

# **Using the Rights Based Approach**

**Case study: The Africa Women's Protocol**

**RIGHTS AND REALITIES CONFERENCE**

**Promoting sexual and reproductive health and rights**

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**Rotterdam, The Netherlands**

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## Key issues in the presentation

- The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa ( The Africa Women's Protocol)
  - Brief introduction
  - Women and SRH/Rs
- OGB work
- Key drivers for change

## **The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa**

- Adopted by the heads of state in July 2003 at the Maputo Summit in Mozambique.
- Adopt all measures appropriate legislative, institutional and other measures for women to be able to enjoy their rights.
- Entered into force on 25<sup>th</sup> November 2005

## **Why the African Women's Protocol**

- African instrument that legitimizes struggle for gender equality**
- Outlaws harmful traditional practices**
- Enshrines right to positive cultural context**
- Addresses areas hitherto omitted by other instruments**
- Reinforces existing instruments**
- Provides for remedies**

## Key issues on Women & SRH/Rs

- Health and reproductive rights
  - Abortion
  - FGM
- Protection of vulnerable groups
  - widows rights
  - Elderly
  - Distressed
  - Nursing women
- Sexual violence (trafficking, rape, sexual slavery)
- provides for remedies

## Cont: Women & SRH/Rs

- Outlaws harmful traditional practices
  - FGM
  - Child marriages
  - Widow inheritance
- Enshrines right to positive cultural context
- Commits states to budgetary resources
- Promotes equal decision making in marriage
- Participation of women in cultural activities

## **Context**

- **Oxfam GB works in six countries in Southern Africa**
- **Our program addresses chronic livelihoods in the midst of HIV/AIDS.**
- **Women and girls have been affected more with HIV/AIDS**
- **Our work is informed by the Rights Based Approach**

