Gender Equality and
The Africa Peer Review Mechanism

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Foreword

The core objective of the Africa Peer Review Mechanism (APRM) is to improve governance through fostering transparent and inclusive public processes for making decisions, guided by the rule of law. It aims to facilitate adoption of polices, standards and practices that lead to political stability and deliver economic growth and sustainable development in Africa. The Africa Peer Review Mechanism also focuses on identifying gaps which require the capacity development of different levels of governance within African countries.

This study examines the measures and levels of success for integrating gender perspectives in governance and development under the peer-review mechanism. The study also probes the limitations of the mechanism as a vehicle for promoting gender equality and women's empowerment, some of which transcend the voluntary-based and formalistic approaches that characterize the mechanism. At the end, the study makes recommendations and proposes strategies for various actors and institutions with a view to making the peer-review mechanism more amenable to promoting gender equality at the national, regional and continental levels.

The findings of the study make it clear that African Governments have taken some important steps towards supporting promotion of women's rights and establishing institutions to help them fight discrimination. At the same time, the report reaffirmed that the issue of gender equality is not straightforward and that addressing inequality requires multiple interventions at the level of training and education, access to employment and economic empowerment, as well as securing legal rights. Most importantly, this process has underlined the challenge related to tackling the power structures that sustain inequality and the economic, social and structural issues that block women's representation in politics and business.

The Economic Commission for Africa, in collaboration with key partners and stakeholders, is ready to support capacity-development measures to enhance the African Peer-Review Mechanism as an effective tool to promote the agency and voice of women in governance structures, processes and outcomes.

Abbreviations

ACG	Africa Center for Gender
APRM	Africa Peer Review Mechanism
AU	African Union
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRM	Country review mission
CRR	Country review report
CRT	Country review team
CSAR	Country self-assessment report
CSO	Civil-society organization
DEVAW	Declaration on the Elimination of Violence against Women
DPG	Democracy and political governance
ECA	Economic Commission for Africa
ECOSOCC	Economic, Social and Cultural Council
EDPRS	Economic Development Poverty Reduction Strategy
EGM	Economic governance and management
EPZ	Export-promotion zone
FGM	Female genital mutilation
FRELIMO	Frente de Libertacao de Mocambique
HIV/ AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
GBV	Gender-based violence
ILO	International Labour Organisation
MDA	Ministry, department and agency
MDG	Millennium Development Goal
MMDAs	Municipal, metropolitan, and district assemblies

NEPAD	New Partnership for Africa's Development
NGC	National Governing Council
NPoA	National Programme of Action
PAP	Pan-African Parliament
PMCT	Prevention of mother-to-child transmission
OECD	Organization for Economic Cooperation and Development
REC	Regional economic community
SADC	Southern Africa Development Community
SDGEA	Solemn Declaration on Gender Equality Africa
SED	Socioeconomic development
SME	Small and medium enterprise
TRI	Technical research institution or individual UN
UN	United Nations

Executive summary

Gender inequality is at the root of the systemic challenges that women in Africa face, resulting in their exclusion and marginalization in all spheres of life. Transcending the private sector, these norms are replicated, reinforced and entrenched in the public sector, leading to discrimination against women in the political, cultural, social and economic arenas.

The study analyses the extent to which the Africa Peer Review Mechanism (APRM) provides meaningful, concrete and sustainable approaches towards addressing the long-standing and outstanding problem of gender inequality in Africa. It assesses the policy and institutional frameworks from a gender perspective, as well as processes and actors that are established at national and continental levels under the mechanism. It approaches this firstly as a human rights issue and secondly as a development issue – employing the rights-based approach to development - that takes into account the experiences, perspectives and rights of both men and women.

Section 1 outlines the normative framework of the African Union, such as the African Charter on Human and Peoples Rights, the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (Maputo Protocol), the Solemn Declaration on Gender Equality (SDGE) in Africa, the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the United Nations Declaration on the Elimination of Violence against Women (DEVAW). The mechanism builds on these and other standards and codes as a yardstick for measuring progress towards gender equality and empowerment.

Section two focuses on the contextual policy environment of the New Partnership for Africa's Development (NEPAD) and its Africa Peer Review Mechanism. NEPAD was established to achieve certain key goals, including the acceleration of the empowerment of women and the attainment of gender equality. However it is unclear what strategies were designed to achieve this within the NEPAD Framework Document or the NEPAD Declaration on Democracy, Political, Economic and Corporate Governance.

The peer-review mechanism includes a self-assessment exercise and there is a questionnaire which is fundamental to this. The questionnaire triggers the processes to collect country data in preparation for the Country Self-Assessment Report (country self-assessment report) and is designed as a tool for evidence-based analysis and to promote broad-based participation. The revised ARPM questionnaire adds value by broadening the conceptualization of gender issues for countries undertaking the peer-review process. However, it requires further refinement and rationalization as fundamental deficiencies persist across the sections and that results in analyses that are gender-blind or neutral.

Section 3 assesses the manner and the extent to which the various stages and methodologies of the peer-review processes incorporate principles of gender parity and empowerment. There are four major structures that have a key role and significant bearing on the operations of the review process: the Africa Peer Review Forum, the Panel of Eminent Persons, the Country Review Team (CRT) and the Secretariat.

The Panel of Eminent Persons: The election of Panel members at country level is usually undertaken in an opaque manner and it is not clear how considerations of gender balance are incorporated into the final selection. Regardless, over the years the Panel members have largely dispensed their mandates credibly. There has, however, been a tendency for more male representation on the Panel.

African Peer Review Continental Secretariat (APR Secretariat): The Secretariat, under the direction of the Panel of Eminent Persons, is in charge of the quality control aspects of the country review reports.

Both entities often lacking gender specialists and sometimes gender issues are not handled in a uniform manner in these reports. Certain statements found in the reports illustrate a limited or incongruent understanding of key gender concepts.

Technical research institutions or individuals: The technical research institutions or individuals (TRIs) are integral to the development of the Country Self-Assessment Report, shaping its contents and determining what cross-cutting issues including gender to highlight in the report. There is little information on how gender expertise has been incorporated by these institutions and individuals in their research methodologies and this is not well documented.

The National Governing Councils and Africa Peer Review Mechanisms: The picture is not clearly defined on women's representation in the National Governing Councils and the African Peer Review Mechanism Commission. It is not always clear whether female appointees are there to represent the interests of women or are operating as independent experts in various thematic areas.

Country support missions: Country support missions are fundamental in assessing the readiness and capacities of a country to embark on the review process. The support mission is meant to ensure that all stakeholders have a common understanding of the philosophy, rules and processes of the peer-review mechanism. Little or no documentation exists on the gender composition of these missions in terms of the support team or the stakeholders they have met.

The Country Review Team (CRT): The Country Review Team carries out wide and multi-level consultations with diverse non-state and state actors and institutions. The African Peer-Review Mechanism has not issued a clear policy on the recruitment and selection of consultants. The APRM Guidelines only refer to the establishment of a technical pool of African experts to support the work of the APRM Secretariat and to be utilized at various stages. The APRM Secretariat has tended to source experts with a focus on the section topics rather than on the cross-cutting issues.

An analysis of the country review teams in 17 countries reveals that women tend to be a minority and that not all the women who formed part of the missions were gender specialists. The Africa Centre for Gender and Development of the Economic Commission for Africa has been invaluable in working with the teams to reduce capacity gaps and cast the spotlight on gender concerns of African women. Nonetheless, it is clear that there is a serious gap in terms of gender analysts on the country teams.

Africa Peer Review Forum: The Africa Peer Review Forum has only achieved mixed consideration of gender issues. The Forum has made a few attempts to link gender issues critically to the commitments included in the NEPAD Framework document, the NEPAD Declaration and other African Union instruments. Based on the first five countries to be reviewed there was a strong basis of evidence in the country review reports that gender violence and inequality were common themes in Africa. However in October 2008 the Africa Peer Review Forum overlooked gender inequality.

Pan-African institutions: The institutions singled out to receive the country review reports include the regional economic commissions, the Pan-African Parliament (PAP), the African Commission on Human and Peoples' Rights, the Peace and Security Council, and the Economic, Social and Cultural Council (ECOSOCC). There is lack of clarity from them as to how the feedback mechanisms should operate between them, the APRM Secretariat and the member States.

The National Programme of Action: The APRM Guidelines enjoin States to design realistic National Programmes of Action (NPoAs) that build on and integrate the relevant elements of existing programmes, policies and strategies where these address the key objectives of the peer-review mechanism, including strategies for gender equity.

Mobilizing adequate resources for implementing the national programmes has been a source of concern, particularly given that many African countries are significantly aid-dependent. Based on extensive studies by the Economic Commission for Africa, countries have been strongly urged to harmonize the national programme of action with existing national development strategies and plans, with a view to optimizing the limited financial resources.

Section 4 discusses the major themes arising out of the APRM country review reports and the national programmes. These fall under 11 broad categories:

Legal frameworks, standards and codes: Many countries have enabling policies and laws promoting the rights of women. In some instances these exist alongside discriminatory provisions and negative cultural practices. Despite these policies and laws, the trends in the country reports reveal a big gap between the de jure rights of women and their de facto rights.

An analysis of standards and codes indicates undue delays in the ratification processes, countries' reservations on key provisions, particularly in the area of women's personal law, and the low levels of implementation of gender-sensitive laws and policies. Even where gender-progressive laws are in place, in most cases the institutional and resource frameworks to enforce them are weak.

Institutional frameworks: Governments have established ministries for women or for gender affairs and have set up gender machineries and institutions. These are underpinned by gender policies, action plans and strategies.

Overall, national mechanisms for gender mainstreaming, equality and women's rights remain incapacitated, underfunded and overburdened. Ministries in charge of women or gender issues also address other social issues such as children, culture, sports, the elderly or labour. This causes material, human and financial resources to be overstretched. The majority of national programmes do not indicate that funding of institutional development is a priority.

Participation and representation in the public sphere: Women are reaping greater numeric gains in the public sector than in the private sector, but they remain under-represented overall, although all the reviewed countries had laws and policies on equality.

A small number of the reviewed countries, particularly Rwanda, Tanzania, Uganda, Mozambique and South Africa, had made remarkable strides in increasing the representation of women in governance and even achieving and exceeding the target of 30 per cent representation in their parliaments. Some countries had recently undertaken or scaled up affirmative action measures after the implementation of the national programme of action to address gender imbalances, but this is more evident in the legislative sphere than in any other field.

Participation in the informal sector: There is uneven documentation of women's experiences in the informal sector, despite the fact that women are predominantly found in the informal sector. Further, there is a general lack of gender-disaggregated data to guide analysis of trends and planning and programming to improve the situation of women in the informal sector.

Few programmes and interventions exist to support women in the informal sector in Africa. Women involved in income-generating activities are challenged by lack of organizational skills, problems to reach networks of markets and failure to access credit facilities. In most countries, it is in the informal private sector that violations such as wage differentiation, discrimination in recruitment, sexual harassment, denial of maternity benefits and no social security schemes occur. The national programmes identify few remedial initiatives for this.

Access to resources: The availability of micro-credit or finance is core to women's work and employment, particularly in the informal sector. Most country reports reflect that governments have programmes and policies on micro-finance, although only a few governments have developed women-specific promotional programmes and strategies. The right to own land is formally guaranteed for women, according to almost all the country reports, but in almost all the 17 countries there is a huge discrepancy in women's actual access to, control and ownership of land. Women's representation in executive and management positions in the private sector is negligible. The private sector is notorious for not observing labour laws, particularly the International Labour Organization (ILO) regime on the rights of female workers. Government failures to enforce compliance with codes and standards in this sector have had unfortunate results.

The country reports do not undertake in-depth analyses of the plight of the rural women, the unpaid work of women in the domestic sphere, women with disabilities, female immigrants and refugees, and female-headed households. The APRM implementation reports in the national programmes show limited responsiveness towards providing equal opportunities for the recruitment, promotion and protection of women in the employment sector.

