affairs.

2. THE JOURNEY TO 20: BREATHING LIFE INTO THE MAPUTO PROTOCOL



The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, or Maputo Protocol, came into force through a specific process involving adoption, signature, ratification, and accession by the member states of the African Union (AU).

Adoption: The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa was adopted by the AU on 11 July 2003, during the 2nd Ordinary Session of the Assembly of the AU, held in Maputo, Mozambique. The Protocol was the culmination of extensive consultations and discussions among AU member states and various stakeholders to address women's rights and gender-based discrimination in Africa. Given its roots in the capital city of Mozambique, it came to be known as the Maputo Protocol.

Signature: After its adoption, the Maputo Protocol was opened for signature by AU member states. Signing the Protocol at this stage indicates a country's intention to consider ratifying it at a later date. The signature does not establish legal obligations yet; instead, it shows a commitment to engage with the treaty.

Ratification: For the Maputo Protocol to come into force, 15 AU member states needed to formally ratify it. Ratification is the formal act by which a country's government gives its consent to be bound by the treaty's provisions. After the required number of ratifications is achieved, the Protocol enters into force and becomes legally binding on the ratifying states.

Entry into Force: The Maputo Protocol required 15 AU member states to ratify it before it could come into force. Once the 15th country deposited its instrument of ratification with the AU Commission, it officially entered into force one month later, and all ratifying states became state parties. Togo was the 15th country to ratify the Protocol (on 26 October 2005) and it officially entered into force on 25 November 2005, binding all 15 countries, and any other country that ratified it after it entered into force, to its provisions⁴.

The ratification process (and the requisite number of ratifications) can vary among international treaties. The Maputo Protocol coming into force was a momentous milestone in women's rights and gender equality throughout the African continent. In the context of this memoir, we have focused on the first 20 countries to ratify the treaty, symbolizing the two decades that have transpired since its official entry into force. Presented below are these 20 countries, along with the dates on which they ratified and deposited the Protocol with the African Union.

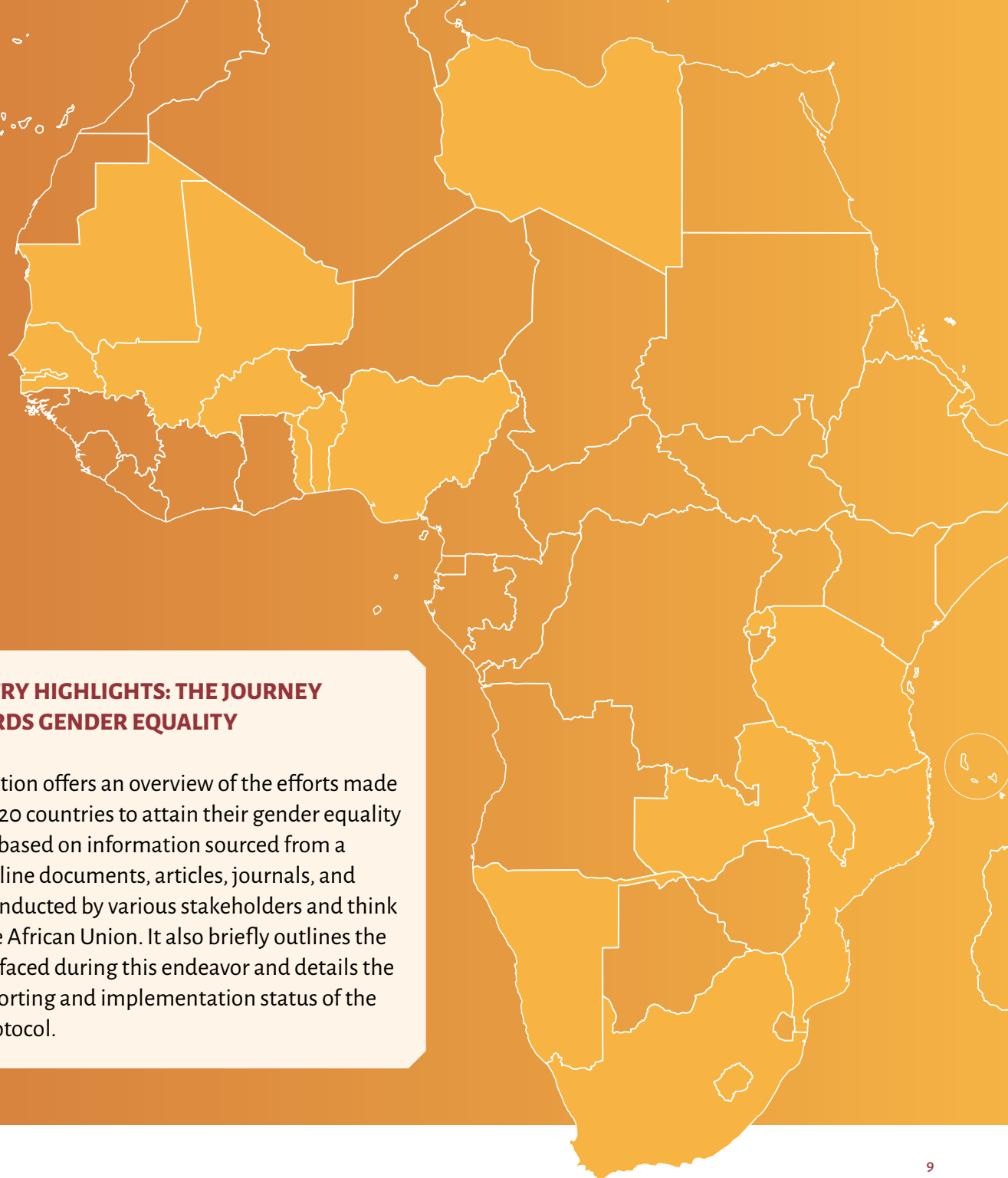
Table 1: List of the first 20 countries to sign and ratify the Maputo Protocol within AU5

Country	Order of ratification	Date of Ratification
Comoros	1	18/03/2004
Libya	2	23/05/2004
Rwanda	3	25/06/2004
Namibia	4	11/08/2004
Lesotho	5	26/10/2004
Nigeria	6	16/12/2004
South Africa	7	17/12/2004
Senegal	8	27/12/2004
Mali	9	13/01/2005
Djibouti	10	02/02/2005
Malawi	11	20/05/2005
Gambia	12	25/05/2005
Mauritania	13	21/09/2005
Benin	14	30/09/2005
Togo	15	12/10/2005
Mozambique	16	09/12/2005
Seychelles	17	09/03/2006
Zambia	18	02/05/2006
Burkina Faso	19	09/06/2006
Tanzania	20	03/03/2007

⁴ Report on the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, VawNet/National Resource Centre on Domestic Violence, 2003. See: <https://vawnet.org/material/protocol-african-charter-human-and-peoples-rights-rights-women-africa>

⁵ List of countries which have signed, ratified/acceded to the Protocol to the African Charter on Human And People's Rights on the Rights of Women in Africa. AU Commission, 2019. See: <https://au.int/sites/default/files/treaties/37077-sl-PROTO-COL%20TO%20THE%20AFRICAN%20CHARTER%20ON%20HUMAN%20AND%20PEOPLE%27S%20RIGHTS%20ON%20THE%20RIGHTS%20OF%20WOMEN%20IN%20AFRICA.pdf>

3. COUNTRY HIGHLIGHTS, OFFICIAL STATEMENTS, AND COMMITMENTS FROM HEADS OF STATE, GOVERNMENT LEADERS, AND MINISTERS



3.1 COUNTRY HIGHLIGHTS: THE JOURNEY TOWARDS GENDER EQUALITY

This subsection offers an overview of the efforts made by the first 20 countries to attain their gender equality objectives, based on information sourced from a range of online documents, articles, journals, and research conducted by various stakeholders and think tanks in the African Union. It also briefly outlines the challenges faced during this endeavor and details the current reporting and implementation status of the Maputo Protocol.

1. BENIN

(Ratified the Maputo Protocol on 13 October 2005)

Throughout history, women's rights activists and organizations in Benin have played a crucial role in advocating for gender equality and women's rights. Their efforts led to the passage of the Family Code in 2004⁶, which superseded various traditional customs that systematically treated women unequally. Despite these positive developments, traditional gender norms and cultural practices continue to influence gender dynamics in Benin, perpetuating gender inequalities, limiting women's opportunities, and contributing to gender-based violence.

As a response to these challenges, Benin has enacted laws to address gender-based violence and protect victims, including by criminalizing various forms of violence against women, such as domestic violence, sexual harassment, and female genital mutilation

(FGM). Efforts have also been made to improve access to reproductive healthcare (in 2021, Benin passed one of the most liberal abortion laws in Africa, which legalized abortion in most circumstances⁷), to improve women's political representation with a 30% National Assembly quota, and to protect women's legal rights through the introduction of a code of Personal and Family Law. While progress has been made, continued efforts are necessary to further advance gender equality and women's empowerment in Benin. The commitment to challenging discriminatory norms, enforcing existing laws, and advocating for gender equality at all levels of society is vital for creating a more inclusive and equitable nation. Benin has submitted 3 periodic reports, with the last one being a combined 2009–2018 periodic report⁸.

6 UN website. See: https://www.un.org/womenwatch/daw/cedaw/cedaw25years/content/english/CONCLUDING_COMMENTS/Benin/Benin-CO-1-3.pdf (accessed 14 August 2023).

7 The Guardian, 2023. See: <https://www.theguardian.com/global-development/2023/feb/28/benin-africa-liberal-abortion-laws-women-still-dying>

8 ACHPR website. See: <https://achpr.au.int/index.php/en/state-reports/benin-periodic-report-combined-6th-10th-2009-2018>

2. BURKINA FASO

(Ratified the Maputo Protocol on 9 June 2006)

The role of women in Burkina Faso has historically been influenced by cultural, social, economic, and political factors, with women's experiences and contributions evolving over time. In recent years, increasing numbers of women are participating in Burkina Faso's politics and government, including by holding ministerial, parliamentary, and mayoral positions.

The ratification of the Maputo Protocol in Burkina Faso marked a significant milestone in the country's commitment to advancing women's rights and promoting gender equality. Upon ratification, Burkina Faso swiftly established a multi-sectoral committee, comprising representatives from civil society organizations (CSOs) and government ministries, to formulate a strategic framework to guide the implementation of the provisions of the Maputo Protocol⁹.

One of the driving forces behind Burkina Faso's decision to sign the Maputo Protocol was its recognition of the importance of combating torture and protecting human rights¹⁰. The establishment and reform of the National Human Rights Commission (NHRC) further exemplified Burkina Faso's attempts towards human rights protection. The NHRC, founded by Decree in 2001 and subsequently reformed by law in 2009, was the result of collaborative efforts between human rights CSOs and government stakeholders. It became a symbol of the collective passion within Burkina Faso to advocate for reforms and strengthen human rights protections as part of the Protocol's implementation. Despite the challenges associated with democratic transitions (including the coup in January 2022¹¹), hope endures for Burkina Faso. It is believed that the restoration of democracy will provide a better framework for monitoring and ensuring the effective implementation of agreements such as the Maputo Protocol, reinforcing the country's commitment to promoting gender equality and safeguarding women's rights. Burkina Faso has submitted two periodic reports, with the last one covering the period from 2003–2009¹².

9 Periodic Report of Burkina Faso Within the Framework of the Implementation of Article 62 of The African Charter on Human and Peoples' Rights. See: https://www.maputoprotocol.up.ac.za/images/files/countries/state_reporting_english/Burkina%20Faso.%20Third%20and%20Fourth%20Periodic%20Report,%202011-2015.%20State%20Report.pdf (accessed 22nd April 2023)

10 *Maputo Protocol and its efficacy as an advocacy tool for the protection and promotion of women's rights*. Centre for Human Rights, University of Pretoria. 2020. See: <https://www.maputoprotocol.up.ac.za/news/91-centre-co-hosts-workshop-for-csos-on-the-maputo-protocol-and-its-efficacy-as-an-advocacy-tool-for-the-protection-and-promotion-of-women-s-rights> (accessed 10th August 2023).

11 *Understanding Burkina Faso's Latest Coup*. Africa Center for Strategic Studies, 2022. See: <https://africacenter.org/spotlight/understanding-burkina-faso-latest-coup/> (accessed 16th May 2023).

12 ACHPR website. See: <https://achpr.au.int/index.php/en/state-reports/burkina-faso-2nd-periodic-report-2003-2009>.

3. DJIBOUTI

(Ratified the Maputo Protocol on 2 February 2005)

Historically, Djibouti was a country where women sought power and influence through chance, and played a significant role in the decision-making processes of the land. Given this historical context, Djibouti's commitment to upholding the Maputo Protocol becomes even more important. As the country has progressed into modern times, women's contributions have become increasingly valued, with the combined country reports from 1993–2013 highlighting a positive trend in the public understanding of the importance of respecting human dignity. This development is attributed to active involvement of civil society and the media.