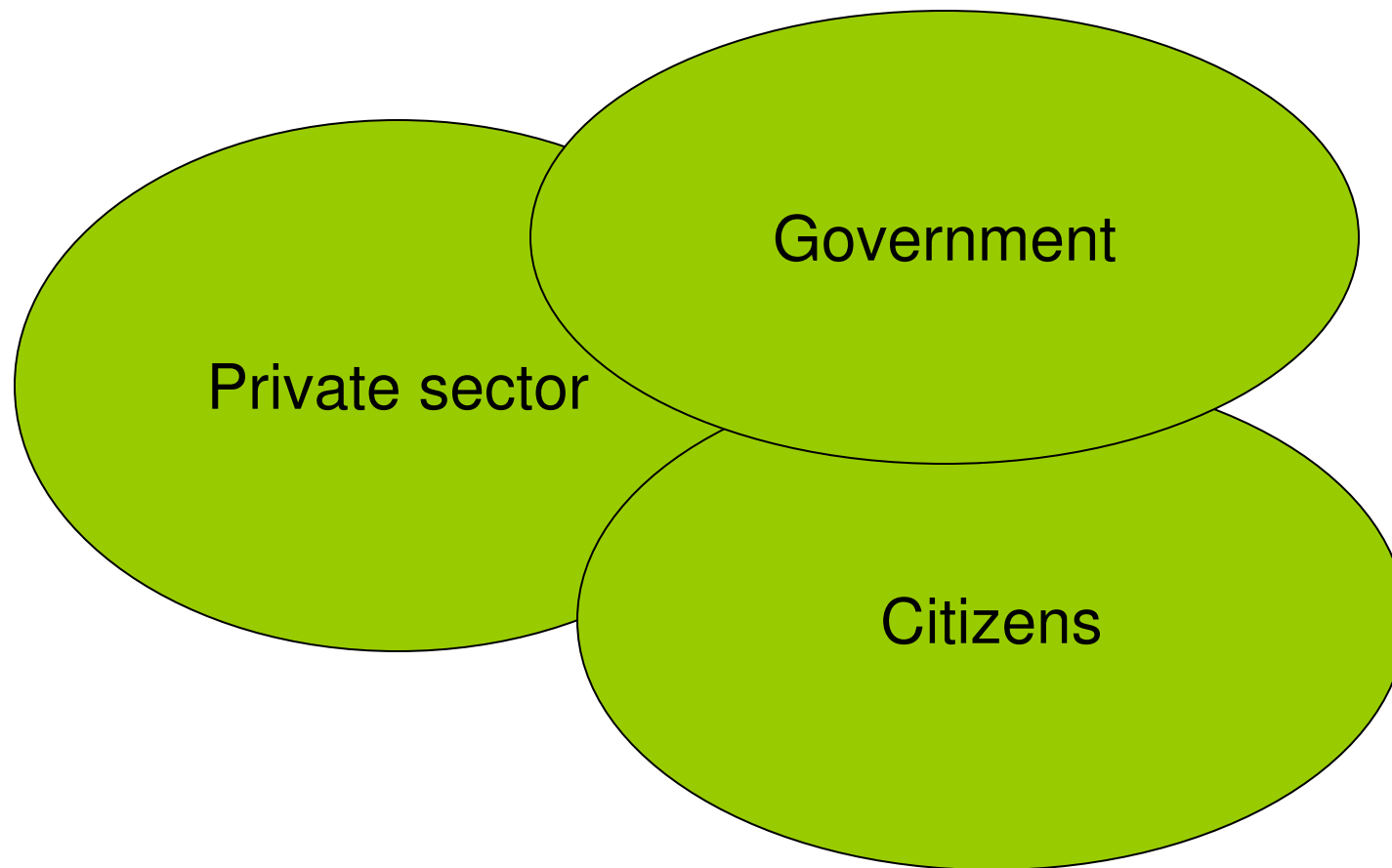
# Overview of OGB Policy work

- Conducted research in Southern Africa
- Support National Coalitions
- Collaborate with the Pan African Parliament, the AU Commission & the Office of the UN Special rapportuer on women
- Collaborate with key stakeholders at the national level
- Develop and strengthen regional partnerships on women rights
- Try to strengthen policy and practice in our programs

# The Rights Based Approach

- ◆ Participation
- ◆ Equity (power/powerlessness)
- ◆ Protection
- ◆ Accountability

## Drivers of change





# **Implementing a RBA in a low resource setting**

**The African Women  
Protocol**

## **Workshop Objective**

- **Discuss the challenges to implementation of the protocol and make recommendations for improvements**
- **Suggest way sin which Northern CSOs can support African CSOs in pushing for the implementation of the protocol**

## Background

- **Adopted in 2003 by African Heads of State in Maputo Mozambique --- Maputo Protocol**
- **Came into effect in 2005**
- **Since 2003 few countries have ratified, fewer are even implementing**

# Challenges

- **Fear of culture**
- **Inadequate resource mobilization**
- **Lack of awareness at various levels**
- **Inability to link SRH&R to broader human rights**
- **Growing cultural and religious conservatism**
- **Opposition to SRH&R mainly from the US**
- **Lack of political will**
- **Lack of accountability and the inability of citizens to demand that their governments honour commitments**

## **Challenges cont.**

- **Local of prioritization by Western countries**
- **Lack of innovative approaches**
- **Lack of reporting**

## **Proposals / Recommendations**

- **Link women's rights to broader socio - economic and political development**
- **Highlighting the costs of non-response**
- **Education and awareness of both women citizens and leaders**
- **Demand creation**
- **Politicising**

## **Proposals/recommendations cont.**

- **Create awareness through a bottoms up approach**
- **Review mechanism and put pressure at different levels within donor countries**
- **Strengthening enforcement mechanisms**
- **Increase resources for advocacy to support implementation**

## **How Northern CSOs can support African CSOs in advocating for implementation**

- **Raising the issues and asking about progress ---CSOs and activists in the North raising awareness among their leaders**
- **Lobby Northern governments to put pressure on African governments**
- **Disseminating the protocol**
- **Networking for advocacy --- Northern and Southern CSOs supporting Southern CSOs**

## **Support by Northern NGOs cont.**

- **Litigation --- Pursue litigation strategies to force implementation**
- **Resource mobilization by Northern CSOs**
- **Exchange experiences around peer review mechanism – eg the APRM and how that links with international efforts**