Health: Governments in the majority of the countries are struggling in their mandates to address the high maternal mortality rates. One of the bigger gaps highlighted in the country reports and national programmes is the narrow focus on women's rights to maternal health care. Other diseases specific to women, such as cervical or breast cancer or menopausal disorders, were not given as much attention.

In the area of HIV, almost all country reports indicate that the prevalence of HIV in women in general is two or three times as high as in men. In all countries, even those countries with the lowest rates of HIV and AIDs among women and men, women are predominantly and disproportionately affected and infected. Gender discrimination is identified as the cause of these disparities.

Education: The country reports reveal progress towards equal education for girls and boys. Advances were recorded in all countries, although gender gaps remained very high between girls and boys at secondary and tertiary levels. In many countries, the attainment of the Millennium Development Goal 3 is unlikely to be met by 2015.

A few countries register higher literacy rates among girls than among boys, particularly at primary-school level. Some governments are providing universal primary education and hopefully this can improve the gender-parity index. Despite this, in most countries the retention of girls in school in the higher levels is lower than the retention of boys. In a number of national programmes, the governments commit themselves to taking special measures to address gender parity in the education sector.

Violence against women: Gender-based violence is revealed as a deeply rooted practice, often based in societal and cultural practices. The most common forms of violence occur at the family and community levels and include domestic violence, rape, defilement, trafficking, child marriage and prostitution. Female genital mutilation (FGM) and widow inheritance are also practised in a number of countries.

Most countries are undertaking legal reforms to protect women and children from violence. Despite this, there is a big gap between the de jure and de facto situations. Many formal justice systems are not responsive to the experiences and concerns of women, creating obstacles to gender justice. It is in this area that many national programmes show the strongest responsiveness.

Status of women: Laws, policies and programmes fail to have a transformative impact on women's lives and this continues to affect women negatively in all spheres. Women are more disproportionally affected by conflict, poverty and disease, they are systematically disempowered and at the same time they suffer discrimination, marginalization and violence in the public and private spheres.

Country reports identify that patriarchal norms, male domination and chauvinism account for the perpetuation of gender inequalities. Not much has occurred in the way of state re-engineering of social attitudes through public education and communication programmes, although the national plans of many countries reflect a commitment to move in this direction.

Gender mainstreaming: The compartmentalization and isolation of ministries and departments in charge of mainstreaming the rights of women is a common feature that combats the effectiveness of the strategy of gender mainstreaming. The country reviews report on gender mainstreaming initiatives unevenly.

The National Programmes of Action: For gender perspectives to be implemented within African Peer Review Mechanism governance processes, they must be incorporated in the national programmes, flowing from the analyses of the country self-assessment report and the country review reports. The challenge noted is that, in many instances, the country review analyses and recommendations in the sections on economic governance and management and the section on corporate governance are often gender neutral. The country reports reveal that many critical recommendations that would have had far-reaching consequences for gender equality were abandoned in several countries' national plans, even where gender equality had been identified as a cross-cutting issue.

Recommendations that are often not implemented include mostly those on affirmative action, resourcing of gender institutions, financing for gender equality and reforming laws that are gender-neutral, discriminatory or simply lacking.

A few country national plans reveal a mismatch between the country review report recommendations and the national plan objectives and between gender objectives and the monitoring indicators. This makes it difficult to track progress towards the achievement of the objectives.

Section 5 analyses the components of the best practices outlined in the country reports and the extent to which they can be used to promote peer learning.

There is no working definition of a best practice in any of the country reports or in the peer-review mechanism documents and instruments. The reports highlight "good practices" but do not offer clear criteria or explanation for determining what constitutes one. All these conceptual ambiguities require deeper understanding of what kind of practices the peer-review mechanism seeks to foster, with a view to promoting peer learning.

To date, there is little evidence of a concerted, well-thought-out and consistent programme for the mechanism to roll out good practices. The Economic Commission for Africa has undertaken several capacity-building and experience-sharing initiatives towards harmonization of the national plans in national development-planning processes, but gender issues are not specifically covered.

Section 6 discusses the major achievements that have emerged over the years from the mechanism of the country reviews, as well as some of the lessons that have been gleaned from these processes.

The peer-review mechanism has offered women new opportunities to participate actively and interface with governments, civil-society organizations and the private sector on the gender aspects of governance and development initiatives. In addition, it offers a platform for dialogue between state and society and for sharing experience and drawing from emerging or established good practices. There is demonstrable evidence of increased focus on gender-empowerment measures in at least a few of the reviewed countries pursuant to the implementation of the national programme.

However, there are still outstanding challenges such as the lack of credible gender-disaggregated data; the reliance to an extent on political will, as the peer-review mechanism is a voluntary self-assessment process; the lack of a monitoring and evaluation framework for the peer-review mechanism at the continental level; and the failure to take advantage of existing opportunities and synergies with key pan-African institutions.

The following recommendations are made in light of the major themes and findings:

The Africa Peer Review Forum and the Panel of Eminent Persons: The Panel of Eminent Persons should play a key role in raising gender issues and concerns arising from a holistic review of the country review reports and escalate the same to the Africa Peer Review Forum. The extraordinary general meetings of the Africa Peer Review Forum are an opportune space that could be utilized for this discussion.

It is recommended that the outcomes of the first review process should be evaluated, including the attainment of gender targets, before a second review is undertaken.

The Panel of Eminent Persons should make a special effort to highlight gender issues prominently during the presentation of country review reports or annual progress reports on the implementation of the Africa Peer Review Mechanism.

It is incumbent upon the African Peer Review Forum, the Panel of Eminent Persons, the focal points and APR Secretariat to review the instruments, documents and guidelines of the mechanism regularly. Tools that are gender-neutral in nature, in particular the questionnaire and all guidelines to the key actors in the mechanism, should be adjusted to reflect gender concerns and issues.

The Panel of Eminent Persons should submit annual peer review implementation progress reports to the pan-African institutions to improve monitoring at the continental level.

APR secretariats: Both the continental APR Secretariat and country-level African Peer Review Mechanism secretariats should develop guidelines that give clear direction on how to generate gender-inclusive practices and approaches in all peer-review mechanism structures and processes and on the identification of gender as a cross-cutting issue. The APR Secretariat should develop guidelines that provide selection criteria for representatives of civil society and gender equality promoting civil-society organizations to the National Governing Council and the African Peer Review Mechanism Commission.

Technical research institutions: The terms of reference for the technical-research institutions and individuals should obligate them to incorporate gender expertise and apply methodologies that will produce gender-disaggregated data and analysis.

Country Review Team: The APR Secretariat should ensure gender parity in the recruitment of consultants to the country review teams. In particular it should guarantee that, within each section, one of the recruited resource people has gender-analytical skills.

National Governing Council: Women should be targeted by the National Governing Council and the African Peer Review Mechanism Commission to participate equally with men in the country review team hearings as a matter of principle. The peer-review mechanism should lead by example.

Civil-society organizations focused on gender and women's rights: Gender activists and lobbyists can organize themselves to influence the appointment of competent women to peer-review mechanism structures as representatives of women, ranging from the national focal-point persons to the National Governing Council and the African Peer Review Mechanism Commission.

Gender activists and specialists, non-governmental organizations and civil-society organizations dealing with gender empowerment and women's rights should submit gender-specific issues papers and empirical data addressing gaps in the country self-assessment reports and the national programmes to the country-review teams.

Lobbyists' negotiations for gender equality around the national plans should reflect prioritized gender considerations and not exhaustive "wish lists". High-level objectives should be incorporated that target systemic and structural barriers so that they will have impactful outcomes and trigger sustainable results.

Monitoring and evaluation: Governments should strive to undertake gender-sensitive impact evaluations with the involvement of civil society. Civil-society actors with gender expertise should work with Governments to develop gender-monitoring indicators in order to assess the progress in gender mainstreaming and budgeting.

A model of district oversight committees is working well in Ghana and Benin. In a similar manner, women can organize themselves right from the grassroots and in their localities to monitor the progress of the national programmes at various levels.

Gender personnel and focal points in ministries, departments and agencies should be involved in designing and implementing the National Programmes of Action . It is essential that senior officials, preferably from the level of principal senior officers to that of director, are appointed.

It is imperative for the APR Secretariat to work with the various monitoring frameworks for gender at the continental level and in the regional economic communities.

Best practices and peer learning: It is crucial for Governments, National Governing Councils and African Peer Review Mechanism Commissions, civil-society organizations and development partners, as well as academia and the private sector, to forge cross-boundary and cross-organizational collaborations with a view to promote learning around the mechanism.

Pan-African institutions: The members of the Pan-African Parliament, the Special Envoy of the Peace and Security Council and the Special Rapporteur on the Rights of Women in Africa should take necessary steps to further debate and recommend further actions when they receive the country reports, and they should link to the national-level actors.

Civil-society organizations and African women's movement organizations that have a strong presence at the Economic, Social and Cultural Council (ECOSOCC) and the Pan-African Parliament should strive to persuade these organs to give serious consideration to these reports and to debate them seriously, as to date no significant responses have come out of these institutions.

The study concludes by pointing out that the three-year time frames for the national programmes are too short to see overwhelming change in an individual country. Nonetheless, the African Peer Review Mechanism is a catalyst for gender equality and women's empowerment because it has set processes and standards in motion for participatory governance. In time and with some significant re-orientation, these can contribute towards the acceleration of women's empowerment in Africa. The peer-review mechanism can and should serve as an accountability framework for gender equality in Africa.

Section 1

Gender, rights and development in Africa

1.1   Introduction and background

Gender inequality is at the root of the systemic challenges that women in Africa face, resulting in their exclusion and marginalization in all spheres of life. This is related to the perceived lack of agency of women as a result of patriarchal cultures in which men and women are socialized and which consequentially render women subordinate to men based on stereotypes that reinforce patterns of gender-based inequalities. Transcending the private sector, these norms are replicated, reinforced and entrenched in the public sector, leading to discrimination against women in the political, cultural, social and economic arenas and increased vulnerability. This situation is referred to as a "moral shame"'[1] in the New Partnership for Africa's Development (NEPAD) Declaration on Democracy, Political, Economic And Corporate Governance.

Women in Africa constitute a significant demographic. In many countries they are more than half the population. While the role of women is invaluable and inevitable in social, cultural and development processes, the majority of women in Africa are not beneficiaries of development dividends. Despite their contributions to Africa's labour force and productivity, women constitute the majority of Africa's poor and most vulnerable.[2] It is estimated that limited education and employment opportunities for women in Africa reduce annual per capita growth by 0.8 per cent.[3] The feminization of poverty has long been common rhetoric in Africa since the Beijing Conference of 1995, as well as the marginalization and exclusion of women from mainstream governance and development processes.

The contributions of African women in the development process have long gone unacknowledged and uncredited, even though women are critical drivers of change and progress on the continent. Commensurate investments in women as equal actors and partners in the development process have not registered significantly, despite demonstrable evidence of the value returned by such engagements in the political and socio-economic arena[4] and all other walks of life.

The study assesses the integration of gender perspectives, concerns and priorities within the African Peer Review Mechanism from two dimensions. Firstly, as a human rights issue, drawing from the understanding that women's rights are an indivisible part of human rights, and secondly, as a development issue, in which the rights based approach to development must take into account the experiences, perspectives and rights of both men and women.

This study analyses the extent to which the Africa Peer Review Mechanism (APRM) as a home-grown continental initiative is providing meaningful, concrete and sustainable approaches towards addressing the long-standing problem of gender inequality in Africa against the backdrop of country practices. It uses the gender perspective to assess the policy and institutional frameworks as well as processes and actors that are established under the mechanism at national and continental level.

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1 AHG/235 (XXXVIII) Annex I4 paragraph 10

2 Background Paper "Boosting economic growth and poverty reduction: An African Perspective" page 27. Available at www.africapartner-shipforum.org/meetingdocuments/41084681.pdf. Accessed 1 December 2013.