Although the prohibition of torture and other cruel treatment is not explicitly mentioned in these reports, the government ministries and NGOs have organized awareness campaigns to promote the rights of women and children across the nation. This effort reflects a growing commitment to advancing women's rights beyond cultural stereotypes and aligning with contemporary values that prioritize gender equality.

Djibouti has taken steps against gender-based violence through policies like the National Initiative for Social Development (2008-2012)¹³. The country has also passed a law that includes sentences of up to 20 years' imprisonment for rape of women or men as well as how to generally deal with the issues of Gender Based Violence (GBV). For instance, the law prohibits "torture and barbaric acts" against a spouse, specifying penalties of up to 20 years' imprisonment.

Nonetheless, effective enforcement remains a challenge, with cases often settled through traditional systems.

While FGM is legally prohibited in Djibouti, the rates remained relatively high. However, this is progressively being addressed. In 2012, the UN Population Fund (UNFPA) stated that 78.4 percent of girls and women older than 15 had been subjected to FGM, a drop from previous studies that put the rate at more than 90 percent. A 2019 preliminary study from the Ministry of Women showed a significant decrease of the FGM prevalence rate for girls from birth through age 10, from 94 percent in 1994 to 21.2 percent in 2019¹⁴. Djibouti has outlawed FGM through a revised Penal Code. Article 333 of the Penal Code provides that persons found guilty of FGM will face a five year prison term and a fine of one million Djibouti francs (US\$5,600)¹⁵. The Government of Djibouti has passed a law to protect women whose husbands decide to take second wives without their knowledge. The Country in 2008 saw the government set up the Ministry for the Promotion of Women, Family Welfare and Social Affairs¹⁶ to help to coordinate interventions meant to protect and advance gender equality and empowerment. The Ministry was later renamed as the Ministry of Women and the Family and works with the National Union of Women (UNFD) which is headed by the First Lady. To help promote measures against GBV and all forms of violence against women, the UNFD in collaboration with the UNFPA set up a new hotline -1520- for GBV services. The Service would ensure that there is a care circuit for victims of GBV, including FGM¹⁷.

13 See, <https://sociales.gouv.dj/uploads/Categorie/9b486a2fb64f519b7cbf155e82bfc67.pdf> (accessed 31st October 2023).

14 See, <https://dj.usembassy.gov/djibouti-2022-human-rights-report/> (accessed, 31st October 2023).

15 Djibouti report on FGM: <https://2001-2009.state.gov/g/wi/rls/rep/crfgm/10095.htm> (Accessed 31st October 2023).

16 See, www.refworld.org/docid/51cc2bfa4.html

17 See, <https://djibouti.unfpa.org/en/news/new-hotline-gbv-services> (accessed, 31st October 2023).

4. THE GAMBIA

(Ratified the Maputo Protocol on 25 May 2005)

The Gambia has introduced various legal reforms to promote gender equality and protect women's rights in recent years, including new legislation addressing issues such as domestic violence, child marriage, and discrimination against women. A notable shift occurred between 2004 and 2015, with significant progress being recorded in this period including the introduction of the Sexual Offences Act in 2013. Prior to this, there was the Women's Act of 2010, which was pivotal in providing a comprehensive framework for addressing women's concerns and implementing policies aimed at advancing and empowering women within Gambian society. The Women's Act was further amended in 2015, effectively prohibiting the deeply entrenched practice of Female Genital Mutilation (FGM)¹⁸. The amended law, enacted in 2015, not only tackles FGM but also seeks to safeguard the constitutional rights of women and children by prohibiting practices that are detrimental to their health and overall wellbeing.

The Gambia has demonstrated its commitment to international obligations by submitting a combined periodic report to the African Charter on Human and Peoples' Rights for the period spanning 1994 to 2018¹⁹, and by including an initial report under the Maputo Protocol in the joint submission, which took place in 2018.

The Gambia initially ratified the Maputo Protocol with four reservations, one of which pertained to Article 5 (eliminating harmful practices). However, the nation subsequently demonstrated a remarkable commitment to aligning with the Protocol's provisions by rescinding all four reservations. Not only was The Gambia the first country to take this significant step, but it went even further by enacting legislation to prohibit FGM, thus ensuring full compliance with the provisions of Article 5. This marked a great stride toward safeguarding the rights and wellbeing of women in the country²⁰.

¹⁸ More information on the Act and its Amendment can be found at: <https://www.refworld.org/docid/5b2baf274.html>

¹⁹ ACHPR website. See: <https://achpr.au.int/index.php/en/state-reports/gambia-2nd-periodic-report-1994-2018>

²⁰ Awid, 2011. African Women's Organizing for the Ratification and Implementation of the Maputo Protocol. See: <https://www.awid.org/news-and-analysis/african-womens-organizing-ratification-and-implementation-maputo-protocol>

5. FEDERAL REPUBLIC OF NIGERIA

(Ratified to the Maputo Protocol on 16 December 16 2005)

Nigeria has made notable strides in advancing women's political participation, including the passage in 2018 of the "Not Too Young to Run" Bill, which effectively lowered the age requirements for eligibility to run for political office. This legislative reform democratized access to political roles, particularly benefiting young women. Nevertheless, it remains evident that women's representation in political offices continues to be disproportionately low.

Civil society organizations have played a pivotal role in advocating for gender equality, providing coordinated political pressure that has been instrumental in lobbying against decisions that could undermine gender equality²¹. These organizations have staunchly defended legislative proposals that seek to empower

women, including those aimed at expanding the scope of citizenship through registration, instituting affirmative action for women in political party administration, and establishing criteria for indigene status within Nigerian states. Key objectives include creating a clear path to citizenship for foreign-born husbands of Nigerian women, and granting women the right to become an indigene of their husband's state after five years of marriage (a privilege already enjoyed by foreign-born wives of Nigerian men).

Nigeria has also enacted legislation to combat discrimination against women and to reduce domestic violence. This strategic move aligns with the nation's commitment to addressing gender disparities, as underscored by its low ranking of 139 out of 156 countries in the World Economic Forum's Gender Gap Index²². There are growing concerns among civil society groups that Nigeria may be experiencing a regression in female representation in leadership roles. Furthermore, the prevalence of domestic violence within households and in public spaces has compounded the problems that the country is faced with. In response to these challenges, feminist organizations have proliferated in Nigeria, surpassing the presence observed in most Western African nations²³.

The emergence of these feminist organizations in

Nigeria signifies a pressing imperative to rectify this issue through a combination of international and national legal mechanisms. Recognizing that Nigeria requires a consistent reminder to adhere to the regulations and commitments outlined in international treaties and protocols such as the Maputo Protocol, feminist movements such as the Federation of Nigerian Women's Societies (FNWS), Women in Nigeria (WIN), Kudirat Initiative for Democracy (KIND), and Female in Nigeria (FIN) have collectively issued a clarion call for a feminist revolution, seeking the effective implementation of critical measures that protect women from violence of any form, and which advance equality²⁴.

Nigeria's engagement with the African Commission has been marked by consistent reporting. Of particular significance are the four periodic reports submitted regarding the implementation of the Maputo Protocol. The most recent report, covering the period from 2015 to 2019²⁵, was presented by the Federal Ministry of Justice in August 2017. It highlights the development of the Gender Equality Opportunities Bill 2016, which has garnered legislative attention and is indicative of positive progress. In the spirit of continued advancement, there is a collective hope that these legislative efforts, alongside others, will be enacted into law without compromising the strides achieved between 2016 and 2022.

21 *Nigeria's Struggle for Gender Equality Gathers Pace Amid Protests*. Council on Foreign Relations, 2022. See: <https://www.cfr.org/blog/nigerias-struggle-gender-equality-gathers-pace-amid-protests> (accessed 13th June)

22 *Nigeria Risks Falling Further Behind on Women's Equality*. Human Rights Watch, 2022. See: <https://www.hrw.org/news/2022/03/08/nigeria-risks-falling-further-behind-womens-equality> (accessed 12th July 2023).

23 Dagunduro and Adenugba (2020). Failure to Meet up to Expectation: Examining Women's Activist Groups in the Post-Colonial Period in Nigeria. *Open Cultural Studies* 2020 Vol 4 p23-35. See: <https://doi.org/10.1515/culture-2020-0003>

24 Madunagu (2008). *The Nigerian Feminist Movement: Lessons from "Women in Nigeria"*. *WIN*. *Review of African Political Economy* 35/118. See: <https://www.jstor.org/stable/20406565> (accessed 07th August 2023)).

25 ACHPR website. See: <https://achpr.au.int/index.php/en/state-reports/federal-republic-nigeria-6th-periodic-report-2015-2016>

6. LESOTHO

(Ratified the Maputo Protocol on 26 October 2004)

After gaining independence, the government of Lesotho immediately introduced legal reforms to promote gender equality and women's rights, including new laws to address issues such as domestic violence and sexual harassment, and to protect women's rights in areas such as inheritance and property ownership. So far, Lesotho has made progress in increasing women's political representation through the quota system²⁶, and there have also been efforts to reduce gender disparities in education and to enhance maternal and child health outcomes.

Like many countries, Lesotho continues to face challenges related to gender-based violence. The government and civil society organizations have made efforts to address this issue through legal reforms, awareness campaigns, and support services for survivors. In most cases, the women leaders occupying government positions are drawn from activism and advocacy organizations. The ratification of the Maputo Protocol was in a larger sense influenced by women's movements outside government²⁷. To date, Lesotho has submitted two separate periodic reports, the latest of which combines several reporting periods and covers the years 2001 to 2017²⁸.

²⁶ Nyane and Rakolobe (2022). Women's Representation in Lesotho's Legislative Bodies. J. African Elections (Vol. 20, No. 2). See: <https://journals.co.za/doi/abs/10.20940/JAE/2021/v20i2a5>

²⁷ The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa: a commentary. Pretoria University Law Press, 2023. See: <https://www.pulp.up.ac.za/pulp-commentaries/the-protocol-to-the-african-charter-on-human-and-peoples-rights-on-the-rights-of-women-in-africa-a-commentary>

²⁸ ACHPR website. See: <https://achpr.au.int/index.php/en/states-reporting-status>

7. LIBYA

(Ratified the Maputo Protocol on 23 May 2005)

In traditional Libyan society, women's roles were often centered around the family and community. While women had important responsibilities within their households, their participation in public and political life was limited. During the early years of Libya's independence (from 1951), women began to advocate for their rights. Women's organizations were formed, and activists worked to advance women's education, healthcare, and legal status. In 1964, the first Libyan women's association, the Libyan Women's Union, was established²⁹.

In 1981, Libya adopted the Libyan Women's Rights Declaration, which aimed to promote women's rights and gender equality. While women held some positions in politics and government, their representation at higher levels remained limited. Efforts were made to increase women's political participation, especially during the reign of Muammar Gaddafi, but challenges persisted. In 2005, despite criticism of the leadership style, Libya became one of the first Islamic regimes to ratify the Maputo Protocol.

While this presented an opportunity to ring-fence a series of commitments on women's rights³⁰, these did not materialize. Personal status laws in Libya remained based on Islamic law, enabling gender-based discrimination in areas such as marriage, divorce, and inheritance to continue unchecked. Nonetheless, Libya was deliberate about the push for women's rights. In 1984 the government passed legislation concerning marriage and divorce. It treated women equitably, granting them all of the rights given to them under [Islamic] law, while adding other privileges, including the right to child custody within the marital home.³¹

Libya's journey in implementing the Maputo Protocol has repeatedly been impacted by the country's political regime changes, along with internal human and security rights challenges such as incidences of kidnapping, political assassinations, criminal activity, and clashes between opposing militia groups³². Following the eruption of conflict in 2011, Libya experienced political instability, hindering its engagement with international treaties³³ including the Maputo Protocol. However, it is imperative to note that the Libyan Political Agreement (LPA), which was formally executed in 2015, underscores the fundamental principles of equality for all Libyan citizens in the realms of civic and political rights, the assurance of equal opportunities, and

the denunciation of any form of discrimination. Furthermore, the LPA mandates that the Government of National Accord be committed to ensuring equitable representation of women in the political landscape.

Nevertheless, the absence of specific legislation addressing domestic violence and the lack of legal provisions criminalizing marital rape in Libya is deeply concerning. The country has submitted two periodic reports, with the last reporting period occurring in 2009–2010³⁴. However, in these reports, Libya failed to address the Maputo Protocol in accordance with the ACHPR reporting guidelines. The periodic report for 2009–2010 covers various aspects, including civil and political rights, economic rights, social and cultural rights, judicial and legal organization, Human Rights Organizations, and the rights of women, children, and disabled persons³⁵. While the report delves into the rights of women, it fails to mention any aspects of the Maputo Protocol. In recent developments (March 2022) the Libyan government has suspended international agreements on gender, citing conflicts with Islamic Sharia law. This suspension further hampers efforts to address domestic violence and uphold women's rights within the country, highlighting the urgent need for comprehensive legal reforms³⁶.