3 Africa Partnership Forum Support Unit (2007). "Gender and Economic Empowerment of Women". Briefing paper no 3, 2007.

4 Clark, Helen (2013). "Driving African Development Through Gender Equality and the Empowerment of Women" June 2013'Statement at Plenary 6: Report on Thematic Session 4 (Driving African Development Through Gender Equality and the Empowerment of Women). Available at http://www.undp.org/content/undp/en/home/presscenter/speeches/2013/06/03/helen-clark-driving-african-development-through-gender-equality-and-the-empowerment-of-women-/. Accessed 21 November 2013.

The study also probes the potential as well as the limitations of the mechanism as a vehicle for promoting gender equality and women's empowerment, proposing a number of ways in which it can adapt and become more amenable to promoting gender equality at the national, regional and continental levels.

1.1 Study methodology

The research methodology is primarily based on a secondary review of the African Peer Review Mechanism fundamental documents and instruments, the 17 African Peer Review Mechanism country review reports and the peer-review mechanism National Programme of Action (NPoA) implementation progress reports. The research also covered a review of the wide body of literature on the peer-review mechanism by various authors as well as human rights and development themes related to the study area.

Challenges were faced in accessing the country National Programme of Action Implementation Progress reports, yet they are vital in the assessment of the impact of the African Peer Review Mechanism from a gender perspective. As will be discussed later in the present paper, the African Peer Review Mechanism processes evoke general and specific discussions on governance in the four sections, but it is in the National Programme of Action that certain governance priorities are set to be implemented within a set timeframe. It is considered that these priority objectives and actions form the core of the value added by the African Peer Review Mechanism to ongoing country-governance processes as they are meant to accelerate and catalyse the socioeconomic development goals of each country.

Hence the study findings are limited by failure to obtain credible and consistent data on the progress of the implementation of the national programmes in the majority of the countries. At the time of writing, it was only possible to access the complete sets of National Programme of Action progress reports for Uganda, Ghana and South Africa.

1.1 Traction towards gender equality and women's empowerment

Women in Africa have suffered pervasive structural, attitudinal and systemic challenges in the private and public spheres, resulting in their unequal participation in critical development initiatives, even though gender equality itself is a legitimate development objective. A review of the 17 peer-review mechanism country review reports illustrates the near-uniform reality of the challenges that women face on the continent, ranging from targeted violence in times of peace and conflict, exclusion from forums and structures of decision-making to harmful traditional and cultural discriminatory practices (discussed in Section 4). Most of these challenges have been ingrained or ignored through discriminatory, gender-blind or gender-neutral laws, programmes and practices.

Several international and regional initiatives and frameworks have been developed over the past decades aimed at formulating and recognising women's rights with the objective of promoting gender equality, but the situation of women in Africa remains largely unsatisfactory in several countries. This is no accident of fate, but rather, as noted in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), systemic and socially constructed patterns of exclusion prevent women from attaining their full potential in all walks of life.

In various sectors of the African women's movement, the critical role of gender equality in Africa's development and renaissance has been underscored.[5] The recognition that an increase in the visibility

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5 Gender is my Agenda campaign (GMAC) 21st Pre-Summit Consultative Meeting On Gender Mainstreaming In The African Union. January 2013. Available at <http://www.genderismyagenda.com/activities/activities/21%20pre%20summit/21st%20GIMAC_RECOMMENDA-TIONS_ENGLISH_FINAL.pdf> accessed 24 November 2013.

and numbers of women participating in public life is illusory without substantive gender equality and empowerment measures has led to calls for critical gender partnerships and power-sharing towards inclusive "gender democracies".[6]

Critical to the concept of gender empowerment and mainstreaming in development was the underlying message of the Third World Conference in Nairobi (Nairobi Conference, 1985), which underscored the fact that gender equality was not an isolated issue, but extended to all areas of human activity.[7] The Beijing Declaration and Platform for Action, 1995, renewed vital action and movement for state and non-state actors, including the private sector, towards paying greater attention to key areas around women's rights and concerns.[8] Many of these essential elements are reflected in the APRM revised questionnaire discussed in this study.

Initiatives by African civil society and led by feminists have attempted to reinforce this emphasis and frame a continental agenda for women's empowerment. The Dakar Platform for Action 1994, the Maputo Declaration on Gender Mainstreaming and the effective Participation of Women in the African Union 2003[9], as well as the Durban Declaration on Mainstreaming Gender and Women's Effective Participation in the African Union, 2002[10], all testified to a strong impetus led by civil society in the build-up to and in the wake of the Constitutive Act of the African Union. The Constitutive Act of the African Union espoused the parity principle, emphasising the need to promote gender equality in Article 4 (1) thereof.

More recently, the African Union (AU) launched the African Decade for Women, 2010-2020. The thrust of its message is the promotion of grassroots approaches to gender equality, women's empowerment and gender-inclusiveness.[11] The essence of this rationale is captured in the following statement: "The ideology behind this is not that women are being left behind by development, but that development on the continent is slowed down by the exclusion of women."[12] Together with the adoption of the African Union's Gender Policy,[13] the objective is to advance the goal of gender equality and the mainstreaming of gender issues in the African development and governance agenda. To this end, it will be important to integrate it with relevant regional and national initiatives for gender-empowerment.

There has been debate on how to streamline and mainstream gender across the New Partnership for Africa's Development (NEPAD), the regional economic communities and the African Union within the context of the African Union Gender Policy. Among the ten themes of the Africa Women's Decade, the African Peer Review Mechanism has been highlighted under the Governance and Legal Protection cluster.[14] The African Union Commission's directorate of Political Affairs, Women, Gender and Development seeks to support the implementation of gender issues in the African Peer Review Mechanism and national action plans under this theme.

It is equally important that all African Union organs, regional economic commissions and member States are required to include gender-budgeting principles in annual budgetary processes so that the policy is implemented by 2015. A women's trust fund is to be set up to facilitate policy implementation. All African Union directorates are required to mainstream gender issues into their programmes[15]. This

6 Ify, Amadiume (2013). "Women and Development in Africa ". Available at <http://www.sgiquarterly.org/feature2005Jan-3.html, accessed 15 November 2013

7 1985 World Conference on Women, see http://www.5wwc.org/conference_background/1985_WCW.html accessed on 17 November 2013.

8 UN "Outcomes on Gender and Equality" <http://www.un.org/en/development/devagenda/gender.shtml> accessed 3 November 2013.

9 http://www.genderismyagenda.com/framework/docs/3_the_maputo_declaration.pdf, accessed on 10 December 2013.

10 See www.fasngo.org/en/whatnew/press2.pdf, accessed on 10/12/2013.

11 http://www.africa-union.org/root/AU/Conferences/2010/april/wgd/wgd.html accessed 1 November 2010.

12 AWID http://yfa.awid.org/2011/02/the-african-womens-decade-2010-2020/ accessed 2 November 2013

13 African Union Gender Policy REV 2 /10 Feb 2009.

14 http://femnet.co/index.php/en/african-womens-decade-2010-2020/decade-of-the-african-woman, accessed 10 December 2013.

15 African Union. "Walking the Talk: Gender equality in the Africa Union". http://www.au.int/en/sites/default/files/Walking_the_Talk_April_2011[1].pdf, accessed 28 November 2013

would add further value to the coordinator role of the Women, Gender and Development Directorate, creating a linkage between NEPAD and African Peer Review Mechanism with the completion of their integration into African Union structure.

Little information can be gleaned on either the design or the implementation of the link between the aforementioned African Union institutions and the African Peer Review Mechanism. In practice, during the African Peer Review Mechanism processes at the continental and national level, no clear linkages have been documented between the two entities. Despite these significant initiatives and processes to promote gender equality, African leaders and civil society, including the women's movement, have acknowledged the continuing gaps in implementation of commitments made in various policy instruments, emphasizing the need to move beyond rhetoric to real and measurable change through the agency of the African Peer Review Mechanism.

Beyond commitment, operational challenges sometimes limit the capacity of the African Unoin Commission to play its monitoring role fully. Traditionally, the African Union has been under-resourced, due to some member States' failures to pay their subscriptions. At times, this has affected the Women, Gender and Development Directorate, which is believed to be severely under-resourced[16]. A synergetic collaboration with the African Peer Review Mechanism would be an added advantage in the context of the above-mentioned integration.

1.1   The African Union normative framework on gender equality

Various instruments of the African Union contain significant provisions relating to the political, social and economic as well as cultural rights of women and gender equality.   These include the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (Maputo Protocol) and the Solemn Declaration on Gender Equality in Africa. They are reflective of key debates and outcomes around the promotion and protection of women's rights, empowerment and gender equality in Africa. These two instruments reinforce the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Declaration on the Elimination of all Forms of Violence against Women (DEVAW) and United Nations Security Council Resolutions 1325 and 1820 respectively. The African Peer Review Mechanism builds on these treaties and the treaty-body reporting mechanisms as a yardstick for measuring progress towards gender equality and women's empowerment.

The Maputo Protocol in several respects outstrips all previous instruments on women's rights, regionally and internationally. It consolidates the rights of women, which were previously scattered in various instruments and were often stated in a gender-neutral manner. The protocol includes novel provisions such as: banning female genital mutilation and harmful traditional practices; setting the minimum marriage age at 18 years; encouraging monogamous marriage; legalization of abortion under certain conditions; the rights of women to equitable share in property at the time of divorce; legal aid for women to access justice; the right to peace; protection of women in armed conflict; economic and social-welfare rights (including in the informal sector); health and reproductive rights; right to food security; right to positive cultural context; widows' rights; and special protection of elderly women, women with disabilities and women in distress.

In a single instrument, the protocol touches on the political, civil, social, cultural and economic rights of women. It enjoins governments to integrate a gender perspective in their policy decisions, legislation,

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16 Nzome M and B Mbete (2003): "Gender issues in the African Union, NEPAD and the Pan African Parliament: two perspectives from the Regional Strategy Meeting on Women's Political Participation and Gender Mainstreaming in AU and NEPAD" 2003. Two papers from the Regional Strategy Meeting on Women's Political Participation and Gender Mainstreaming in AU and NEPAD. Available at http://www.sarpn.org/documents/d0000608/P622-Gender_NEPAD-AU.pdf, accessed 12 November 2013.

development plans, programmes and activities and in all other spheres of life. It also recognises de jure and de facto discrimination and requires governments to take remedial measures in both instances. Furthermore, the protocol obligates member States to support the local, national, regional and continental initiatives directed at eradicating all forms of discrimination against women. This provides an entry point for multifaceted action by African institutional frameworks, including the African Peer Review Mechanism, to converge around gender equality issues in Africa.

The African Union Gender Policy seeks to implement these and other international instruments, such as the Millennium Development Goals and gender commitments by various regional economic communities, through a comprehensive Action Plan. In this context, the policy affirms that civil society has a role to play in working with the African Peer Review Mechanism and other African Union structures on gender mainstreaming actions in the African Union's organs, regional economic communities and member States.

The Gender Policy has seven critical objectives, most of which resonate with the key issues covered in the African Peer Review Mechanism questionnaire. These cover gender mainstreaming reflected in allocating resources; decision-making; institutional and legal frameworks; and equitable access to resources, health care, information, land and business. These correspond to themes in the NEPAD Declaration and the African Peer Review Mechanism revised questionnaire.

The African Union's Women Gender and Development Directorate has a central role in implementing the African Union Gender Policy and mainstreaming gender in Africa, as does Special Rapporteur on the Rights of Women in Africa of the African Commission on Human and People's Rights according to a mandate to oversee the implementation of the African Union Solemn Declaration on Gender Equality in Africa (SDGEA). However, neither the policy nor the African Peer Review Mechanism documents elaborate[17] how this synergy is to be harnessed in practical terms.

There seem to be no clear lines of interaction between the work of the Special Rapporteur on the Rights of Women in Africa, the newly appointed African Union Special Envoy on Women, Peace and Security, the African Commission on Human and Peoples Rights, the African Union Women Gender and Development Directorate and the African Peer Review Mechanism. Most regional economic communities have gender units[18] but there is also lack of clarity on how these units link up to the African Union Women Gender and Development Directorate and if they play any role in promoting the goals of the African Peer Review Mechanism, particularly where their member States have been reviewed or are likely to be reviewed in future under the African Peer Review Mechanism.

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17 African Union Gender Policy REV 2 /Feb 10, 2009.
18 African Union Gender Policy Page 5.

Section 2:

The New Partnership for Africa's Development, the African Peer Review Mechanism and gender

2.1   African Peer Review Mechanism and gender: The policy backdrop

The African Peer Review Mechanism and the New Partnership for Africa's Development (NEPAD) were conceived as programmes of the African Union.

NEPAD was adopted first at the 37th session of the African Union Assembly of Heads of State and Government in July 2001 in Lusaka. It was established to achieve four key goals, including the acceleration of the empowerment of women and the attainment of gender equality. However, it is unclear what actions were required to be established to "accelerate" the achievement of this status as it was not clearly elaborated or prioritized in the NEPAD Framework Document or African Peer Review Mechanism Declaration. It can be argued that this was left to the auspices of the Africa Peer Review Forum comprised of heads of state and the Panel of Eminent Persons (APR Panel) as they made recommendations around the country review reports. The NEPAD Framework Document speaks more to building the capacity of women than to articulating priority strategies to enhance their role in the development process and it focuses on limited issues such as gender equality in education, poverty and entrepreneurship.

NEPAD's objectives, among others, include "poverty eradication, promotion of sustainable growth and development, and the empowerment of women through building genuine partnerships at country, regional and global levels[19]". Over the years, NEPAD has devoted attention to Objective 3 of the Millennium Development Goals through its Gender Framework and it has worked in various countries to promote this goal.

The NEPAD Declaration on Democracy, Political, Economic and Corporate Governance separately established the African Peer Review Mechanism in June 2002[20.] This declaration was set up to achieve the provisions of the NEPAD Framework Document and required member States to adopt the NEPAD Declaration and to abide by its Africa-identified standards of good governance, with a view to creating sustainable and equitable development.

The NEPAD Declaration paid more than passing attention to the issues of gender equality and the empowerment of women in Africa. For example, section 11 of the NEPAD Declaration creates a binding obligation to ensure that women have every opportunity for equitable contribution to political and socio-economic development in all countries. The declaration sets out certain key principles based on several human-rights instruments including the African Charter on Human and People's Rights and infuses a rights-based approach to development. The African Charter obligates States to eliminate all forms of discrimination against women and to protect their rights[21.]

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19 http://www.nepad.org/nepad, accessed on 12 November 2013.
20 AHG/235 (XXXVIII) Annex I.
21 Article 18.

The African Peer Review Mechanism, referred to as "NEPAD's African Peer Review Mechanism"[22,] was designed as a catalytic mechanism to deliver on the promise of NEPAD's gender objectives. The declaration recognizes the role of women and the place of full gender equality in combating poverty[23] (emphasis added). The recognition of the structural marginalization of Africa's women and their plight in the NEPAD Declaration is a positive reinforcement of the key African Union instruments relating to gender equality and women's rights in Africa.

The Preamble of the NEPAD Declaration reinforces the importance of key human-rights instruments that are fundamental to women's rights, including the Convention to Eliminate all forms of Discrimination against Women (CEDAW) and the Beijing Declaration[24.] This and other institutional developments have paved the way for gender equality to be integrated in the African Peer Review Mechanism.

2.2 Re-invigoration or business as usual?

In creating NEPAD, the leaders of African States and Governments undertook to infuse renewed vigour to ensure gender equality and to ensure their full and effective integration of women in political and socioeconomic development[25.] President Blaise Campaore's statement in 2006[26] captures these sentiments well:

> "...We under-rated the crucial role of women in the development process.... African Peer Review Mechanism.... must be implemented in a manner that promotes and deepens country ownership through greater decentralization and its efforts to be an agent of change..... Underlying this, is the imperative of ensuring its transparency and inclusiveness drawing upon all key resources and people of our nations.....Women in particular."

From its formative years, NEPAD was criticised for being gender blind and unresponsive in its outlook and programme implementation. There were allegations that its initial phases had omitted the participation of women and non-state actors. A review of NEPAD's programmes a decade later revealed the same oversights .

The NEPAD Framework Document exhibits gaps in establishing logical links between identified gender goals and the intervention logic and strategy, and this led to short-comings in translating principles into practice. At the programme level, there has been a Gender Unit implementing NEPAD programmes and funds focusing on empowerment and gender equality; the NEPAD-Spanish Fund for African Women's Empowerment . However, there is no known link between the Gender Unit and the work of the APR Secretariat. The fund focuses on women's economic empowerment and targets women's ministries and national machineries, regional economic communities, civil-society organizations, community-based organizations and academic and research institutions, among others. There is a Gender Task Force comprised of gender experts from various fields and institutions in 20 countries (covering 25 women's organizations, nine representatives from regional economic communities and ten representatives from United Nations agencies) .

The question that is at the core of the study revolves around whether the African Peer Review Mechanism has fostered any new developments or value towards gender equality and the empowerment of women in Africa, and what is the measure of its success? Key to the African Peer Review Mechanism review processes is the identification and entrenching of programmes and practices that are conducive to governance and the participation of men and women.

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22 Kajee, Ayesha (2004). "NEPAD'S APRM: A progress report" South African Institute of International Affairs (SAIIA). Available at http://www.foundation-development-africa.org/nepad/nepad_general/nepad_aprm_progress_report.htm, accessed 18 November 2013.
23 Section on Democracy and Political Governance, paragraph 10; Section on Socioeconomic Development, paragraph 20.
24 Article 18.3.
25 Paragraph 22.
26 Report of the Sixth Africa Governance Forum (AGF-VI) (2006). "Implementing APRM: Challenges and Opportunities" pages 53 and 59. Available at http://www.undp.org/content/dam/rwanda/docs/Research%20and%20publications/RW_rp_AGFVI_Report_J

The following sections focus on the major tools and flagship processes of the African Peer Review Mechanism to inform the gender audit.

2.3 The African Peer Review Mechanism questionnaire as a tool for mainstreaming gender analysis

The African Peer Review Mechanism questionnaire is fundamental to the self-assessment exercise. It triggers the country data-collection processes in preparation for the Country Self Assessment Report (CSAR) and is designed as a tool for evidence-based analysis and to promote broad-based participation[27.]

The administration of the questionnaire for the country self-assessment process is not meant to be a routine exercise for technocrats, for example as happened in Rwanda[28.] It is meant to facilitate inputs from state and non-state actors, requiring the widest participation, consultations and dissemination possible. It also necessitates the establishment of competent national structures to undertake the various processes of the African Peer Review Mechanism who will guide stakeholders on its application and ensure the most diverse participation by men and women in the country. For that reason it is necessary to assess whether the questionnaire takes into account the gender implications of process, content and outcomes of the African Peer Review Mechanism.

Over the years, concerns arose over the utility of the original questionnaire as an effective assessment tool, mainly due to overlaps and duplications across the sections and objectives, the failure to distinguish between different types of data-gathering methodologies (facts, survey data, opinions and perception) and the omission of critical governance issues such as environmental concerns, management of extractive industries and governance of civil society[29]. The African Peer Review Mechanism questionnaire was revised and re-adopted at the 17th Africa Peer Review Forum in Addis Ababa on 14 July 2012[30].

The revised questionnaire adds extra value by broadening the conceptualization of gender for countries undertaking the African Peer Review Mechanism process. It defines key issues, explaining key concepts such as feminization of poverty, gender equality, social inequalities and vulnerable groups. Like its predecessor, the revised questionnaire squarely identifies gender as a cross-cutting issue. Cross-cutting issues are matters that crop up in almost every section and have an overarching bearing on several areas of governance, hence requiring extra attention and handling. They are sometimes referred to as "overarching issues".

Though there is no universal formal definition of gender equality, it is recognised that the term "gender" refers to social attributes, constructions and opportunities associated with the male or female sex and that often result in inequalities in responsibilities, activities, access to resources and control over them, and in decision-making[31]. In its glossary, the questionnaire refers to gender equality as follows:

> "Equality between men or women or gender equality implies that equal conditions for all be ensured in order to enable them to fully exercise their rights and potential and contribute to the political, economic, social and cultural development of their society, while benefitting from the outcome."

UNE_2006.pdf, accessed on 25 October 2013.

27 Foreword by Marie Angelique Savane, the then Chairperson of the APRM Panel of Eminent Persons, contained in the old questionnaire.

28 Observers of the Rwanda process highlighted concerns over the establishment of a government-dominated APRM Steering committee and a 50-member commission dominated by Government and chaired by the Minister of Finance. Four technical review teams of mostly government officials also largely undertook the technical aspects of the African Peer Review Mechanism process. The draft Country Self-Assessment Report was sent to institutions outside the country for further review. See Herbert R and S Gruzd (2008): "The African Peer Review Mechanism: Lessons from the Pioneers", published by the South African Institute of International Affairs (SAIIA).

29 Available at http://aprm-au.org/document/revised-aprm-questionnaire, accessed on 17 November 2013.

30 As before.

31 UN Women. "Concepts and Definitions". Available at http://www.un.org/womenwatch/osagi/conceptsandefinitions.htm.

"Equality" does not refer to sameness of males and females in terms of form or function, but rather to the equal rights, responsibilities and opportunities of men and women, girls and boys. It requires recognition of these distinctions as a necessary pre-condition for sustainable development[32,] stating: "Gender equality is therefore the equal valuing by society of both the similarities and differences between women and men, and the varying roles that they play."[33]

The revised questionnaire requires further refinement and rationalization, as some deficiencies persist in the conceptualization of gender and the integration of gender analyses across the sections. This could limit the propensity of its users to mainstream gender issues in the analysis and documentation process. An analysis of the gender issues highlighted in each section is instructive in this regard.

1) Democracy and political governance section

Issues of gender equality are bundled in Objective 6 under the heading "Democracy and Political Governance" (DPG), which covers the promotion and protection of the rights of women and addresses gender issues in the public and political arena. There is a set of questions on women's participation in the political, administrative, executive, judicial and legislative frameworks. The qualitative and quantitative gender indicators also seek evidence of women's empowerment in the public and private domain in terms of access to and control of land and other productive resources and services and women's role in decision-making at national and local government level.

The section on democracy and political governance examines the adequacy of policy frameworks, programmes and institutions regarding the combating of sexual violence as well as the status of reporting to African Union and United Nations treaty-monitoring mechanisms on standards and codes that countries have adhered to, including the Maputo Protocol on the Rights of Women in Africa.

An indicative list of international instruments relating to women's rights is provided in the section on standards and codes. The Convention on Trafficking in Persons is not highlighted, nor are United Nations Security Council Resolutions 1820, 1325, 1888 and 1889 on women, peace and security respectively[34]. Given the prevalence of conflict on the continent, with many countries struggling in conflict or post-conflict situations, the two United Nations Security Council Resolutions are vital in ensuring participation of women in conflict resolution and peace-keeping, as well as access to meaningful remedies for survivors of conflict[35]. For example, the country review reports of Mozambique, Uganda and Sierra Leone lack comprehensive analysis on post-conflict and transitional situations from a gender perspective and this could be attributed to the gaps in the questionnaire.

The major weakness of Objective 5 in the Democracy and Political Governance section is that it puts more emphasis on the formal, de jure situation of women by focusing on the statistical aspects of women's participation, particularly under question 2 on the role of women in democracy and governance. The questionnaire should avoid a skewed quantitative orientation and instead seek explanation on variations between the de jure and de facto gender discrimination against women that exists in each country. Nonetheless, in many instances the country self-assessment reports and country review reports have transcended these shortcomings and provide comprehensive situational analyses under Objective 6 on the Rights of Women.