²⁹ For more information on the Women's International League for Peace and Freedom, see: www.wilpf.org/libya/

³⁰ Libya: Seize Chance to Protect Women's Rights. Human Rights Watch, 2013. See: <https://www.hrw.org/report/2013/05/27/revolution-all/womens-rights-new-libya> (accessed 19th April 2023).

³¹ Women's Rights in Libya: Preserving Past Gains, Fearing for the Future by Jazyza Gebriil, 2015. <https://english.legal-agenda.com/womens-rights-in-libya-preserving-past-gains-fearing-for-the-future/> (accessed 13th August 2023).

³² Crisis 24 alert, 2023. See: <https://crisis24.garda.com/alerts/2023/09/libya-security-situation-likely-to-remain-unstable-through-at-least-late-september-update-11> (accessed 17th May 2023).

³³ UN press release, 27 June 2022. See: <https://press.un.org/en/2022/sci4949.doc.htm> (accessed 8 August 2023).

³⁴ See, <https://www.refworld.org/docid/510a47502.html> and <https://www.refworld.org/docid/510a481d2.html> (accessed, 8th November 2023).

³⁵ See, <https://reliefweb.int/report/libya/5th-periodic-report-great-socialist-peoples-libyan-arab-jamahiriyah> (accessed, 8th November 2023).

³⁶ See, <https://www.africanews.com/2022/03/08/libya-suspends-the-implementation-of-gender-equality-agreement/> (accessed, 8th November 2023).

8. MALAWI

(Ratified the Maputo Protocol on 20 May 2005)

Women in Malawi historically faced limited access to education, economic opportunities, and political participation, with roles mainly confined to household and agricultural duties. After independence, initial efforts were made by the government to address gender disparities and promote women's rights. Civil society organizations and women's rights activists played a crucial role in advocating for policy changes and legal reforms to recognize women's contributions to society. Malawi introduced legislation to promote gender equality and protect women's rights, including the Married Women's Property Act of 1967³⁷, which marked a significant step in empowering married women to own and manage property independently.

In recent times, Malawi has made commendable progress in promoting women's rights, becoming one of the first 15 countries to ratify the Maputo Protocol. In 2006, the country also enacted the Prevention of Domestic Violence Act³⁸ to protect and support victims of domestic violence. Additionally, a National Gender Policy has been implemented to guide public strategy and promote equality across all sectors.

During the 70th Ordinary Session of the African Commission on Human and Peoples' Rights in 2022, Malawi submitted reports on the Implementation of the African Charter on Human and Peoples' Rights and the Maputo Protocol. The Commission acknowledged Malawi's efforts in establishing a comprehensive legal framework for women's rights, emphasizing laws such as the Prevention of Domestic Violence Act, the Marriage, Divorce and Family Relations Act, the Gender Equality Act, the HIV and AIDS Act, and the Customary Land Act. However, concerns were raised regarding the problematic implementation of gender quotas in political and private sectors, as well as obstacles faced in realizing affirmative action for women in the civil service, due to persistent patriarchal cultural values limiting women's leadership opportunities. Malawi has submitted 3 periodic reports³⁹, with the last two covering the period 2015-2019⁴⁰.

37 FAO country profiles, Malawi. See: www.fao.org/gender-landrights-database/country-profiles/countries-list/national-legal-framework/en/?country_iso3=MWI

38 Law Africa (2023). Prevention of Domestic Violence Act, Malawi. See: <https://media.malawilii.org/files/legislation/akn-mw-act-2006-5-eng-2014-12-31.pdf> (accessed 14 August 2023).

39 Please see their detailed report available at <https://jurinfo.jep.gov.co/normograma/compilacion/docs/pdf/Malawi%202nd%20Periodic%20Report,%202015-2019.pdf> (accessed 31st October 2023)

40 ACHPR website. See: <https://achpr.au.int/index.php/en/state-reports/malawi-2nd-3rd-periodic-report-2015-2019>

9. MALI

(Ratified the Maputo Protocol on 13 January 2005)

Since gaining independence from France in 1960, Mali witnessed the establishment of many women's organizations and movements advocating for gender equality and women's empowerment. As a result, in 2009 it became one of the first West African countries to introduce reforms to its family law (Code de la Famille⁴¹), improving women's legal status within the family and granting them more rights in areas such as marriage, divorce, and inheritance.

Over the years, Mali has made efforts to increase women's representation in politics and decision-making. Despite its progressive decision to ratify the Maputo Protocol, Mali has faced various armed conflicts and humanitarian crises in recent years, resulting in gender-based violence and insecurity, both of which have disproportionately affected women and girls.

Since ratifying international agreements and protocols related to women's rights, including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Maputo Protocol, Mali has taken steps to address gender-based violence and protect women's rights. Laws have been enacted to criminalize certain forms of violence against women, and awareness campaigns

have been conducted to promote gender equality. However, enforcement remains a big challenge and despite these legislative advancements, it remains evident that the challenge of child marriage as well as in general human rights protection persists as a formidable issue. In May 2018 the African Court on Human and Peoples' Rights found some of the laws of Mali to be inconsistent with the spirit of international law. For instance, the court determined that the Malian Persons and Family Code was inconsistent with protocols and treaties ratified by Mali, notably the African Charter on the Rights and Welfare of the Child and the UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW). The Court urged Mali to revise its Code of Persons and the Family Code to align with its international obligations.

Following the recent take-over of government by the Junta, NGOs and human rights organizations remain deeply committed to addressing women's rights concerns. They are applying pressure on the current Junta Government⁴² to uphold many of the human rights, particularly those of girls and young women, that are also provided for by the Maputo Protocol.

41 *The Attempt to Reform Family Law in Mali*. By Benjamin F. Soares. New Series, Vol. 49, Issue 3/4, Islam in Contemporary West Africa: Literature, Orality and Law (2009), pp. 398-428 (31 pages). <https://www.jstor.org/stable/27798322?>

42 Mali, Events of 2022, by Human Rights Watch (2023). See: www.hrw.org/world-report/2023/country-chapters/mali

10. MAURITANIA

(Ratified to the Maputo Protocol on 21 September 2005)



The status of women's rights in Mauritania remains a topic of ongoing discussion and activism⁴³. Efforts to promote gender equality are driven by both grassroots initiatives and government policies, while international organizations and partners also play a role in supporting these efforts and encouraging progress in women's rights. One of the biggest political discussions in the country has centered around women's limited access to economic opportunities, including wage disparities. The challenge of accessing both credit and employment persists, particularly in leadership positions and sectors historically dominated by men. Meanwhile, deeply ingrained cultural traditions that perpetuate gender inequalities continue to persist in Mauritania, including female genital mutilation (FGM) and child marriage.

Organizations such as the Association des Femmes Chefs de Famille (AFCF, or "The Association of Women Heads of Households") have taken a leading role in advocating for women's rights and supporting women, actively advancing policy and legislation in Mauritania by working closely with the government⁴⁴ (this has included proposing new legislation that would impose stricter penalties for rape; a proposition that the government sadly declined, citing conflicts with Sharia laws⁴⁵). The tenacity and passion of organizations such as the AFCF was pivotal in encouraging the signing and subsequent ratification by the Mauritanian government of the Maputo Protocol, and continues to play a crucial role in securing rights and legal protections for women and children.

43 *Why it is Essential to Enable Women to Participate Fully in Economic Activity?* World Bank, 2021. See: <https://www.worldbank.org/en/country/mauritania/publication/mauritania-economic-update-why-it-is-essential-to-enable-women-to-participate-fully-in-economic-activity> (accessed 20th August 2023)

44 UN press release, 2007. See: <https://press.un.org/en/2007/wom1631.doc.htm> (accessed 13th July 2023)

45 UN news, 2023. See: <https://www.ohchr.org/en/news/2023/02/experts-committee-elimination-discrimination-against-women-commend-mauritania-advances> (accessed 18th July 2023)

11. MOZAMBIQUE

(Ratified the Maputo Protocol on 9 December 2005)

The Makua, from whom the majority of the population in Mozambique is descended, are a traditionally matrilineal society where children and inheritances belong to women, and husbands move into the village of their wives. They form the large population of Mozambique⁴⁶. The Shona, on the other hand, elevated the place of a woman to providing spiritual guidance to the community. These two histories illustrate the important roles women have played in Mozambique society. Mozambique is slowly making steps towards reclaiming the role of their women, by protecting and empowering them.

After drawing criticism from civil society organizations for a provision in its Penal Code, adopted in 2014⁴⁷, which enabled rapists to evade prosecution by marrying their victims, the government responded positively by reviewing (and ultimately removing) the relevant section. The revised Penal Code now also recognizes marital rape as a criminal offense.

Mozambique has submitted three periodic reports, with the last one covering 1999–2010. None of the reports contain specifics about the implementation of Maputo Protocol in Mozambique⁴⁸.

46 See: https://www.cs.mcgill.ca/~rwest/wikispeedia/wpcd/wp/d/Demographics_of_Mozambique.htm

47 2014 *Country Reports on Human Rights Practices: Mozambique*. Refworld, 2015. See: <https://www.refworld.org/docid/559bd54f12.html> (accessed 14th August 2023).

48 ACHPR website. See: <https://achpr.au.int/index.php/en/state-reports/mozambique-initial-and-combined-periodic-reports-1999-2010>

12. NAMIBIA

(Ratified the Maputo Protocol on 11 August 2004)

Women in Namibia played active roles in the struggle for independence and social justice before the country gained independence in 1990⁴⁹. They participated in various anti-colonial movements and advocated for their rights and the rights of their communities. Following this, Namibia's constitution recognized the principle of gender equality and the rights of women. The constitution also enshrined the right to equal treatment for all citizens, regardless of gender.

The Namibian Government has been committed to protecting women from harmful practices such as female genital mutilation (FGM), child marriage, and other forms of gender-based violence. The Maputo Protocol condemns these practices and calls for measures to eliminate them. In 2003, the country enacted into law the Domestic Violence Act. In an effort to strengthen this Act, many women leaders (especially those in the private sector) have used the National Gender Policy to champion a more integrated legislative strategy against gender-based violence⁵⁰. This is a big issue in Namibia; one that likely underpinned much of the initial interest in the Maputo Protocol.

In February 2021, Namibia submitted its 7th report on the implementation of the African Charter on Human and Peoples' Rights (ACHPR)⁵¹, which included a section specifically focusing on the implementation of the Maputo Protocol. The African Commission, upon reviewing the report, expressed its contentment with Namibia's commendable achievements in enhancing the political participation of women, who now constitute 44% of the National Assembly. Notably, the Commission acknowledged Namibia's significant strides in adopting a National Gender Policy, recognizing its instrumental role in mainstreaming gender considerations across various sectors. Namibia has submitted two periodic reports that include the status of the implementation of the Maputo Protocol (covering 2011-2014 and 2015-2019 respectively⁵²).

49 Legal Assistance Centre (1994), *The Women's Movement in Namibia: History, Constraints and Potential*. See: <https://www.lac.org.na/projects/grap/Pdf/article95faces-feminism.pdf> (accessed 10 August 2023).

50 "I Need to Hurt You More": *Namibia's Fight to End Gender-Based Violence*. *Signs*, Vol. 40, No. 1 (Autumn 2014), pp. 153-175.

51 ACHPR website: Namibia. See: <https://achpr.au.int/index.php/en/state-reports/namibia-7th-periodic-report-2015-2019>

52 Ibid

13. RWANDA

(Ratified the Maputo Protocol on 25 June 2004)

The Rwandan Genocide of 1994, in which an estimated 800,000 people were killed, left the country devastated. Women constituted a significant proportion of the surviving population and played a crucial role in the post-genocide reconstruction and reconciliation efforts. Rwanda embarked on a process of legal reforms that included promoting gender equality and protecting women's rights, including the domestication of the Maputo Protocol in 2004. This was aided by the adoption of a progressive constitution that enshrined the principle of gender equality and reserved a minimum of 30% of parliamentary seats for women. Chapter 4 of the Constitution of Rwanda (adopted in 2003) provides for human rights and freedoms, including protection from discrimination on the basis of sex, human rights, and gender and women's rights⁵³.