The questionnaire probes the status of reporting obligations to United Nations and African Union agencies on progress made towards the enforcement of gender-based conventions and protocols. While the Convention on the Elimination of All Forms of Discrimination Against Women is emphasised

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32 As before.
33 Status of Women Canada (1996). "Gender-Based Analysis: A guide for policy –making", page 4.
34 UN Security Council Resolution S/RES/1820 (2008) and UN Security Council Resolution 1325 (S/RES/1325 (2000) respectively.
35 Nyirinkindi, L (2013). "Access to justice for victims of sexual violence in post conflict situations in Africa". East African Journal of Peace and Human Rights, Volume 19 No 2, 2013.

in the African Peer Review Mechanism Declaration as a framework of accountability for women's rights, including its reporting obligations, there are key aspects of the convention that are not highlighted in the Democracy and Political Governance section of the questionnaire, leaving only a narrow focus on the meaning of rights of women in political life. The questionnaire section does not address women's personal status, which is an area full of systemic gender discrimination, exclusion and disempowerment. The section does not address the extent to which countries are taking special measures to attain equality (Article 4), combat gender stereotypes (Article 5), create equality before the law (Article 15) and protect rights of women within matrimonial arrangements and at dissolution (Article 16).

2) Economic governance and management section

In the section on Economic Governance and Management (EGM), the questionnaire raises questions[36] on the effectiveness of sectoral economic strategies in promoting gender equality, among other things. The section also queries[37] the extent to which non-state actors, including civil-society organizations and the private sector, and government provide analysis or expertise in formulating economic policies. This could be an indirect entry point for analysing the participation of women in shaping gender-responsive economic policies.

Apart from these brief references to gender, the section on economic governance and management does not delve further into gender issues and this leaves a big gap in the gender analysis of key issues. The economic governance and management section entails fiscal development and handling related policies and programmes, resource allocation and expenditures, all of which affect men and women differently. The section has been critiqued[38] for being heavy on macroeconomic orthodoxy and low on distributive justice, which is a key factor in gender equality.

The key sectors of identified by this section of the questionnaire, such as the industrial, commercial banking, mining, service and retail, agricultural and extractive industries, have a bearing on women's economic livelihoods and situations. In particular, the involvement of women in the informal sector including cross-border trade needs to be addressed but is not. Further, gender-budgeting frameworks are vital in mainstreaming gender programming in economic development. Gender-responsive budgeting is an imperative in public financial management systems and processes[39] in order to ensure that economic frameworks and polices have a gender impact.

Despite growing evidence that gender inequality does inhibit economic growth, macroeconomic policies in most countries tend to pay limited heed to this[40], lending credence to the notion that most of these economic-management frameworks are gender blind or neutral. This is largely the case in this questionnaire section, which should ideally be interrogating the gender implications of fiscal, taxation and monetary policies among others[41] by recognizing and valuing the economic contributions and requirements of women in the various sectors. For instance, substantive investment in agriculture, infrastructure, education and health is key to reducing poverty and the phenomenon of the feminization of poverty. Furthermore, gender budgeting in every sector should be a key variable of micro-economic policy without which gender-friendly policies will remain void.

Fundamental non-binding standards and codes that are not referred to in this section but have a bearing on gender equity are the Beijing Platform for Action (1995), the Tokyo Declaration on African

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36 APRM Questionnaire EGM section Objective 1 question 3.
37 APRM Questionnaire EGM section Objective 2 question 1.
38 Human Rights Council (2007). "The African Peer Review Mechanism and the United Nations Economic Commission for Africa and Organization for Economic Cooperation and Development (OECD)-Development Assistance Committee(DAC) (ECA/OECD-DAC) Mutual Review of Development Effectiveness". A/HRC/8/WG.2/TF/CRP.5. 2007 page 19.
39 Africa Partnership Forum Support Unit (2007). "Gender and Economic Empowerment of Women". Briefing paper no 3, 2007.
40 DAC guidelines for Gender Equality and Women Empowerment in Development Cooperation
41 Elson, D (2002). "Macroeconomics and Macroeconomic Policy from a Gender Perspective". Public Hearing of Study Commission "Globalisation of the World Economy-Challenges and Responses". Deutscher Bundestag 2002.

Development, the Paris Declaration on Aid Effectiveness, the Accra Agenda for Action and the Monterrey Consensus, the African Union Gender Policy, the Maputo Protocol and the Solemn Declaration on Gender Equality in Africa (SDGEA). All of these contain crucial commitments on women's economic empowerment on the continent.

3) Corporate governance section

The corporate governance section scrutinises gender issues within non-state organizations and corporations. Under Objective 2 on "ensuring effective leadership and accountability of organizations, the questionnaire probes the adequacy of female representation on organizations' boards, and the legal frameworks and representativeness of boards in terms of diversity, including gender.

Objective 4 includes an indicator on the measures that corporations are taking to observe human rights and labour laws, but there is nothing specific on gender and women's rights. In the few country review reports that have reported on gender issues in this area it has been mostly under Objective 4 on what organizations are doing to treat stakeholders fairly and equitably. Objective 5 seeks information on how organizations act as good corporate citizens, raising the issue of corporate social responsibility. In this objective, the questionnaire queries what organizations are doing to ensure gender equality at the level of their managerial staff. In a few country reports, discussions on gender are mostly limited to examining the status and presence of women on corporation boards as well as in the workforce. The South African and Nigerian country review reports touch on the issue of sexual harassment in the workplace.

The section on standards and codes omits a reference to critical instruments that are required for women rights in the workplace; particularly the all-important International Labour Organization regimes, including the Convention on Maternity Protection (No. 183), the Night Work Convention (No. 171), the Declaration on Fundamental Principles and Rights at Work (1998), the Convention on Workers with Family Responsibilities (No. 156) and International Labour Organization conventions 100 and 111 on equal remuneration.

Perhaps heeding the call of the NEPAD Gender Task Force that issues that concern micro, small and medium enterprises (MSMEs) should have[42] a significant place in the corporate governance section, the segment on small and medium enterprises was expanded in the revised questionnaire but it still does not make any specific reference to gender issues for women in the informal sector. There need will remain to understand gender considerations, including issues of enabling policy frameworks, social protection and social security safety nets for the women in the informal sector, as long as most women in Africa are still involved in the informal unregulated sector. Some of these issues are handled in the Questionnaire in Objective 4 of the section on socioeconomic development.

4) Socioeconomic development section

Objective 4 under the section socioeconomic development is on "progress towards gender equality and in particular access to education for girls". It focuses on gender mainstreaming and equality in socioeconomic development. It probes the gender dimensions of national development plans, the rights of women to access resources and information, and the role of local stakeholders in combating gender inequality, including in education. It also addresses issues of gender equality in health, education, employment and information and communication technology. The segment also covers women's access to micro-credit funds and programmes. Objective 4 raises comprehensive gender issues and is conducive to facilitating a gender analysis of the situation of women in socioeconomic development.

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42 NEPAD Gender Task Force recommends changes in APRM reporting. http://news.ahibo.com/spip.php?article843

The questionnaire also explores[43] progress towards gender equality through designed interventions, policies, delivery mechanisms and outputs. This part of the questionnaire also flags land ownership but it is notable that land is not addressed in the context of women's security of tenure as holders of primary rights to land as well major issues such as access, control, use, administration and transfer, including in the context of customary land rights. Instead, the questionnaire posits land issues in a gender-neutral and technical manner, which passes the burden of integrating these issues to other processes and actors within the African Peer Review Mechanism stages or risk gender-blind or neutral analyses.

The questionnaire investigates[44] the adequacy of evaluative processes and how they utilise gender-disaggregated indicators. Overall, this objective complements Objective 5 in the section on democracy and political governance, although there are areas of overlaps in terms of gender equality in the public sphere.

Beyond the questionnaire

The sectional approach of the questionnaire is not friendly to cross-cutting issues, including gender. Although gender cuts vertically across the issues, analysis is limited to the horizontal themes of democracy and political governance, corporate governance, socioeconomic development, and economic governance and management. Some sections reflect relatively few questions and indicators that have a gender component. In turn, this introduces biases in the tools that are used to interrogate the themes and leads to further slippages in the loss of gender perspectives. The table below[45] illustrates the low level of gender-related questions and indicators per section.

Table 1: Analysis of gender indicators within the sections of the questionnaire

Section	Overall number of indicators	Number of indicators which have an explicit gender element	Percentage of indicators which have gender as an explicit element
Democracy and political governance	54	6	11%
Economic governance and management	115	1	0.86%
Corporate governance	122	1	3.2%
Socioeconomic development	175	33	14.3%

The shortcomings illustrated in the questionnaire may have a direct bearing on the deficiencies in gender analyses and recommendations of the country review report.

The sections of economic governance and management and corporate governance are the least reflective of gender issues in the questionnaire and it is little surprise that the analysis of gender concerns and issues in most reports is underdeveloped in these two areas. In the economic governance and management section, 11 out of the 17 (64.7 per cent) country review reports are totally lacking a gendered analysis. The reports on Zambia, Mozambique, Mauritius, South Africa, Burkina Faso, Benin,

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43   APRM questionnaire section on socioeconomic development, page 77.
44   APRM questionnaire section on socioeconomic development, objective 2 question 2.
45   Table developed jointly by consultant and Sara Longwe based on the revised APRM questionnaire. The indicators mentioned in this table are exclusive of the standards and codes. It should be noted that the indicators are developed unevenly in terms of style and specificity across the sections.

Uganda, Lesotho, Ghana, Ethiopia and Sierra Leone barely make any reference to these issues. While the reports on South Africa, Tanzania, Mauritius, Ghana and Mali analyse economic governance and management from a gender perspective, the section omits recommendations on any of the issues raised in order to guide the development of the countries' national programmes of action.

The country review reports of Zambia, Sierra Leone and Mozambique are silent on gender issues in the corporate governance section, while Lesotho's report barely makes any reference (4 out of 16 questionnaires, or 25 per cent). The reports of Benin, Mauritius, Tanzania and Mozambique have a gender analysis in a few areas of corporate governance but make no recommendations to guide the development of the national programmes of action.

In light of the gaps arising from the integration of gender issues, the questionnaire's redeeming feature is that it does not claim to be a comprehensive and exhaustive tool. The African Peer Review Mechanism Secretariat, when it promotes the use of the questionnaire, has communicated strongly that countries should customise and modify the questionnaire to respond to country situations. Nonetheless, it is desirable for the primary tool of the African Peer Review Mechanism to be as comprehensive as possible on mainstreaming gender issues and this should prevent its users adopting gender-neutral analysis in all sections by default.

Little is known about the architects of the original questionnaire; although the ACG made inputs into the consultative process, the final outcome did not reflect the desired outcome of a gender-friendly questionnaire. A good example can be taken from the peer-review process of the Organization for Economic Cooperation and Development (OECD)/Development Assistance Committee (DAC). The Development Assistance Committee promotes[46] the approach of integrating equality issues systematically by utilizing gender specialists and advocates in designing the assessment tools with a view to mainstreaming issues linked to gender equality.

Observers of the African Peer Review Mechanism process maintain that gender issues will only be given sufficient attention if they are clustered together and analysed by gender specialists rather than being strewn across the sections. This would also avoid [47] that people who are not gender specialists would handle these issues within the various sections. There is some logic to this approach of bringing the questions together. The danger of this approach is that it could lead to isolated approaches that fail to integrate gender issues and concerns systematically into the assessment process.

46 OECD . "DAC Guidelines for Gender Equality and Women's Empowerment in Development Cooperation". Development Cooperation Guidelines Series.
47 Herbert R and S Gruzd (2008). "The African Peer Review Mechanism: Lessons from the Pioneers". South African Institute of International Affairs (SAIIA), 2008, page 202.

Section 3:

Mainstreaming gender equality through the African Peer Review Mechanism cycle

3.1 Analytical frameworks

From a perspective of mainstreaming gender, it is necessary to assess the manner and the extent to which the various phases and methodologies of the African Peer Review Mechanism review processes either incorporate or integrate gender in regard to inclusiveness, equal consideration and prioritization, which form the continuum of gender mainstreaming. Gender analyses are meant to facilitate the understanding of actions, practices, policies and laws from a gender perspective. In practical terms, this will involve the analysis of quantitative and qualitative data disaggregated according to gender, and the probing[48] of underlying assumptions of socioeconomic, political as well as cultural factors.

Gender analytical frameworks: Few governance assessment frameworks take gender empowerment into consideration as a key indicator. The United Nations Development Programme is a model and uses three gender-empowerment milestones: the extent of women's political participation and decision-making; their economic participation and decision-making power; and the power exerted by women over economic resources, based on the assumption[49] that empowered women would be able to make the same choices as men in these sectors.

Policy analysis frameworks: Several frameworks have been developed by analysts to facilitate better understanding of policy-development processes. One of the more comprehensive frameworks[50] developed for a viable policy analysis cycle identifies eight stages of the cycle:

1. Identifying the issues

2. Defining outcomes

3. Defining inputs

4. Research

5. Developing options

6. Recommending/ seeking decisions

7. Communication
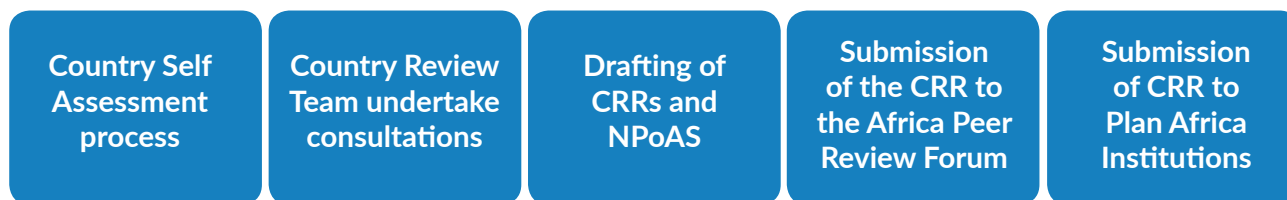
8. Assessing quality.

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48 Status of Women Canada (1996). "Gender-Based Analysis: A guide for policy–making". 1996. page 7.
49 United Nations Development Programme (2007). Governance Indicators: A Users' Guide". Second Edition, 2007, page 45.
50   As before, page 8.

The two analytical frameworks can be a useful guide for the purposes of gender audits and we can ask whether the African Peer Review Mechanism cycle promotes policy analyses that incorporate gender concerns, perspectives and dimensions? The African Peer Review Mechanism Base Document outlines five vital processes of the mechanism[51,] as outlined in Figure 1:

Figure 1: Stages of the African Peer Review Mechanism at various levels

| Country Self Assessment process | Country Review Team undertake consultations | Drafting of CRRs and NPoAS | Submission of the CRR to the Africa Peer Review Forum | Submission of CRR to Plan Africa Institutions |

The conceptualization and formulation of issues is facilitated by the questionnaire and the technical-research institutes that guide the activities of a country diagnostic review. Evidence-based analysis and participatory dialogues between government and society are facilitated through national consultative processes resulting in country self-assessment reports and country review reports and in prioritized planning, budgeting and implementation of recommended changes as well as monitoring. These are reflected in the National Programme of Action and its annual implementation progress report and the reports by other observers.

The African Peer Review Mechanism assessment stages or cycle indicate that its processes encapsulate the essence of these factors in varying degrees. This will be analysed in greater detail in the subsequent segments.

This section will only cover those key aspects of the African Peer Review Mechanism and gender equality that are essential and integral to good governance through the phases. These are: 1) women's participation and inclusion, 2) integration of gender perspectives and considerations in all processes, 3) identification and implementation of gender-responsive programmes and 4) monitoring and evaluation frameworks for accountability.

3.2 Women's participation: Individual and representative

Gender analyses take into account gender differences between men and women, their specific needs and rights as well as the impact of development activities on them. It is reality that political, cultural and socioeconomic processes and activities have differentiated impacts on men and women. Treating men and women as identical entities that have uniformly benefited from or been adversely affected by programmes, policy initiatives or interventions would risk reinforcing gender inequalities.

Gender analyses recognise that men and women are the repositories of knowledge regarding their situation and must be involved in governance-assessment exercises. This in itself can be empowering and transformative. This section analyses the extent to which the African Peer Review Mechanism processes target women in its various cycles, with a view to ensuring equal participation.

Participation is a key benchmark of the African Peer Review Mechanism, outlined in several of its fundamental instruments and directives. In general, what has distinguished the mechanism from other governance processes is the emphasis on citizens' participation in all the key review processes. It has been widely hailed for increasing the democratic space for citizenship engagement with the State on development and governance issues. In some instances the processes have fostered long-term platforms and forums for sustained engagement. A good example is Ghana, where African Peer Review

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51 APRM - 2003/09/16

Mechanism district oversight committees comprised of based men and women from the "grass roots" [52] serve as volunteers and monitor the implementation of the National Programme of Action.

The document "African Peer Review Mechanism Guidelines for Countries to Prepare for and to Participate in the African Peer Review Mechanism"[53] recommends well-publicized and planned events that canvass wide participation. This is to be achieved through the development of a roadmap[54] on participation in the mechanism, including the roles and responsibilities of stakeholders from Government, non-governmental organizations, private sector and international development partners.

The active engagement of the widest array of actors at all levels of society is crucial in building national ownership in democratic governance processes and in fostering effective State-society dialogue. The involvement of women directly and through representative civil-society entities is fundamental to ensuring democratic outcomes founded on the objectives and aspirations of both sexes.

Representative participation: The African Peer Review Mechanism Secretariat and the Panel of Eminent Persons have continually emphasised the participation of key stakeholders, as it is impractical to bring all stakeholders on board. This requires recognition of the value of institutionalized dialogue[55], in which mandated representatives of interest groups make critical contributions on behalf of the wider population.

Civil society in most African countries has gained a reputation for informing policy formulation and influencing policy on behalf of the constituencies they stand for. It is recognised that civil society, community-based and other non-governmental entities are repositories of critical information about local circumstances and constituencies. These non-state entities are pivotal in creating national ownership and providing oversight in the implementation of the National Programme of Action as well as fostering local accountability[56].

In this regard, civil society is the useful and fundamental social capital of many African States and it can represent the wider views of the citizenry. Not all women in any given country may be at the discussion table, be reached through consultative processes or be appointed to the structures of the African Peer Review Mechanism. However, key civil-society organizations that represent gender issues and have acknowledged grass-roots networks or contacts should be involved to the widest extent possible, including national institutions such as gender machinery.

There are several African women and civil-society organizations that promote gender equality and do invaluable work in policy analysis and advocacy, service delivery, setting standards, and evidence-based lobbying and monitoring. It is vital for them to be involved in the African Peer Review Mechanism processes in order to shape home-grown gender agendas and to provide credible information and perspectives, particularly given the deficit of systematic data-collection systems in Africa.[57] For example, in Uganda the National Council of Women submitted written memoranda to the Country Review Team.

African Peer Review Mechanism processes that are government-driven are often critiqued for lacking credibility and ownership, as happened in the case of South Africa initially, and in Rwanda and Algeria.[58]

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52 UNECA (2012). "APRM and the Quest for a Developmental State: the Role of civil-society organizations in Implementing the National Programme of Action". E/ECA/CGPP/3/3 January 2012.
53 NEPAD/APRM/Panel3/guidelines/11-2003/Doc8.
54 Paragraph 35 (a).
55 Parsons, Raymond (2007). "The emergence of institutionalised social dialogue in South Africa". South African Journal of Economics, Volume 75, Issue 1, pages 1–158.
56 Paragraph 39 of the APRM Guidelines.
57 Verwey, Len (2004). "NEPAD and Civil Society Participation in the APRM". IDASA Occasional Papers http://www.idasa.org.za, accessed on 21 October 2013
58 Herbert, R, and S Gruzd (2008). "The African Peer Review Mechanism: Lessons from the Pioneers". South African Institute of International Affairs (SAIIA).

In preparation for the self-assessment processes, the African Peer Review Mechanism national focal point person at country level is required to develop a multisectoral list covering State and non-state actors, including the private sector and civil society. These serve as members of the National Commission or Governing Council, or other related task forces that may be set up. Management systems with capabilities to integrate and execute gender-oriented objectives as well as monitor them are necessary in gender mainstreaming. From the outset to completion, it is essential to target gender specialists and activists and civil-society organizations working on gender equality in order to give effective leadership and to mobilize action, inputs and consensus around advocacy and research on gender equality.

The African Peer Review Mechanism national commissions or National Governing Councils (NGCs) are meant to facilitate the objectives of the African Peer Review Mechanism through multifaceted representation of interest groups, including women. As far back as 2006, leaders of member States of the African Peer Review Mechanism prioritized[59] the inclusion and participation of women and highlighted the need for "better definition of the criteria for identification and selection of national stakeholder representatives in the African Peer Review Mechanism process". However to date there is no concrete evidence of this criteria being developed or applied.

It is vital that women be represented[60] on such structures and among the targets and actors promoting these objectives. Nonetheless, there remains a risk that women's representation can be misapplied or used to substitute for gender objectives[61] and this must be avoided at all costs.

3.3 Structural integration of gender and women's representation and participation

The African Peer Review Mechanism is designed to target all actors, including the general public, men and women who are experts on the issues affecting their lives. The targeting should be broad at the country level and more select at the continental level. It is critical to involve gender experts or specialists, women as respondents, key informants or resource persons in order to enhance gender analyses and mainstream gender perspectives.

The presence, active involvement and empowerment of women on key structures and in processes of the mechanism are as crucial as the outcomes of the review findings. The African Peer Review Mechanism Memorandum of Understanding[62] takes cognisance of the major structures that have a key role and significant bearing on the operations of the review process: the Africa Peer Review Forum (APR Forum), the Panel of Eminent Persons (APR Panel), the Country Review Team (APR Team) and the African Peer Review Secretariat (APR Secretariat). The document "Guidelines for countries to prepare for an to participate in the African Peer Review Mechanism"[63] add another structure, requiring each participating country to have a focal point[64] for the African Peer Review Mechanism process at ministerial level or a person that reports directly to the Head of State or Government, and the Focal Point should be inclusive, integrated and coordinated with existing policy-decision and medium-term planning processes. Further, each country must establish a national governing council to oversee the country review process.

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59 Report of the Sixth Africa Governance Forum (AGF-VI) (2006): "Implementing APRM: Challenges and Opportunities" page 28. http://www.undp.org/content/dam/rwanda/docs/Research%20and%20publications/RW_rp_AGFVI_Report_JUNE_2006.pdf, accessed on 25 October 2013.

60 Longwe, Sara Hlupekile. "NEPAD Reluctance to Address Gender Issues". page 4

61 As before.

62 NEPAD/HSGIC/03-2003/APRM/MoU 9 March 2003, Paragraph 15. Available at http://www1.uneca.org/Portals/nepad/Documents/MOU-on-APRM.pdf.

63 Available at http://www1.uneca.org/Portals/nepad/Documents/Guidelines-for-Countries-to-APRM.pdf.

64 Paragraph 34.

The following section assesses the participation of women and integration of gender issues at the continental and national level within the various African Peer Review Mechanism structures and processes.

3.3.1 Continental level

Panel of Eminent Persons

The Base Document[65] of the African Peer Review Mechanism establishes a structure called the Panel of Eminent Persons, consisting of five to seven persons, to direct and manage the operations of the African Peer Review Mechanism. The nomination criteria for Panel members include professional distinction, commitment to pan-African ideals, high moral standing and gender equity, among others.[66] The Panel of Eminent Persons has played a critical leadership and facilitation role that is often not as widely publicised as the other African Peer Review Mechanism structures.