Since then, Rwanda has been a global leader in women's political representation. The country has consistently surpassed the 30% quota for women in parliament, with women holding over 60% of the seats in the Rwandan parliament since early 2000⁵⁴. Rwanda has implemented various initiatives to promote women's economic empowerment, access to education, healthcare, and property rights. Efforts have been made to bridge the gender gap in education and promote women's participation in the workforce. Rwanda has submitted three periodic reports between 2009 and 2019 and has lifted its reservations on Article 14.2(c), enabling women to access safe abortion⁵⁵.

⁵³ The Constitution of Rwanda, Constitute Project. See: https://www.constituteproject.org/constitution/Rwanda_2015

⁵⁴ Political Reservations for Women in Parliament: Rwanda. Pathfinders, 2023. See: www.sdg16.plus/policies/rwandas-30-percent-gender-quota-led-to-the-worlds-largest-share-of-women-in-government

⁵⁵ Centre for Human Rights, University of Pretoria. See: <https://www.maputoprotocol.up.ac.za/rwanda>

14. SENEGAL

(Ratified to the Maputo Protocol on 27 December 2005)

Senegal has demonstrated a notable increase in the engagement of women in the political sphere. In 2010, the country enacted a legislation reserving 50% of seats in local councils for women. As of February 2021, women occupied 43% of seats in parliament. This achievement positioned Senegal as the leading country in West Africa with the highest proportion of women parliamentarians, securing fourth place in the African rankings for gender parity in parliament.

Furthermore, Senegal has also witnessed women attaining prominent leadership positions. An example is Aminata Touré, who served as the Prime Minister from 2013 to 2014, thereby becoming the first female Prime Minister in Senegal's history. Challenging prevailing cultural norms and attitudes regarding gender roles remains an ongoing endeavor. For instance, statistics reveal that 30.5% of women aged 20–24 years old were married or in a union before reaching the age of 18⁵⁶. Moreover, the prevalence of violence against women and girls in Senegal

remains relatively high⁵⁷. Nevertheless, concerted efforts are being made to confront deeply entrenched stereotypes rooted in culture and to promote gender equality through coordinated media campaigns and community outreach programs.

The country has undertaken significant initiatives to advance women's rights and promote gender equality. The collaboration between the Senegalese government and various civil society organizations has been instrumental in driving progress. The nation is home to a dynamic array of women's rights organizations and advocacy groups, which are deeply committed to raising awareness through community engagement, while challenging entrenched norms and practices detrimental to gender equality, and advocating for policy reforms⁵⁸.

Senegal developed a National Strategy for Gender Equality and Equity (SNEEG) for 2005 to 2015, and released subsequent strategies extending into 2016

and beyond. These strategies have been established with the support of the UN Women Senegal Program, in close collaboration with numerous women-led organizations. They serve as a clear example of the commitment of women in influencing government policies, including by encouraging and supporting the domestication of pivotal instruments such as the Maputo Protocol⁵⁹.

Senegal's commitment to gender equality is reflected in its periodic report covering the period 2004–2013⁶⁰, which highlighted significant strides in enhancing the status of women, enacting new policies and laws (particularly those aimed at eradicating discrimination against women), and upholding the principles of the 2001 constitution. This dedication underscores Senegal's ongoing journey towards gender equality and women's empowerment.

56 UN Women, Senegal Fact Sheet. See: <https://data.unwomen.org/country/senegal> (accessed 10th August 2023)

57 How can Senegal continue progress towards gender equality? Equal Measures 2030. See: <https://www.equalmeasures2030.org/story/how-can-senegal-continue-progress-towards-gender-equality/> (accessed 22nd April 2023).

58 *Our Body, Our Health: Sub-Saharan Women's Health and Sexuality*. Research Group on Women and Laws in Senegal (GREFELS), 2004. See: <https://www.ourbodiesourselves.org/global-projects/senegal-research-group-on-women-and-laws-in-senegal/> (accessed 15th July 2023)

59 *Women's Empowerment in Senegal*. UN Women. See: https://africa.unwomen.org/en/where-we-are/west-and-central-africa/senegal_africa (accessed 7th August 2023)

60 ACHPR website. See: <https://achpr.au.int/index.php/en/state-reports/senegal-combined-periodic-report-2004-2013>

15. SEYCHELLES

(Ratified the Maputo Protocol on 9 March 2006)



Seychelles⁶¹ has placed a strong emphasis on elevating the prominence of gender and women's rights within the framework of the country's development agenda. Women-led civil society organizations (CSOs) and professional networks have emerged as pivotal catalysts in providing crucial support services to address various challenges obstructing the progress of gender equality. Most of these organizations have collaborated with the government to devise comprehensive programs aimed at assisting survivors of gender-based violence, encompassing services such as counseling, legal support, and the provision of shelter facilities.

This commitment to change has been substantially fortified through collaborative partnerships with international organizations and regional networks dedicated to advancing gender rights. Their support has served as a valuable resource in terms of both funding and expertise. From 2001 to 2015, Seychelles undertook significant strides in advancing and empowering women across multiple spheres. Statistical data underscores the noteworthy

representation of women, constituting approximately 40% of personnel engaged in senior and decision-making roles within the public sector⁶². This cohort played a pivotal role in bolstering the government's endeavors, both within the parliamentary and cabinet domains, to champion international agreements such as the Maputo Protocol that aim to advance women's rights and foster gender equality. An exemplary illustration of Seychelles' progress materialized in 2015, when the nation secured the remarkable ranking of 4th globally for gender equality in politics. This achievement was underpinned by the substantial presence of women, accounting for 43.8% of the members in the National Assembly, an outcome stemming from the parliamentary elections of 2011⁶³. Although Seychelles has submitted three periodic reports to the African Commission on Human and Peoples Rights (ACHPR), with the recent one being between 2006 and 2019, there is no section that reports on the implementation of the Maputo Protocol⁶⁴.

61 The Republic of Seychelles is an archipelago consisting of 115 islands. It is home to 98,000 inhabitants, three-quarter of whom dwell on the main island of Mahé.

62 *Revisiting Gender Equality in the Seychelles*. UN Women, 2023. See: <https://africa.unwomen.org/en/stories/news/2023/03/revisiting-gender-equality-in-the-seychelles>

63 *Women in Technology in Seychelles*. Gendered Voices, Vol.03, issue 1, 2022. See: www.undp.org/sites/g/files/zskgke326/files/migration/mu/Gendered-Voices-Women-in-technology-in-Seychelles.pdf

64 ACHPR website. See: <https://achpr.au.int/index.php/en/states-reporting-status>

16. SOUTH AFRICA

(Ratified the Maputo Protocol on 17 December 2004)

South Africa's journey towards women's rights has been deeply intertwined with its tumultuous history of colonization, apartheid, and social transformation. Throughout the struggle for freedom and justice, women catalyzed societal transformation by organizing protests, leading campaigns, and playing pivotal roles in dismantling apartheid. A new constitution, adopted in 1996, laid the groundwork for gender equality by prohibiting discrimination based on sex. Legislative strides, such as the Promotion of Equality and Prevention of Unfair Discrimination Act and the Sexual Offences Act, aimed to provide legal safeguards and prevent gender-based violence.

The feminization of poverty, the impact of HIV and AIDS on women, instances of violence against women, and the material resurgence of xenophobic attacks underscore the imperative for South Africa to enact robust legislation concerning women's rights. This imperative is underpinned by an emotional and historical backdrop marked by experiences of unequal pay and systemic discrimination⁶⁵. Consequently, the women's rights movement has burgeoned. Just before the ratification of the Maputo Protocol, the Women's National Coalition, representing women from diverse political, economic, racial, cultural, and

religious backgrounds, emerged as a formidable entity. This coalition served as a potent lobbying force, culminating in a pivotal 2004 revision of its own charter which included a strategic blueprint to advocate for the signing and ratification of the Maputo Protocol by the government. Furthermore, in 2006, the Progressive Women's Movement of South Africa (PWMSA) materialized, with a core mission encompassing the safeguarding of international agreements aimed at advancing the rights of women⁶⁶.

Efforts to empower women economically, politically, and socially are ongoing, with women assuming significant roles in leadership and governance in recent years. Meanwhile, South Africa has not been proactive in reporting her periodic reports, especially specific reports that related to the implementation of the Maputo Protocol. The last report covers the period 2003–2014⁶⁷. The story of women's rights in South Africa is one of resilience, tenacity, and evolution. As the nation continues to address historical injustices and contemporary issues, women remain at the forefront of shaping a more equitable and inclusive future.

65 Hassim (2022). *A Conspiracy of Women: The Women's Movement in South Africa's Transition to Democracy*. Social Research, Vol. 69, No. 3. See: <https://www.jstor.org/stable/40971570>

66 Lenser (2019). *The South African Women's Movement: The Roles of Feminism and Multiracial Cooperation in the Struggle for Women's Rights*. Theses and Dissertations, 3397. See: <https://scholarworks.uark.edu/etd/3397> (accessed 09th May 2023)

67 ACHPR website. See: <https://achpr.au.int/index.php/en/state-reports/south-africa-2nd-periodic-report-2003-2014>

17. TANZANIA

(Ratified the Maputo Protocol on 3 March 2007)

The Government of Tanzania has adopted various policies that advance gender equality and youth inclusion in a supportive, enabling environment. However, legal and regulatory framework and many sector-specific policies are yet to be aligned with these national priorities. The disparity in the age of marriage between men and women in the Marriage Act recently became the subject of a legal challenge by a group of civil society organizations, spearheaded by Msichana Initiative, which referenced the Maputo Protocol on non-discrimination⁶⁸.

The government has also encountered legal challenges, both at the African Court on Human and People's Rights and by the African Committee of Experts on the Rights and Welfare of the Child, around its education policy, which bars pregnant girls, young mothers, and married girls from attending school. While the Ministry has made commitments to permanently lift the ban and codify the same⁶⁹, providing guidelines allowing pregnant girls back to school, the ban still exists in law. The Maputo Protocol underscores the state's obligations

in safeguarding the rights of these young women and girls who are affected by such policies⁷⁰.

There is a need for well-trained parliamentarians, policy analysts, researchers, and civil society organizations in Tanzania, who will ensure successful female- and youth-positive legal reforms and policies. Nonetheless, promoting gender equality and women's empowerment remains a key priority for the government. In 2015, Her Excellency (H.E.) Samia Suluhu Hassan became the first woman to serve as Vice President of the United Republic of Tanzania, and in 2021, she became the first woman to serve as President. The country's commitment towards advancing gender equality in decision-making has led to 30% of cabinet positions, 36% of parliamentary seats, and 30.1% of district council seats being held by women, while the proportion of women judges in the country is now at 41%⁷¹. Tanzania has submitted a total of seven periodic reports, including a combined periodic report covering 1992–2006⁷².

68 *Law is only one of the steps to ending child marriage* by Rebeca Gyumi. Girls Not Brides, 2016. See: <https://www.girlsnotbrides.org/articles/law-one-steps-ending-child-marriage-says-rebeca-gyumi-founder-msichiana-initiative-tanzania/> (accessed 20th April 2023)

69 Tanzania's Policy Change Will Allow Pregnant Schoolgirls to Continue Their Education, by Centre for Reproductive Rights, <https://reproductiverights.org/tanzania-as-pregnant-schoolgirls-education/> (accessed 31st October 2023)

70 See, <https://theconversation.com/pregnant-students-in-tanzania-may-stay-in-school-according-to-a-new-ruling-by-african-child-rights-experts-194561> and <https://www.hrw.org/news/2022/04/01/tanzania-allows-teenage-mothers-be-back-school> (accessed 10th July 2023).

71 UN Women. See: <https://africa.unwomen.org/en/where-we-are/eastern-and-southern-africa/tanzania>

72 ACHPR website. See: <https://achpr.au.int/index.php/en/state-reports/tanzania-2nd-10th-periodic-report-1992-2006>

18. TOGO

(Ratified the Maputo Protocol on 12 October 2005)

Togo is home to Women in Law and Development in Africa (WiLDAF)⁷³, one of the first organizations to champion the development of a pan-African instrument specifically for women as an additional protocol to the African Charter on Human and People's Rights. As is the case in many traditional societies, pre-independence Togo had very clearly defined gender roles: while women were central to the social and economic life of their communities, they had limited access to education and economic opportunities compared to men.

In the early years of independence, efforts began to address gender disparities and promote women's empowerment in education and employment in Togo. Legal reforms were introduced to promote gender equality and protect women's rights by addressing issues such as domestic violence, discrimination, and women's property, and progress was made in increasing women's access to education and in political representation. The country also developed a National Gender Policy to guide public strategy and promote gender equality across all sectors of society⁷⁴.

Despite progress, challenges remain in achieving full gender equality in Togo. Traditional gender norms, cultural practices, and social attitudes can still influence gender dynamics in society. During the reporting period of 2011–2016, the Republic of Togo presented its combined 6th, 7th, and 8th Periodic Reports, highlighting significant developments in various areas.