Selection of panel members at country level is usually undertaken in an opaque manner and it is not clear how the considerations of gender balance play into the final selection. Regardless, over the years the panel members have largely dispensed their mandates credibly. There has, however, been a tendency for more male representation on the Panel. At times male or female chairpersons lead the panels and there seems to be no gender-based discrimination in the structure and roles of the panel members.

Based on individual interests, some panel members have shown personal initiative towards a keener examination of gender issues. For example, in Kenya's 2006 review process, Dr Graca Machel, the member of the APR Panel in charge of the Kenya review process, initiated meetings with the women of Kibera, Africa's largest slum, and women living with HIV and AIDS, in their habitations.

The Panel has had a former Rapporteur on the Rights of Women in Africa, Barrister Julienne Ondziel Gnelenga, serving on it. One can only assume that such an eminent member brings a wealth of experience on gender issues in Africa. Other prominent women have served as members of the Panel, and it is desirable that gender equality continually be maintained in the Panel to give support to gender mainstreaming at this high level.

There is value in having dedicated gender-expert resources available to conduct gender analyses within the African Peer Review Mechanism process as discussed, including at the continental level. The NEPAD Gender Task Force have been central to the conducting of a gender analysis of five country review reports in 2007, though it is not clear whether this was the only instance or part of a systematic engagement on gender considerations in the African Peer Review Mechanism structures[67].

African Peer Review Secretariat

The African Peer Review Secretariat employs personnel and analysts to be in charge of the various thematic sections of the review mechanism. However, there is no gender specialist at the level of the Secretariat. The Secretariat is under the direction of the Panel of Eminent Persons and is in charge of the quality-control aspects of the country review report. Often both entities lack gender specialists and sometimes the gender issues are not handled in a uniform manner in the country review reports.

Sometimes statements found in country review reports illustrate a limited or incongruent understanding of key gender concepts. For example, one country may report on the systemic nature of gender violence,

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65 Available at http://aprm-au.org/sites/default/files/aprm_base_0.pdf.
66 Paragraph 7.
67 "NEPAD Gender Task Force recommends changes in APRM reporting" article published on http://news.ahibo.com/spip.php?article843 website.

marginalization and discrimination as a grave issue but the report will not highlight it as a cross cutting, special or overarching issue, while another country report will escalate similar circumstances to the status of a cross-cutting issue. For example, the Lesotho country review report does not reflect violence against women as an overarching or cross-cutting issue, despite overwhelming evidence pointing to this and the country self-assessment report noting "widespread domestic violence, severe restrictions on women's rights and societal discrimination"[68]. Similarly in Tanzania, gender inequality is not qualified as a cross-cutting issue despite overwhelming evidence of various manifestations of gender discrimination and disempowerment at family, communal and state levels.

There are illustrations of sweeping statements that reflect the failure to appreciate systemic issues of gender equality and non-discrimination. For example, in the Lesotho country review report, the Country Review Team finds that the Land Act has provided women with equitable access to land and the country review report concludes[69] that "discriminatory practices where land is concerned are things of the past". However the same country review report states that the customary land ownership model favours male heads of household and under this the distribution of land is biased towards males and that access of women to land, therefore, is mainly through men, especially in the rural areas. This signals a failure to distinguish between the de jure and de facto situations of women, discussed more in detail in Section 4 of this report..

In another example, the country review report of Mauritius (2008) contains a statement that is illustrative of certain gender conceptual shortcomings. The country review report notes that:

> "Mauritius ... faces a challenge with regard to women, who are not well represented in Parliament, councils or the Cabinet..... In addition, despite the Equal Opportunities Act of 2008 – yet to come into effect - the plight of most women is not likely to change significantly soon. This is because affirmative action is not considered appropriate as it opposes the principle of non-discrimination."[70]

Despite this, the same country review report maintains that:

> ".....the problem is that affirmative action can create real or apparent inequality, which is undemocratic... Could measures meant to assist one section of society unwittingly and practically be unfair to other members of the same society? What consequences could this have for democracy?" [71]

This statement is maintained despite the recognition of high gender disparities and low participation of women in the political arena as well as the need to adhere to the imperative of achieving the 50 per cent female gender representation required by the 1997 Southern African Development Community (SADC) Declaration on Gender and Development.

Without a proper contextual gender analysis, the above country review report statement runs the risk of being counterproductive, particularly in the context of Mauritius where the report clearly identified the marginalization of women in key sectors as systemic and requiring serious action. It certainly fails to elaborate on the underlying logic and imperative of the special measures for affirmative action for women and its utility as a temporary strategy for mainstreaming gender .

This point is well made in the Nigeria country review report, which stated:

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68   APRM (2012). "Country Review Report of the Kingdom of Lesotho" No 10, page 86.
69   As before, page 212.
70   APRM (2010). "Country Review Report of the Republic of Mauritius". No. 13. Available at http://aprm-au.org/document/country-review-report-no13-republic-mauritius-english-july-2010.
71   As before. Page 53 para 81.

> "…affirmative action can only be regarded as a temporary and intermediate measure, to compensate for the gender gap caused by gender discrimination. Affirmative action is an intervention strategy to be used only until such time as action has been taken to end the discriminatory practices which originally caused the gender gap."[72]

General Recommendation 23 of the Convention on the Elimination of All Forms of Discrimination against Women on public and political life[73] encourages States parties to undertake temporary special measures designed to support the principle of equality and therefore comply with constitutional principles that guarantee equality to all citizens. Thus temporary measures such as affirmative action are not unconstitutional. On the contrary, General Recommendation 23 enjoins States parties to identify and implement temporary special measures to ensure the equal representation of women in all fields covered by articles 7 and 8 of the Convention on the Elimination of All Forms of Discrimination against Women.

It is vital that gender analytical skills and guidelines guide the even handling of gender issues across the board. This requires the African Peer Review Mechanism Secretariat and the Panel to invest significantly in resource persons with skills in gender analysis.

3.3.2 Country level

The African Peer Review Mechanism structures at the country level are the national focal point and the National Governing Council, also referred to as the African Peer Review Mechanism Commission or, in some instances, working groups or committees. It is not always easy to distinguish whether appointments of women to office within the peer review structures established at the country level are meant to promote gender equality or whether they are merely appointments of individual women based on their competence or on tokenism. The following section traces the participation of women at the national level through the African Peer Review Mechanism cycle.

Stage one

a) Technical research institutions and individuals: Stage one is mostly the precursor to the country self-assessment process and involves the roll-out of the country self-assessment process based on the African Peer Review Mechanism questionnaire.

The technical research institutions or individuals (TRIs) are integral to the development of the country self-assessment report and shaping its contents. They determine what cross-cutting issues including gender to highlight in the country self-assessment report. Thus the technical institutions or individuals involved in preparing the country self-assessment report and the National Programme of Action should in principle take into account gender concerns and issues for inclusion in the report and must display the required expertise. In addition, technical institutions and individuals have been engaged to conduct sample, expert and household surveys as well as to facilitate public consultations in order to obtain credible data on the questionnaire. It is essential that their methodologies adopt gender-inclusive strategies to ensure a balanced picture and ensure gender perspectives.

As can be surmised, the quality of the country self-assessment report as being gender-neutral or gender-inclusive and gender-responsive is greatly formed via the methodologies, competencies and approaches of the technical institutions or individuals. The directives from the continental APR Secretariat to the participating countries on the national structures to be set up (African Peer Review Mechanism Commissions or National Governing Councils, African Peer Review Mechanism national secretariat and

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72 APRM (2008). "Country Review Report of the Federal Republic of Nigeria". No 8, page 357.
73 A/52/38

technical research institutions or individuals) that carry out the research for the country self-assessment reports are silent[74] on the gender composition as well as other criteria for constituting these central structures.

There is little information on how gender expertise has been incorporated by the technical institutions or individuals in their research methodologies, as this is not well documented. It is probable that they subcontract or co-opt men or women with knowledge of gender to handle these aspects. It is incumbent on the APR Secretariat to provide more guidelines to the country institutions on the requisite competencies of the technical research institutions or individuals with a view to ensuring they include gender expertise, as they play a large role in the data-gathering and analytical processes that shape the country self-assessment reports and National Programmes of Action.

A few countries' technical research institutions or individuals applied gender-equity principles in their approaches and methodologies. For example, in Uganda the technical research institute that undertook to cover the section on socioeconomic development was Women of Uganda Network. Another partner was the Department of Gender and Women Studies at Makerere University, though the latter eventually dropped off. The data-collection interviews for the country self-assessment report in Uganda took into account gender and regional balance, although there were criticisms[75] that rural communities were not adequately consulted.

The Tanzania consultative processes for the African Peer Review Mechanism had a strong gender-balance orientation; a household and expert survey targeted that 50 per cent of the rural location informants should be women and a similar approach was undertaken in the urban areas.

However, there are some indications of gender biases in certain countries. In at least two countries, Kenya and Ghana, where households where polled it was mostly older males' opinions that were sought out and reflected[76], following the typical mould of where a male heads the household.

b) National Commissions/Governing Councils: The National Governing Councils or African Peer Review Mechanism Commissions have had rather troubled operations arising from tensions between technical and political nominations. For example, in Nigeria, the initial 50-member African Peer Review Mechanism National Working Group was accused[77] of being dominated by Government. The body was also criticized for lack of specially designated organizations representing women as distinct from the category representing non-governmental and civil-society organizations. A reconstituted National Working Group eventually had State representation of 37.5 per cent and 62.5 per cent non-governmental and civil-society organizations, of which women's organizations constituted only 5.5 per cent[78]. Similarly accusations of government domination in these structures were evidenced in Kenya, Algeria and South Africa[79].

Considerations of gender parity have not been key drivers of representation in regard to women's representation in the National Governing Council/African Peer Review Mechanism Commission and a chequered picture emerges. In the documentation of appointments, it is not always clear whether female appointees are there to represent the interests of women or are operating as independent experts in various thematic areas. In certain countries (Mauritius, Algeria, Kenya and Ghana) women were co-opted from umbrella organizations or the National Councils of Women.[80] The National Council

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74 APRM Prerequisites for Country Support Mission (unreferenced).
75 Tindifa S and B. M. Luutu (2011). "The implementation of APRM in Uganda - a critical evaluation". Open Society Publications, page 18.
76 Herbert, R and S Gruzd (2008). "The African Peer Review Mechanism: lessons from the pioneers". South African Institute of International Affairs (SAIIA), Page 202.
77 Jinadu, L (2008). "The African Peer Review Process In Nigeria". Open Society Initiative of Southern Africa.
78 As before
79 Herbert, R and S Gruzd (2008), as before.
80 Bunwaree, S (2007). "The African Peer Review Mechanism in Mauritius - Lessons from Phase 1". AfriMap, Open Society Initiative of Southern Africa publications.

of Women or its equivalent usually plays a central and strategic role in promoting policies and action on gender mainstreaming and it is important for it to be represented on the National Governing Councils.

In Ethiopia, out of seven associations co-opted to the National Governing Council, three were women's associations. Even so, the country support mission in 2008 raised the issue of the need for more female representation on the National Governing Council and analysts noted[81] that the range of representative associations on gender was narrow and that more emphasis should have been placed on who best could articulate gender issues.

The Independent National Commission for the Implementation of the African Peer Review Mechanism in Benin had five women who were representatives of women's organizations and 18 out of the 97 members of the Commission were women. Observers in Benin pointed out that gender issues were not adequately addressed in the country self-assessment report process, although women's organizations were present on the National Commission.[82] The absence of vibrant and well-known organizations such as WILDAF raised questions around the representativeness of the women's constituency among the non-governmental organizations, and around the inclusiveness of the process.

One country stands out as a beacon of gender parity on the National Governing Council, as indicated in the following box.