One notable focus was on the right to employment, where the government implemented measures to streamline the process of starting a business, thus enabling more women to transition from the informal sector by establishing formal businesses. There was an attempt within the report to connect the milestone to the implementation of the Maputo Protocol⁷⁵. A comprehensive national land policy was also formulated, including mechanisms promoting access to land for vulnerable populations, with an emphasis on young people and women.

73 For more information about WiLDAF, see: www.wildaf-ao.org/en

74 UN Women: National Strategy for Gender Mainstreaming in Togo's Policies and Programmes. See: <https://evaw-global-database.unwomen.org/en/countries/africa/togo/2006/national-strategy-for-gender-mainstreaming-in-togos-policies-and-programmes> (accessed 14 August 2023).

75 ACHPR website. See: <https://achpr.au.int/index.php/en/state-reports/republic-togo-periodic-report-6th-7th-8th-2011-2016>

19. UNION OF THE COMOROS

(Ratified the Maputo Protocol on 18 March 2004)

In the early years post-independence, Comoros made efforts to address gender disparities and promote women's rights. In 1977, the country adopted a new Family Code, which aimed to grant women more rights within the family, such as the right to inherit property and choose their marital status. In 2004, Comoros became the first country in Africa to ratify the Maputo Protocol⁷⁶.

Since adopting the Protocol, Comoros has seen increased women's political participation. In the past, decisions relating to community life were taken by men – typically in the village squares or in mosques – even though these decisions were cemented by women through informal channels. The female minority active in politics acted as a token to lighten this image of Comorian society⁷⁷.

Since the Protocol came into force, women have increasingly held positions in government – some have been elected as members of parliament, while others have been appointed in various public decision-making bodies⁷⁸. In addition to this, legislative measures were enacted to foster gender inclusivity in appointments and to address sexual harassment within workplaces. Between 1998 and 2004, there was a notable surge in advocacy movements dedicated to advancing women's rights to healthcare access and economic empowerment,

supplementing the existing legal frameworks. As posited by Ahmed Ali Amir in 2013⁷⁹, this intensified activism may have catalyzed Comoros' commitment to align itself with the international community in pursuing gender advancement. Although the Maputo Protocol is not explicitly referenced in Amir's discourse, the sheer magnitude of mobilization and activism in the years leading up to 2004 constitutes a compelling argument for its potential influence in the signing of the Protocol.

However, like many countries, Comoros faces challenges related to gender-based violence, and while women's participation in the labor force has increased, there is still significant economic gender inequality. Furthermore, there remains significant under-representation of women in the political sphere: although women are active at the grassroots level, they occupy a less prominent role in higher level political or economic fora, with women representing only about two percent of elected members of parliament. According to the Centre for Human Rights at the University of Pretoria (which runs a project that monitors the domestication of Maputo Protocol in African countries), Comoros is yet to submit its periodic reports⁸⁰ – so officially monitoring and documenting its progress towards equality compared to other AU States remains a challenge.

⁷⁶ Comoros signed the Maputo Protocol 26 February 2004 and ratified it on 18 March 2004.

⁷⁷ Comoros: Country Gender Profile. African Development Bank, 2010. See: <http://www.afdb.org/fileadmin/uploads/afdb/Documents/Project-and-Operations/Comoros%20-%20Country%20Gender%20Profile.pdf> (accessed 14 August 2023).

⁷⁸ World Bank Document. See: <https://documents1.worldbank.org/curated/en/354101559590231457/pdf/Comoros-Towards-a-More-United-and-Prosperous-Union-of-Comoros-Systematic-Country-Diagnostic.pdf> (accessed 14 August 2023).

⁷⁹ *Ten reasons why Comoros may be best Arab state for women*, by Ahmed Ali Amir. Thomson Reuters Foundation, 2013. See: <https://news.trust.org/item/2013111123247-fry3c> (accessed 23rd June 2023).

⁸⁰ Periodic reports are state reports that are meant to be submitted to the African Union every two years indicating legislative and other measures undertaken towards the full realization of the rights enshrined in the Maputo Protocol.

20. ZAMBIA

(Ratified the Maputo Protocol on 2 May 2006)

The fight for women's rights in Zambia has been a gradual and ongoing process, with women having faced gender-based discrimination and inequalities for a long time. According to UN Women, Zambia is ranked very low on gender gap reduction and inequalities, sitting at 146 (out of 178 countries) in the Gender Inequality Index⁸¹. In recent decades, there has been increased awareness and activism to improve access to education and healthcare for women, and to increase women's representation in government and decision-making positions.

From 2005 onward, Zambia has seen continued efforts and progress in the fight for women's rights. Women's rights advocates and organizations have actively worked to address gender disparities and empower women across various sectors. In 2006, the country adopted a new constitution that included provisions for gender equity and protection against discrimination.

Amendments to laws related to marriage, property rights, and inheritance have been made to enhance women's legal standing, while quota systems and affirmative action measures have been introduced to enhance women's representation in government and elected offices. Meanwhile, there has also been a focus on reducing maternal mortality and increasing access to family planning.

Despite challenges, Zambia has made notable progress in recent years, as outlined in its combined 1st, 2nd, 3rd, 4th, 5th, 6th, and 7th Periodic Report, which covers the years 2005–2019. This includes the enactment of the Gender Equity and Equality Act No. 22 of 2015, which aims to promote gender equality across all spheres of life, including through the establishment of the Gender Equity and Equality Commission. In 2014, Zambia launched a revised National Gender Policy to ensure that both women and men can benefit equally from the development process⁸².

81 Gender Country Level Implementing Plan (CLIP), Zambia. See: <https://www.eeas.europa.eu/sites/default/files/documents/Zambia%20Gender%20Country%20Level%20Implementation%20Plan%20%28CLIP%29.pdf> (accessed 04th August 2023)

82 ACHPR website. See: <https://achpr.au.int/index.php/en/state-reports/zambia-combined-1st-2nd-3rd-4th-5th-6th-7th-periodic-report-2005-2019>

3.2 STATEMENTS BY HEADS OF STATE AND MINISTERS

To commemorate the 20th Anniversary of the Maputo Protocol, this section features statements received from the heads of state and/or government ministers charged with the coordination of all or part of the Maputo Protocol in 12 of the first 20 countries to ratify it.

The mobilization of heads of state and government ministers commenced with the support of the Government of Kenya (Ministry of Foreign Affairs) and the respective Foreign Embassies in Kenya, in addition to the Kenyan Embassy in each of the 20 countries. These institutions collaborated with Equality Now to dispatch letters to all 20 countries. Subsequent efforts involved follow-up through phone calls and emails. The majority of responses were obtained through structured phone interviews and official written statements, duly signed off.



THE REPUBLIC OF MOZAMBIQUE



**HIS EXCELLENCY,
FILOPE NYUSI
PRESIDENT OF
THE REPUBLIC OF
MOZAMBIQUE**

“We must work together to eliminate barriers that hinder women’s access to justice, education, and economic opportunities.”

“Enacted on 11th July 2003, the Maputo Protocol was adopted by the member states of the African Union, including my own country, Mozambique. This protocol represents a collective commitment to promoting the rights of women and ensuring their participation in spheres of society.

The Maputo Protocol addresses a wide range of issues affecting women, including violence against women, discrimination, harmful traditional practices, access to justice, and political participation. Our underlying motivation to ratify it was grounded on the fact that it recognizes that women’s rights are human rights and calls for the elimination of all forms of discrimination against women.

This principled stance has seamlessly aligned with the enduring dedication of our government, both in the past and the present. Today, the same challenges persist. To surmount these enduring obstacles, it is important that we continue to cultivate inclusive political and programmatic solutions. These solutions must be well designed to confront the deep-seated cultural norms and practices that perpetuate gender inequality at its core. In doing so, we reaffirm our unwavering commitment to the principles of equality and justice, fostering a society where every individual, regardless of gender, enjoys the full spectrum of their

human rights.

I will give you a few examples of the efforts we are making to push the nation forward. As a nation, we have diligently pursued the vision outlined in the National Plan for the Advancement of Women 2002-2006, the Gender Policy and Implementation Strategy in 2005, and the inclusion of gender equality objectives in the Government’s five-year plan from 2005 to 2009. At the heart of our progress lies the robust institutional framework that reminded us that we needed to sign the Protocol to secure the achievements of women and gender in general. The Ministry of Women and Social Action, alongside the National Council for the Advancement of Women, which unites diverse stakeholders from both the government and civil society, exemplifies our commitment to expand cooperation in this area. Additionally, we’ve strengthened mechanisms at the parliamentary level, ensuring that gender equality is not just a lofty goal but an integral part of our national identity.

In conclusion, we must work to eliminate barriers that hinder women’s access to justice, education, and economic opportunities. We must strengthen our institutions and allocate sufficient resources to ensure effective implementation of the Maputo Protocol within our country and continent.

THE REPUBLIC OF ZAMBIA



**HIS EXCELLENCY,
MR. HAKAINDE
HICHILEMA
PRESIDENT OF THE
REPUBLIC OF ZAMBIA**

“This occasion serves as a reminder of how far we have come in our pursuit of gender equality since adopting the Protocol.”

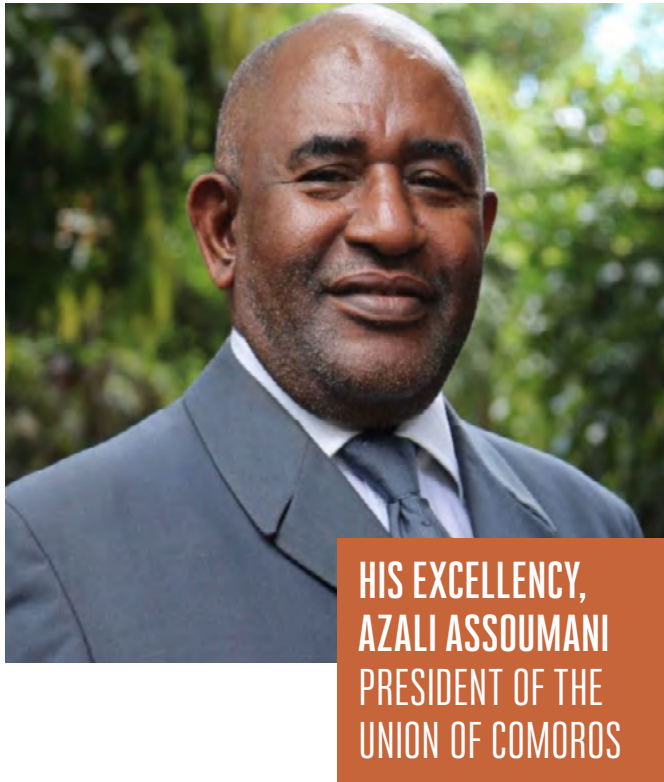
“Today, as we commemorate the anniversary of the Maputo Protocol, I want to take this opportunity to celebrate the extraordinary women of Zambia. With deep gratitude, we reflect on their remarkable efforts and achievements that have contributed to the growth and progress of our great nation. This occasion serves as a reminder of how far we have come in our pursuit of gender equality since adopting the Protocol. However, it also compels us to acknowledge the work yet to be done and the challenges we still face, not only in Zambia but also around the world.

The genuine need to promote gender equality and the rights of women has been my motivation and the engine behind our efforts. It is a matter of utmost importance because a country cannot achieve its true developmental aspirations if half of its population is left behind. We recognize that women are agents of social change and economic development in various capacities, be it as business executives, doctors, nurses, farmers, or mothers and homemakers. Our country’s prosperity is intrinsically linked to their empowerment. Thus, we have placed gender equality at the center of our government’s policy of empowerment, encompassing economic, social, and political spheres.

Zambia has achieved significant milestones in shaping progressive laws and policies. In 2011, we implemented the Anti-Gender-Based Violence Act, setting a strong foundation for combating violence and ensuring the safety of all, regardless of gender. Subsequently, in 2015, we marked a historic moment by enacting the Gender Equity and Equality Act (No. 22 of 2015), underlining our commitment to equal opportunities and fairness. Building on this momentum, in 2016, we embarked on a comprehensive review of our National Gender Policy of 2000 and National Child Policy, further refining our approach to inclusivity and social justice. Moreover, recognizing the importance our constitution plays in leveling the playing ground, we introduced a new amendment to incorporate gender equity and equality, reinforcing our dedication to a future where every Zambian, regardless of gender, is empowered.

As we move forward, we stand united, steadfast in our commitment to building a nation where respect, fairness, and equality prevail for all. We ask our neighbors to also look at reinforcing collaboration at the African Union to ensure that this Protocol brings out more outcomes within Africa”.

THE UNION OF COMOROS



“I firmly believe in the principles of equality, justice, and the empowerment of women. The Maputo Protocol reflects these values.”

“Comoros has made significant progress in the realm of gender equality and equity. Our nation’s commitment is seen through the National Policy on Gender Equality and Equity that was developed in 2008 and improved in 2017. This is a transformative framework that outlines guidelines and strategies for reducing gender inequalities. Addressing important aspects such as gender, economics, and poverty, as well as rights and participation in decision-making, this policy represents our unwavering dedication to inclusivity in the Union of Comoros. It serves as a beacon, guiding both State and Non-State agencies in their endeavors, and aiding decision-makers in planning activities aimed at eliminating gender disparities.

I firmly believe in the principles of equality, justice, and the empowerment of women. The Maputo Protocol reflects these values and the reason my Comoros did not waste time but to sign and ratify it. It has been helpful in providing a general spirit of affirmation as we did put in place mechanisms to address issues of gender-based violence, child marriage, and female genital mutilation.

However, we must agree to the reality that it is essential to provide the necessary resources and support to effectively implement the provisions of the Maputo Protocol. Capacity building, financial assistance, and technical expertise should be made available to African countries based on needs and wants, to ensure the successful implementation of this important document”.

REPUBLIC OF DJIBOUTI



**H.E. MRS. MONA
OTHMAN ADEN
MINISTER OF WOMEN
AND THE FAMILY,
REPUBLIC OF DJIBOUTI**

“By recognizing and analyzing gender differences in living conditions, status, function, and social positions attributed to men and women, we can address the disparities.”

“As a country, celebrating the Maputo Protocol is a way to recognize and promote gender equality, women’s rights, and the fight against gender violence. In Djibouti, we believe that embracing gender perspectives in development is crucial, as gender relations play a pivotal role in societal progress. By recognizing and analyzing gender differences in living conditions, status, function, and social positions attributed to men and women, we can address the disparities. Our efforts are driven by the understanding that improved access to resources and services for women positively impacts productivity, children’s education, household health, and overall living standards. We firmly believe that the advancement, well-being, and productivity of women are integral to successful development.”

Original Statement:

“En reconnaissant et en analysant les différences de genre dans les conditions de vie, le statut, la fonction et les positions sociales attribuées aux hommes et aux femmes, nous pouvons remédier aux disparités.”

“En tant que pays, la célébration du protocole de Maputo est une façon de reconnaître et de promouvoir l’égalité des sexes, les droits des femmes et la lutte contre la violence à l’égard des femmes. À Djibouti, nous pensons qu’il est essentiel d’intégrer les perspectives de genre dans le développement, car les relations entre les hommes et les femmes jouent un rôle essentiel dans le progrès de la société. En reconnaissant et en analysant les différences de genre dans les conditions de vie, le statut, la fonction et les positions sociales attribuées aux hommes et aux femmes, nous pouvons nous attaquer aux disparités. Nos efforts sont motivés par le fait que l’amélioration de l’accès des femmes aux ressources et aux services a un impact positif sur la productivité, l’éducation des enfants, la santé des ménages et le niveau de vie en général. Nous sommes fermement convaincus que la promotion, le bien-être et la productivité des femmes font partie intégrante d’un développement réussi”.

REPUBLIC OF SEYCHELLES



HON. MARIE-CELINE ZIALOR
MINISTER FOR YOUTH,
SPORTS & FAMILY,
REPUBLIC OF SEYCHELLES

“In 2023, we will celebrate the Maputo Protocol by commemorating the collective efforts of men and women to establish a fair and equal society. Our motivation to promote gender equality and women’s rights stems from witnessing the resilience and courage of Seychellois women in protecting and advancing their rights. We recognize the importance of fostering better coexistence between men and women and enhancing gender equality. Over the years, we have made significant strides in empowering women in development and governance, allowing them to play pivotal roles in the country’s political, economic, and social engagements. The involvement of women in government and public affairs has been increasing, with Seychelles ranking second in Africa for gender equality in 2013 according to the Ibrahim Index of African Governance report. Our parliament now has over 40% women representation, thanks to international agreements like the Maputo Protocol.”

“We will celebrate the Maputo Protocol by commemorating the collective efforts of men and women to establish a fair and equal society.”

REPUBLIC OF MALAWI



**HON JEAN MUONAOWAUZA
SENDEZA**
MP AND MINISTER OF GENDER,
COMMUNITY DEVELOPMENT
AND SOCIAL WELFARE,
REPUBLIC OF MALAWI.

‘The driving force behind efforts to promote gender equality and women’s rights stems from the belief in fairness and equal opportunities for all marginalized gender groups, including women, men, persons with disabilities, and elderly individuals. The aim is to eliminate barriers that marginalize these groups in various aspects such as the economy, education, health, hygiene and sanitation, as well as the environment and natural resources.

Considerable progress has been made in Malawi to promote gender equality and eliminate discrimination against women. The Gender Equality Act provides a protective mechanism against the violation of women’s rights and prohibits discriminatory practices based on sex, gender, and marital status, with civil and criminal sanctions for harmful actions. Additionally, the Malawi Customary Land Act safeguards women against discriminatory practices in land acquisition.”

“The driving force behind efforts to promote gender equality and women’s rights stems from the belief in fairness and equal opportunities for all marginalized gender groups”

THE KINGDOM OF LESOTHO



HON. PITSO LESAOANA
MINISTER OF GENDER,
YOUTH, SPORTS, CULTURE
AND SOCIAL DEVELOPMENT

“This year, in 2023, we plan to celebrate the Maputo Protocol by acknowledging the progress women have made over the past 20 years. Our efforts to promote gender equality and women’s rights have been motivated by the realization of the significant role women play in rural development. With a large portion of the male population working in mines in South Africa, women have become increasingly crucial in driving progress. By investing in women through national and international laws, we aim to empower them to actively participate in public service and contribute to the development of our nation”.

“In 2004, we committed to the Maputo Protocol, recognizing the importance of advancing gender and women’s rights for equitable development.”

THE UNION OF THE COMOROS



HON. LOUB YACOUT ZAÏDOU
MINISTER FOR HEALTH, SOLIDARITY,
SOCIAL PROTECTION AND GENDER
PROMOTION, THE UNION OF THE
COMOROS.

“In 2023, we plan to celebrate the Maputo Protocol as a significant achievement in promoting gender empowerment in our country. As the designated Ministry, we will convene and discuss how we can highlight the progress and successes that women have achieved through the implementation of the Maputo Protocol. We recognize the importance of acknowledging and showcasing the positive impact that this protocol has had on women’s rights.

Our efforts to promote gender equality and women’s rights are motivated by the belief that gender inequality is a violation of human rights. We believe that no gender should be considered superior to another, as we coexist and rely on each other’s contributions. Denying education to female children, for example, not only denies them their basic rights but also hinders our country’s overall economic, social, and political development. It is essential to ensure that women have equal access to education, opportunities, and resources, as their input is crucial in making informed decisions that benefit society as a whole. Our ministerial programme for the coming years is informed by such”.

“Our effort to promote gender equality is motivated by the belief that gender inequality is a violation of human rights.”

TOGOLESE REPUBLIC



**HON. ADJOVI LOLONYO
APÉDOH-ANAKOMA
MINISTER OF SOCIAL ACTION,
PROMOTION OF WOMEN, AND
LITERACY, TOGOLESE REPUBLIC**

“Gender equality is viewed as crucial for national growth, as numerous examples have demonstrated that when men and women are treated equally.”

“Efforts to promote gender equality and women’s rights are motivated by the recognition of the vital role women play in a country’s development and the importance of their inclusion. By involving women in the development process, countries like Togo aim to consolidate peace and achieve comprehensive development. Gender equality is viewed as crucial for national growth, as numerous examples have demonstrated that when men and women are treated equally, economies thrive, poverty decreases, and overall living standards improve. Advocating for gender equality and women’s rights is seen as an essential step towards creating a more equitable and prosperous society.

The Maputo Protocol provides a compelling reason for other countries to join in its advocacy. By joining the protocol, countries can foster inclusive norms that contribute to a more equitable society. The protocol aligns with the goal of improving gender equality and recognizes the importance of creating an inclusive society where women’s rights are protected and upheld. By supporting the Maputo Protocol, countries can contribute to the advancement of gender equality globally and work towards building a more inclusive and just world.”

Original Statement

“L’égalité des sexes est considérée comme essentielle à la croissance nationale, de nombreux exemples ayant démontré que lorsque les hommes et les femmes sont traités sur un pied d’égalité.”

“Les efforts visant à promouvoir l’égalité des sexes et les droits des femmes sont motivés par la reconnaissance du rôle vital que jouent les femmes dans le développement d’un pays et de l’importance de leur inclusion. En impliquant les femmes dans le processus de développement, des pays comme le Togo visent à consolider la paix et à parvenir à un développement global. L’égalité des sexes est considérée comme essentielle à la croissance nationale, de nombreux exemples ayant démontré que lorsque les hommes et les femmes sont traités sur un pied d’égalité, les économies prospèrent, la pauvreté recule et le niveau de vie général s’améliore. La défense de l’égalité des sexes et des droits des femmes est considérée comme une étape essentielle vers la création d’une société plus équitable et plus prospère.

Le protocole de Maputo fournit une raison impérieuse pour que d’autres pays se joignent à ce plaidoyer. En adhérant au protocole, les pays peuvent promouvoir des normes inclusives qui contribuent à une société plus équitable. Le protocole s’aligne sur l’objectif d’amélioration de l’égalité des sexes et reconnaît l’importance de créer une société inclusive où les droits des femmes sont protégés et respectés. En soutenant le protocole de Maputo, les pays peuvent contribuer à l’avancement de l’égalité des sexes à l’échelle mondiale et œuvrer à la construction d’un monde plus inclusif et plus juste”.

THE REPUBLIC OF NAMIBIA



HON. DOREEN NAMPIYE SIOKA
MINISTRY OF GENDER EQUALITY,
POVERTY ERADICATION AND SOCIAL
WELFARE, THE REPUBLIC OF
NAMIBIA

“Our motivation to promote gender equality and women’s rights stems from the pressing need to address the declining ranks in the Global Gender Gap Report. With our country dropping from sixth to eighth place in 2022, it serves as a strong impetus to seek effective strategies for safeguarding and advancing gender equality. Recognizing that further decline in the ranks is not an option, we are committed to finding plausible ways to protect women’s rights and create a more equitable society. Under our administration, significant progress has been made, particularly in the development of our 3rd National Policy on Gender. Building upon previous policies, the Namibia National Gender Policy (2010-2020) successfully created an enabling environment for both public and private sectors to integrate gender considerations into their operations, aligning with our National Development Plans.

As for the Maputo Protocol, we encourage other countries to join this African Union instrument, which recognizes the rights of African women and addresses the crucial issue of gender equality. By aligning with our unique realities, the protocol offers a comprehensive solution decided by and for us. Joining the Maputo Protocol is an opportunity to embrace and advocate for the rights of women and promote a more inclusive society for all.”

“Closing the Gap, Empowering Women in Namibia”

THE GAMBIA REPUBLIC



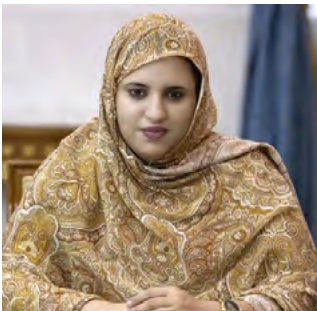
HON. MINISTER FATOU KINTEH
MINISTRY OF GENDER, CHILDREN
AND SOCIAL WELFARE,
REPUBLIC OF THE GAMBIA

“The underrepresentation of women in Gambian politics remains a pressing issue, with only 5 out of 58 members elected to parliament. This lack of representation deprives women of a platform to address critical issues that directly impact them, such as female genital mutilation (FGM) and domestic violence. Without appropriate laws and policies to address these challenges, vulnerable women at the grassroots level may lose hope, ultimately hindering the socio-economic and political progress of the country. Despite these challenges, there have been notable achievements under the current administration. The establishment of a Gender Ministry demonstrates the government’s dedication to promoting women’s inclusion and participation in governance and leadership. A revision of the Gender and Women Empowerment Policy for the period 2023-2033 is underway, focusing on crucial areas such as sexual and gender-based violence, including FGM and child marriage.

To ensure progress, the government acknowledges the importance of international, continental, and regional agreements, such as the Maputo Protocol. Embracing such agreements allows for peer review among member states, encouraging governments to evaluate their performance and work towards improving the status of gender equality. By interacting with other like-minded nations, the government seeks to strengthen efforts to advance women’s economic empowerment and protect their rights, ultimately benefiting the country and the entire African region.”

“Paving the way for progress, Gambian women refuse to be silenced – breaking barriers one policy at a time!”

REPUBLIC OF MAURITANIA



H.E. SAVIYA MINT N'TAHAH
MINISTER OF SOCIAL ACTION, CHILDREN, AND FAMILY, MAURITANIA

“Empowering Equality, Combating Discrimination: Mauritania’s Pledge to Women’s Rights”

Our Constitution unequivocally prohibits discrimination, notably on the grounds of gender. Over recent years, our government has steadfastly implemented various policies and legislations aimed at advancing women’s rights. Notably, the enactment of Act No. 2018-023 stands as a testament, unequivocally condemning gender-based discrimination. Further details on our legal framework can be found in the subsequent sections.

In 2015, we proudly adopted the National Gender Policy, a crucial document outlining comprehensive mechanisms to safeguard and enhance gender integration within our developmental endeavors. Our commitment predates this policy, marked by the introduction of electoral decrees that initiated gender quotas. Deliberately, we allocated 20 out of 88 seats for women in the National Assembly and reserved 20% of municipal council seats for women. This deliberate action significantly bolstered women’s representation in our Parliament.

However, challenges persist, notably in the realms of land and property ownership among Mauritanian women. Ownership rates remain dismally low, severely impacting women’s rights to a decent standard of living, food security, and access to credit. Presently, fewer than 14% of women own a house, and merely 6% possess land. In response, we are diligently working towards the implementation of legislation guaranteeing women’s equal rights to land and property, a vital step towards rectifying this imbalance.

Last but not least, our nation has taken a firm stance against female genital mutilation (FGM). Despite prevailing high rates of FGM, we have enacted stringent laws to combat this harmful practice, underscoring our dedication to the well-being and dignity of Mauritanian women.

Original Statement “Renforcer l’égalité, combattre la discrimination: L’engagement de la Mauritanie en faveur des droits de la femme”

Notre Constitution interdit sans équivoque la discrimination, notamment celle fondée sur le sexe. Au cours des dernières années, notre gouvernement a mis en œuvre avec détermination diverses politiques et législations visant à promouvoir les droits des femmes. Notamment, la promulgation de la loi n° 2018-023 en témoigne, condamnant sans équivoque les discriminations fondées sur le genre. De plus amples détails sur notre cadre juridique figurent dans les sections suivantes.

En 2015, nous avons fièrement adopté la Politique nationale du genre, un document crucial qui décrit des mécanismes complets pour sauvegarder et renforcer l’intégration du genre dans nos efforts de développement. Notre engagement est antérieur à cette politique, marqué par l’introduction de décrets électoraux qui ont instauré des quotas de genre. Nous avons délibérément attribué 20 des 88 sièges de l’Assemblée nationale aux femmes et réservé 20 % des sièges des conseils municipaux aux femmes. Cette action délibérée a considérablement renforcé la représentation des femmes au sein de notre Parlement.

Cependant, des défis persistent, notamment dans le domaine de la propriété foncière et immobilière des femmes mauritaniennes. Les taux de propriété restent lamentablement bas, ce qui affecte gravement les droits des femmes à un niveau de vie décent, à la sécurité alimentaire et à l’accès au crédit. À l’heure actuelle, moins de 14 % des femmes sont propriétaires d’une maison et seulement 6 % possèdent des terres. En réponse, nous travaillons avec diligence à la mise en œuvre d’une législation garantissant l’égalité des droits des femmes à la terre et à la propriété, une étape essentielle pour rectifier ce déséquilibre.

Enfin, notre pays a adopté une position ferme contre les mutilations génitales féminines (MGF). Malgré les taux élevés de mutilations génitales féminines, nous avons promulgué des lois strictes pour lutter contre cette pratique néfaste, soulignant ainsi notre attachement au bien-être et à la dignité des femmes mauritaniennes.

3.3 STATEMENTS BY YOUNG WOMEN

Young women across Africa, are shedding light on their advocacy for gender equality and their experiences with gender and women's rights issues in their respective countries. They earnestly expressed their awareness of the Maputo Protocol. They also shared their stand points on the implementation of the rights provided for, and articulated their visions for the future of their countries and the continent at large.



TANZANIA



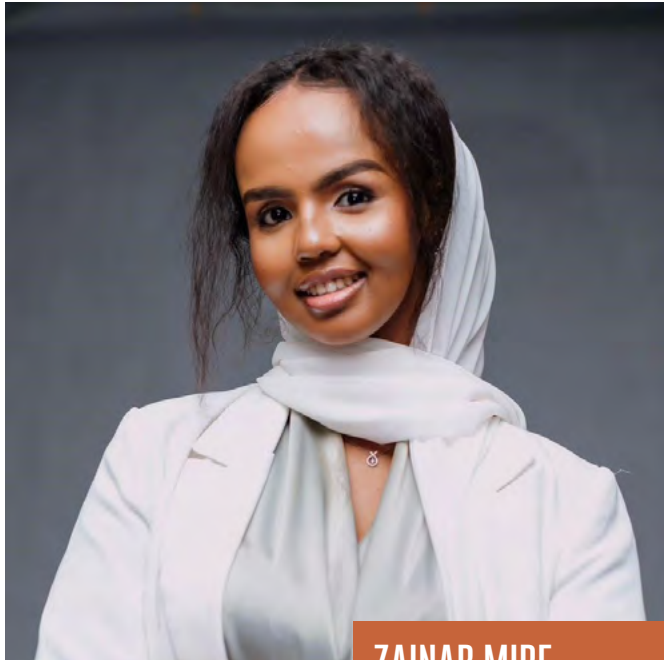
JANETH JOHN
DIRECTOR, BINTI
MAKINI FOUNDATION

“In 2017, Binti Makini Foundation was established by a group of educated and dynamic youth from the University of Dar es Salaam, with the aim of addressing urgent needs within the girl’s community. Binti Makini Foundation aligns with Article 14 of the Maputo Protocol, as it focuses on protecting girls’ health and reproductive rights, and also works towards implementing Article 5 (harmful practices) by combating child marriages. Despite Tanzania being a patriarchal country, the presence of a woman president who was once a women’s rights activist gives hope for progress. However, political goodwill is still lacking.

Overcoming cultural barriers and stigma is crucial, especially in the health sector, where issues such as teen pregnancy prevail. To effectively implement the Maputo Protocol, enforcement and domestication of the Protocol through laws is essential. By championing its implementation and ensuring oversight, activists can work towards securing the intended objectives, including the elimination of harmful practices like Female Genital Mutilation. Despite the challenges posed by cultural stigma and the patriarchal system, addressing these issues appropriately can pave the way for successful progress.”

“Empowering the rights of women and girls in Tanzania and Binti Makini Foundation is in the forefront to monitor the enforcement of the Maputo Protocol!”

TANZANIA



ZAINAB MIRE
WOMEN'S ACTIVIST

“We have to begin to speak out on FGM and child marriages, and heal the wounds in Tanzania”.

“As a medical doctor, I have been actively involved in advocating for the eradication of Female Genital Mutilation (FGM) in my community. I have emphasized the detrimental effects of FGM on young women, including the long-term health consequences such as infections and painful menstruation. However, I believe that awareness about the dangers of FGM remains limited. Nevertheless, the government and development partners have taken steps to address this issue through increased compliance and resource support. Encouragingly, there are now emerging efforts to enforce laws against FGM, particularly in rural areas where cultural practices are deeply rooted. In Tanzania, the practice of FGM is prohibited under the Sexual Offences Special Provision Act of 1998.

When it comes to handling rape cases, there are both positive and negative aspects to consider. Unfortunately, instances of rape often go unreported due to fear of stigma and reprisal, as demonstrated by a case in Tanzania where a girl was raped by her father. The girl refrained from seeking medical help or reporting the case due to these concerns. Additionally, some perpetrators, particularly those with wealth and influence, have been able to manipulate the

justice system and escape punishment, hindering the pursuit of justice for survivors. On the other hand, there have been successful prosecutions of rape cases in Tanzanian courts since 2005, including the High Courts and Court of Appeal. Tanzania has adopted Article 14 (2c) of the Maputo Protocol, which allows for medical abortion in cases of sexual assault, rape, incest, and when the pregnancy poses a threat to the mental and physical health or life of the mother or fetus. However, despite the legal provisions, women are often reluctant to exercise this right due to societal norms and psychological implications.

In a positive development, in October 2019, the Court of Appeal in Tanzania upheld a landmark ruling from 2016 by the High Court that set the minimum age for marriage at 18 for both boys and girls. Prior to this, girls could be married at the age of 15 with parental permission. The court directed the state to amend the Marriage Act of 1971 accordingly. This achievement aligns with Article 6 (b) of the Maputo Protocol, which aims to protect women and girls from all backgrounds from early marriages influenced by cultural and religious factors.”

NIGERIA



ROSETTA UFELI-IORMEAN
GENDER RIGHTS ACTIVIST

“Gender promotion in Nigeria has primarily focused on empowering women in various fields, including small and medium-scale businesses, academia, and income-generating activities in local communities. However, it seems that this concept is confined to those who are already enlightened, leaving behind those who are not. One significant challenge is the lack of defined “land rights” for women, which acts as a major barrier to their economic resilience. Despite constitutional provisions of gender equality, women in Nigeria face discriminatory laws, religious and cultural norms, gender stereotypes, and limited education, resulting in widespread poverty.

Establishing Maputo Protocol Coordination Committees within relevant ministries, including NGO representatives, that can help monitor and enforce key aspects at the federal and state levels. By collaborating with the government, NGOs focused on protecting the girl child, combating female genital mutilation. It is crucial for authorities and lawmakers to acknowledge the barriers faced by women and ensure that laws and policies in Nigeria dismantle these barriers and create an environment for women to thrive. Public education is also essential in changing mentalities, and young women can actively participate in this important task.”

“Nigeria’s journey to gender equality starts with addressing the obstacles and embracing progress!”

LIBYA



**MARWA MOHAMED
ALI SALEM**
WOMEN LEADER AND
GENDER ACTIVIST

“Women’s representation in government and the Libyan parliament has increased, partially due to conditions set by protocols and agreements like the Maputo Protocol. Special courts have been established in Benghazi and Tripoli to handle cases related to violence against women, but they require further support to enhance their effectiveness.

Unlike men, Libyan women however cannot enjoy certain freedoms and rights. For instance, they cannot pass their nationality to their children without restrictions. Discussions on implementing the Maputo Protocol should emphasize the challenges faced by countries like Libya and the specific violations of women’s rights. Women Human Rights Defenders and influencers strive to raise awareness about the

Protocol, particularly its articles that require further domestication. Support from Arab women within and outside Libya is crucial for activism on this front.

Conversations on the implementation of the Maputo Protocol should also address mechanisms for protecting the work of Women Human Rights Defenders (WHRDs). The government needs to be held accountable for its treatment of women and girls, and WHRDs, with the backing of the international community. There have been cases of WHRDs facing punishment or even being killed without any proper investigation. Therefore, discussions on protecting WHRDs should not be overlooked, especially in the context of Libya.”

“Maputo Protocol unleashes progress that empowers the Libyan Women to defend and protect their rights.”

SOUTH AFRICA



BOITUMELO THAGE
HUMAN RIGHTS AND
GENDER ACTIVIST

“The Maputo Protocol, adopted by the African Union in 2003, is an international human rights instrument that holds significant value for African unity, championing people’s interests, and fighting for women’s rights. It emphasizes equality, dignity, health, education, and more. Advancing the rights and dignity of women is crucial, and women have made progress in securing their place in South Africa and globally. The focus should be on creating their own seats at the table rather than waiting for inclusion. Creating safer spaces for women and girls and advocating for free sanitary towels can support the Protocol’s objectives, particularly in keeping girls in school. Already the idea of safe spaces is anchored on a national programme in South Africa.

Young women leaders can contribute by collaborating with government agencies, budgeting for sanitary towels, establishing safe spaces for GBV victims, and advocating for justice. The future lies in the hands of young women activists who must stand firm, network, and exchange ideas to advance their agendas. Embracing key treaties like the Maputo Protocol, Women’s Charter, and Freedom Charter of South Africa will pave the way for a better Africa where women lead fearlessly. Achieving this vision requires collective effort and finding solutions together.”

“Empowering women through the Maputo Protocol leads them fearlessly towards a Better Africa.”

TOGO



MARTHE FARE
JOURNALIST AND
ACTIVIST

“We face challenges in addressing our daily socio-economic issues, despite being the driving force for social change in Togo. The Togolese administration is making efforts to include women, but we hope they will establish the necessary legal mechanisms to prevent decisions from being made without women’s participation. This is the only way we can emphasize the importance of women and their role in development. Education plays a vital role in achieving gender equality in Togo, but I’m concerned that this won’t happen unless negative beliefs and social norms are changed. We need women to be involved in politics, including the opposition, so they can develop their skills and hold the government accountable, especially regarding women’s rights issues.

I contribute to promoting women’s rights through the media. My background is in journalism, and I have written numerous stories highlighting the challenges faced by women. I use these stories to initiate conversations on the radio and other platforms. I believe we need more of these efforts.”

“Amplifying Voices of Togolese Women will help to ignite changes that challenge societal norms and drive progress through Media and Advocacy.”

ZAMBIA



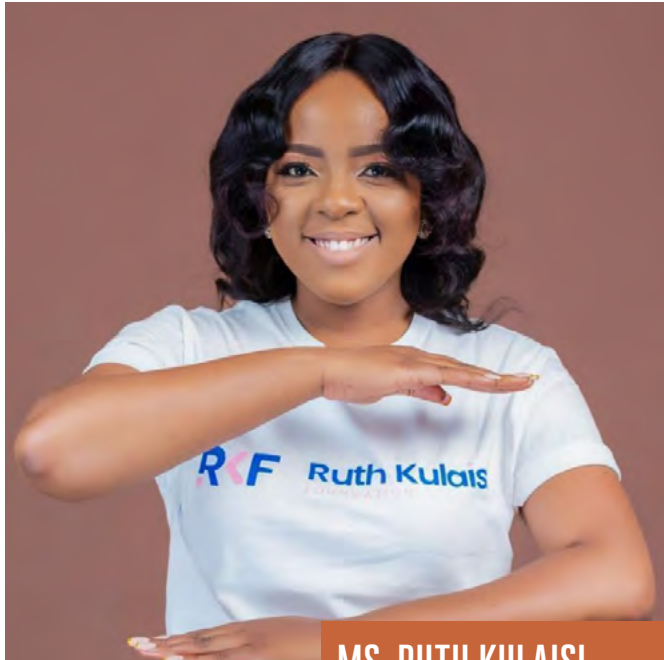
MUTINTA MASOWE
WOMEN AND GENDER
EMPOWERMENT
ACTIVIST

“Zambia has enacted the Gender Equity and Equality Act of 2015, which includes provisions to eliminate all forms of discrimination against women, empower women, and achieve gender equity. The Act aims to give effect to the Convention on the Elimination of all Forms of Discrimination against Women. The status of women in Zambia has improved in recent years. For example, the maternal mortality rate has decreased, and the National Assembly of Zambia has implemented various policies to reduce violence against women. However, there is still progress to be made.

Women have long been marginalized despite being the majority, so creating effective policies addressing women’s needs is crucial. Zambia is actively engaged in the fight for women’s rights, including political participation. Traditionally, women have been expected to fulfill roles as homemakers, mothers, and wives. Lack of education also has far-reaching effects, impacting women’s lives significantly. Many women are unaware of their rights, particularly regarding gender-based violence. Sensitization efforts are necessary to raise awareness about women’s issues and the provisions outlined in the Protocol.”

“The path to gender equality means empowering everyone and leaving no woman behind.”

MALAWI



MS. RUTH KULAIISI
MALAWI
TELEVISION PRESENTER
AND WOMEN'S RIGHTS
ADVOCATE

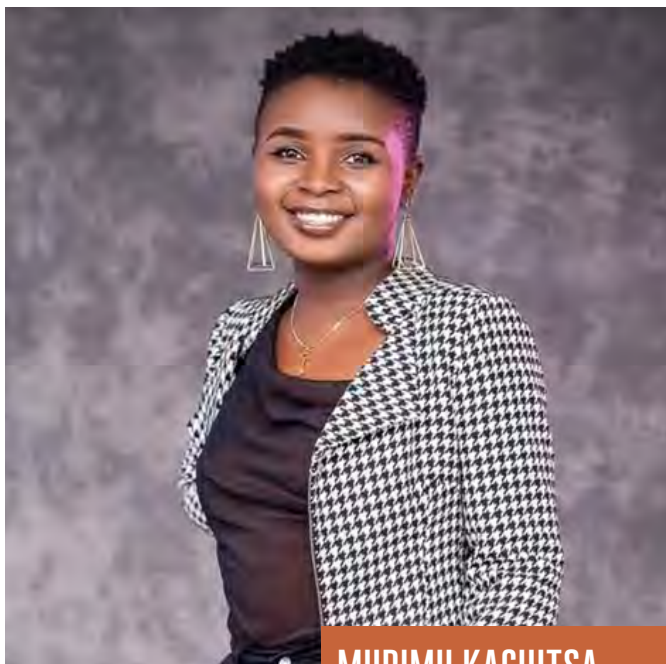
“Malawi has made progress in promoting gender equality and empowering women. Female leaders, like former President Dr. Joyce Banda, have played important roles in advancing women’s rights. Dr. Banda organized a dialogue where young women could learn from female presidents and be inspired to pursue leadership positions. Women have also been appointed to key positions in Malawi, showing the government’s commitment to promoting capable women.

However, challenges remain. Rural women struggle to access justice and assert their rights. Efforts have been made to establish legal clinics and mobile courts in rural areas. Gender-based

violence is still a problem, requiring prevention strategies, support services, and legal reforms. Economic barriers, such as limited access to credit, unequal pay, and underrepresentation in certain sectors, also affect women. Promoting women’s economic empowerment and providing equal career opportunities are crucial for addressing these challenges and achieving a fairer society. To support gender equality, individuals can back organizations working for women’s rights, advocate for policy changes, and raise awareness about empowering women. Engaging in discussions, sharing knowledge, and promoting gender-sensitive attitudes and behaviors are also valuable contributions to positive change.”

“We have to work with the women of Malawi in their pursuit of Gender Justice.”

MALAWI



MURIMU KACHITSA
WOMEN'S RIGHTS AND
GENDER ACTIVIST

“I have had positive experiences with gender and women’s rights. I’ve had access to education since I was a child, thanks to a government policy in Malawi that provides free education for all since 1994. I was also able to vote in the recent elections in Malawi, which were held on June 23, 2020. Since 2004, the Malawi Law Commission has been working on revising the constitution to protect the rights of children, marriage, and divorce. They have proposed a Gender Equality Bill to promote equal rights and opportunities for both men and women and to address issues like discrimination, harmful practices, and sexual harassment.

Malawi faces challenges in protecting human rights, such as violence against women and girls, lack of information on sexual and reproductive health, limited educational opportunities for girls, discrimination against marginalized groups, and harmful traditional practices like child marriage. As a social worker and influencer,

I see my role as both supporting the government’s efforts and advocating for those oppressed by government policies. I aim to eliminate barriers and promote fairness in distributing rights and responsibilities, protect human rights, and work towards social, economic, and environmental justice.”

“Education and Empowerment will play an important role in Malawi’s Journey Towards Gender Equality and Human Rights.”

SOUTH AFRICA



SIVE MREDLANE
WOMEN RIGHTS
ADVOCATE AND
YOUTH LEADER

“The Maputo Protocol aims to protect the rights of women and girls, combating discrimination and harmful practices like Female Genital Mutilation and Child Marriage. It addresses the challenges faced by marginalized adolescent girls and young women whose rights are violated. So far, 42 countries have adopted policies to promote and safeguard the rights of women and girls, implementing strategies to meet their needs.

South Africa, among sub-Saharan countries, consistently strives for equity and equality, promoting gender balance and equality, especially in the NGO sector. Recently, there has been increased funding for women-led non-government organizations to achieve gender promotion and balance, recognizing that no gender is superior. The importance of prioritizing women’s voices in driving positive social change is acknowledged.

Positive changes have been made, including policies addressing Gender-Based Violence and HIV/AIDS. New organizations like Dear Young Queen Foundation, which align with the Sustainable Development Goals and Maputo Protocol, indicate society’s positive response to promoting the rights of women and girls. Safe houses by government, counseling hotlines, and partnerships between civil society and the private sector demonstrate a united front in combating social ills that infringe on women’s and girls’ rights.

However, some challenges exist, such as the absence of accountability teams in partnerships, limited involvement of young people in decision-making processes, and inadequate risk management. To address these issues, young, vibrant activists at the grassroots level should be engaged, as they possess the expertise and understanding to give life and meaning to these policies and charters”.

***“Embracing change which allows
for women to live with purpose”***

SENEGAL



KHADY NDOYE
WOMEN'S RIGHTS
ADVOCATE

“I believe that all the articles of the Maputo Protocol are important. One cannot exist without the other. However, the one that stands out is Article 10: Right to peace. Our country, Senegal, has experienced clashes and violence. Many people have been killed and others injured. Although the victims are unknown to us, every woman has felt pain and sorrow for these people torn from the affection of their families. Women, mothers, sisters, wives, have felt pain in their own flesh.

It is therefore important for women to have the right to a peaceful existence. Better still, they must participate in promoting and maintaining peace. As the article so aptly puts it, without peace we can't achieve much. Women must be the apostles of peace. States must take all appropriate measures to ensure greater participation by women: in peace education programmes and in the culture of peace; in mechanisms and processes for the prevention, management and resolution of conflicts at local, national, regional, continental and international levels. For without peace there can be no development.

“Let us embrace Article 10 of the Maputo Protocol; be the peaceful apostles of development and life.”

NIGERIA



**KHADIJAH
ABUBABAR**
YOUTH ACTIVIST

“The Maputo Protocol’s best feature lies in its emphasis on women and girls, securing all their rights, giving them equal rights with men in society and politics, ending female genital mutilation, and securing low-income for most of the vulnerable women. It consolidates a guiding frame for our governments on how to prevent harmful practices and advance the safety of women who may be particularly vulnerable to such practices and other forms of violence. The protocol focuses specifically on the very reasonable rights of women and girls. This is the future pathway for building a fair society in Nigeria. Our country has one of the highest prevalence rates of FGM in the world.

The practice is often performed as a rite of passage. The Nigerian government passed a law in 2015 criminalizing the practice, with huge penalties. Despite these efforts, FGM continues to be practiced in some parts of Nigeria due to cultural and traditional beliefs. Changing this culture will require sustained efforts in education, awareness-raising, and coordinated community engagement that includes other stakeholders.

“Let us work together on Women’s Equality, end harmful practices and ensure their safety and wellbeing.”

NIGERIA



**AYOMIDE OKELEYE
MANAGER,
WOMEN'S RIGHTS
AND HEALTH
PROJECT (WRAHP)**

“The Maputo Protocol unequivocally affirms that women possess the right to exercise control over their reproductive health and make autonomous decisions regarding their bodies. Through explicit recognition of sexual and reproductive rights as human rights, the Protocol acknowledges the fundamental agency and dignity of women. The Maputo Protocol is one of the key instruments Women’s Rights and Health Project (WRAHP) uses to achieve her Vision. Moreover, the protocol’s recognition of sexual and reproductive rights as human rights is crucial in the context of family planning. In many regions of Nigeria, women might lack access to adequate healthcare facilities and information about contraception. The Maputo Protocol empowers organizations like WRAHP to promote comprehensive sexual education, ensuring that women can make informed decisions about their reproductive health. This includes the right to access contraceptives, choose the number and spacing of their children, and receive proper maternal care.

In some parts of Nigeria, young girls are forced into marriages, depriving them of education and a childhood. By aligning its advocacy with the principles of the Maputo Protocol, WRAHP can challenge these practices both in the court of public opinion and generally through awareness creation. Advocating for the rights of these girls to education, personal development, and a future of their choosing is important if a holistic Nigerian society is to be realized”.

“The power of the Maputo Protocol is that it claims dignity and ensures agency.”

4. CONCLUSION

This memoir has yielded invaluable insights, perspectives, and ideas, deepening our understanding of the factors that motivated country decisions to promote the progression of women in Africa.

Most governments have shown undaunted willingness to promote women's rights despite implementation challenges. This willingness and determination informed by their past lessons as well as the experiences of young women activists is what other states need to learn from and borrow as they work on their own pathway.

The Maputo Protocol is the world's most progressive global human rights instrument to date. The voluntary participation in this memoir by numerous government representatives shows that officials in these countries are more than willing to let the world know that despite limiting factors, they are trying their level best to domesticate the intentions of the Maputo Protocol.

Delving into the minds of the government representatives, we explored how women's rights and gender empowerment resonated with them. The bravery exhibited by young women leaders standing against regressive norms has left a profound impact.

African countries now hold a pivotal moment to promote gender equality, addressing societal imbalances. This effort transcends a mere strategy; it's a recognition of inherent unfairness, urging us to rectify these disparities collectively. While ministries play a significant role, their integration and coordination for women's rights and gender equality must take precedence.

As we mark this 20-year milestone, these statements have stirred profound emotions, igniting a desire for accelerated action. Encouraging others to share in this sentiment, we must collectively monitor governmental agreements for collective benefit.

Learn more about the Maputo Protocol at 20: soawr.org/maputo-at-20/



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