Text box: Good practice of gender parity in the African Peer Review National Governing Council of Algeria

Strict gender parity was observed within the bureau of the National Governing Council. Its Chairperson was female and from civil society, which is significant in the context of Algeria.* She was a renowned women's rights activist and former member of the National Observatory on Human Rights in Algeria (Observatoire national des droits de l'homme en Algérie).

The National Union of Algerian Women was also a member of the National Governing Council and represented non-governmental organizations. The private sector was represented by Savoir et Vouloir Entreprendre (SEVE), an association of women entrepreneurs. Another female member of the council was also a representative of the women's committee of the International Confederation of Free Trade Unions.

Stage two: the country visit

a) **Country support missions:** Country support missions for member States are fundamental in assessing the readiness and capacities of a country to embark on the review process. The country mission is led by the member of the Panel of Eminent Persons who is in charge of the country process and who is meant to ensure that all stakeholders have a common understanding[83] of the philosophy, rules and processes of the African Peer Review Mechanism. At this point, the support mission may meet the various stakeholders at their request to address concerns that they may have or to gather information to help the APR Secretariat to develop its background paper. Again, little or no documentation exists on the gender composition of these missions in terms of the support team or the stakeholders met.

* Boumghar, Mouloud (2009). "The APRM in Algeria - A critical Assessment". OSISA Publications. page 12.
81 Fisseha, T, and M Tadesse (2011). "Ethiopia and the APRM: A Path to Nowhere? A critical assessment". Open Society Institute of Southern Africa publications.
82 Badet G (2008). "Benin And The African Peer Review Mechanism: Consolidating Democratic Achievements: A Critical Evaluation of the APRM process in Benin" OSISA Publications.
83 III. I paragraph 17

b) The country review mission (CRM): The country review mission is intended for wide and multi-level consultations with diverse non-state and State actors and institutions. These include business and professional bodies, government officials, parliamentarians, representatives of political parties and representatives of civil society (including media, academia, trade unions, non-governmental organizations, community-based organizations, rural communities and representatives of international organizations[84]. The African Peer Review Mechanism Guidelines that provide for this phase use gender-neutral language. This is a lost opportunity, as precise and detailed guidelines would be invaluable to promote the equal participation of men and women. It is crucial that in all group dynamics, women form part of the key informants and respondents in the country review mission phase.

The country review team: The gender composition and competencies of the country review team to conduct gender analyses is just as important as its function. There has been no clear policy by the African Peer Review Mechanism on the recruitment and selection of consultants in this regard. The African Peer Review Mechanism Guidelines only refer[85] to the establishment of a technical pool of African experts to support the work of the African Peer Review Mechanism Secretariat and to be utilised at various stages. It can be inferred that it is necessary that this cover gender expertise. In practical terms, the APR Secretariat has tended to source experts according to the section topics rather than the cross-cutting issues, consequently revealing a blind spot.

The African Peer Review Mechanism Guidelines do not outline the criteria for selecting consultants and they only mention that the pool should be drawn through a competitive process that will deliver an integrated, balanced, and technically competent and professional assessment. It can be surmised that any shortcomings in gender analytical skills on the team could deliver gender blind or neutral processes. The risk that the country review team does not document gender issues is alleviated by the identification of these issues in the country self-assessment reports, on which the country review team relies, as well as in the Background and Issues Paper generated by the APR Secretariat.

It is reasonable to believe that, at the very least, the consultants on the country review team would have a general understanding of gender issues. However, this cannot substitute the requirement for specialised gender expertise, particularly given that gender is categorized as a cross-cutting issue and often emerges as an overarching or cross-cutting issue in the majority of the country review reports.

The following table[86] displays the gender composition of the country review team in countries that have been reviewed.

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84 APRM Base Document paragraph 19 APRM - 2003/09/1, African Peer Review Mechanism organization and processes NEPAD/HG-SIC-3-2003/APRM/Guideline/O&P 9 March 2003
85 Paragraph 40-42
86 Information obtained from the respective country review reports

Table 2: Comparison of male and female members of the Country Review Team

Country/year of review	Number of male consultants	Number of female consultants	Number of male members of the APR Panel at the time of review	Number of female members of the APR Panel at the time of review
Ghana (2005)	Not specifically named	Not specifically named	4	3
Rwanda (2006)	Not specifically named	Not specifically named	4	3
Kenya (2006)	6 consultants, 2 from partner institutions, the African Development Bank (AfDB) and Economic Commission for Africa (ECA)	2 consultants, 1 partner from United Nations Development Programme (UNDP)	4(a)	3(a)
South Africa (2006)	Team unnamed	Team unnamed	4	3
Algeria (2007)	9 consultants, 3 from partner institutions AfDB or ECA	2 (both partners from ECA or African Centre for Gender (ACG)	4	3
Mali (2009)	11 consultants, 1 partner from ECA	2 (1 partner from ECA)	4	3
Mauritius (2010)	9 consultants, 1 partner from UNDP	3 consultants, 2 partners from ECA/ACG	5	2
Mozambique (2010)	5 consultants, 1 partner from ECA, 1 partner from AfDB	3 consultants, 1 partner from ECA/ACG	3	3
Zambia (2011)	8 consultants, 1 partner from ECA, 1 partner from UNDP	4 consultants, 1 partner from ECA/ACG and 1 from ECA	3	1
Sierra Leone (2012)	10 consultants, l partner from ECA, 1 partner from AfDB	2 consultants, 1 partner UNDP	3	1
Lesotho (2012)	5 consultants, 1 partner from AfDB, 2 partners from ECA	2	3	3
Benin (2008)	8 consultants	1 partner from ECA	4	3
Nigeria (2008)	10 consultants, 2 partners from ECA	3 consultants, 1 partner from AfDB	4	3
Uganda (2008)	5 consultants, 2 partners from ECA and AfDB	2 consultants, 1 partner from ECA	3	3
Tanzania (2012)	5 consultants, 1 partner from ECA, 1 partner from UNDP, 2 partners from AfDB	3 consultants, 1 partner from ECA, 2 partners from UNDP	5	3

The table above reveals that women tend to be a minority on the country review teams. In Algeria, no female consultant was included on the team and the only two female personnel on hand were from the former Africa Centre for Gender (ACG). Similarly, the Benin country review mission lacked female consultants on the team.

Granted, the presence of women on the team does not necessarily mean the inclusion of expertise on gender, as some women come in as specialists on other technical areas apart from gender and some men undertake gender analyses particularly in the fields of socioeconomic development and democracy and political governance, as these have similar objectives.

The African Peer Review Mechanism Support Unit of the former Governance and Public Administration Division if the Economic Commission for Africa decided to work closely with the African Centre for Gender has been invaluable[87] in reducing capacity gaps and shining the spotlight on gender concerns. This has resulted in reports that raise the profile of the gender concerns of African women, many of which resonate with the various instruments on the rights of women in Africa. Nonetheless, it is clear that there is a serious gap in terms of gender analysts on the country review missions, as the staff of the African Centre for Gender cannot handle all the gender issues across the four sections practically, particularly at the level of the public hearings. The organization of the country review mission work means that the gender experts can only focus on one thematic and geographic area, as opposed to all. This requires at least more than one gender expert in more than one section.

Public hearings: During the country review mission phase, experts are free to receive and collect data from any sources that provide it, to outsource or to meet key informants who can provide crucial information to help them in the assessment process. Some consultants have been able to reach specific gender organizations using this as an entry point. However, the randomness that is suggested by such a discretionary approach poses challenges, requiring better collaboration between the ARP Secretariat, the National Governing Councils or the Commission, the African Peer Review Mechanism national secretariat and the national focal point person to ensure that women are mobilized to participate effectively in the public hearings and by submitting memoranda or position papers where possible.

The public hearings held for the benefit of interactions between the country review team and stakeholders have been critical forums for dialogue and frank exchanges. The tendency has been for the hearings to be held in thematic arrangements under the four sections. It is not always clear that women's issues will be handled outside of the thematic sections on democracy and political governance and on socioeconomic development. The forum does not always elicit participation from women's groups in the sections on corporate governance and on economic governance and management unless they receive prior information, which is not often the case. It should also be noted that not all critical civil-society organizations and individuals working on gender issues are present or able to give their views, due to limitations in dissemination of the country self-assessment reports and information on the organization of public hearings.

Stage three

In stage 3, the country review team drafts the country review report. When doing so, the team is required to pay close attention to the emerging issues and to make recommendations for the country review report. At this stage it is crucial for gender issues to be highlighted and harmonized across the sections and agreement is generated as to whether or not gender is a cross-cutting issue. All country review reports highlight gender issues in the areas of democracy and political governance and socioeconomic

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87 The African Centre for Gender and Development (referred to as such until 2013) has been instrumental in providing crucial information and direction on socioeconomic development within Africa for the purpose of making development processes more gender- responsive.

development to an extent, but gender issues do not fare as well under the sections on corporate governance and economic governance and management, as discussed in Section 2.

The following table[88] profiles the low rate of gender-specific country review report recommendations.

Table 3 Mapping of gender-specific recommendations in the country review reports in comparison to overall recommendations

Country	Number of gender-specific recommendations in democracy and political governance section out of total recommend-ations	Number of gender-specific recommendations in economic governance and management section out of total recommend-ations	Number of gender-specific recommendations in corporate governance section out of total recommend-ations	Number of gender-specific recommendations in socioeconomic development section out of total recommend-ations	Percentage of gender-specific recommendations out of total recommendations
Benin	11 out of 99	0 out of 54	0 out of 31	5 out of 23	7.7%
Algeria	9 out of 66	0 out of 33	3 out of 28	6 out of 30	11.4%
South Africa	4 out of 41	0 out of 28	2 out of 49	7 out of 44	8%
Ghana	8 out of 55	0 out of 29	1 out of 76	5 out of 26	7.5%
Burkina Faso	14 out of 80	0 out of 35	0 out of 28	11 out of 33	14.2%
Ethiopia	2 out of 45	0 out of 25	2 out of 17	4 out of 29	6.8%
Uganda	4 out of 47	0 out of 38	0 out of 30	7 out of 59	6.3%
Kenya	8 out of 56	1 out 34	3 out of 103	4 out of 22	7.4%
Lesotho	7 out of 46	0 out of 16	1 out of 27	5 out of 40	19%
Mali	13 out of 116	0 out of 47	3 out of 68	7 out of 38	8.5%
Tanzania	7 out of 47	0 out of 21	0 out of 18	8 out of 22	13.8%
Mauritius	6 out of 94	0 out of 29	0 out of 32	5 out of 29	5.9%
Zambia	4 out of 48	0 out of 28	0 out of 34	13 out of 49	9.4%
Mozambique	6 out of 38	0 out of 16	0 out of 22	7 out of 43	10.9%
Nigeria	12 out of 78	0 out of 34	0 out of 37	19 out of 55	13.2%
Sierra Leone	11 out of 49	0 out of 24	0 out of 26	14 out of 33	13.6%
Rwanda	2 out of 26	0 out of 22	0 out of 24	4 out of 18	6.6%

The statistics above could illustrate the view that the country review team was characterized by limited gender expertise and this meant the gap in the gender analysis of the findings contributes to limited gender-specific recommendations.

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88 Developed jointly by author and Sarah Longwe from the country review reports. The indicators exclude the standards and codes of the country review report

The Government of the country under review is usually given a draft of the country review report for reference and is allowed to make a rejoinder, which is attached to the country review report. In many instances, where the country review report has highlighted gender issues, the Government has given many key updates and clarifications on progress, as happened in the case of Tanzania and Mauritius.

The country review team also assesses the commitments undertaken in the draft National Programme of Action to determine their relevance, responsiveness and adequacy, based on preliminary findings of the country review report. The country review team then may recommend further actions or priorities that the final National Programme of Action should contain. Again it must be presumed that failure to have gender-analytical skills in the country review team would lead to gender-neutral analyses of the National Programme of Action or inability to pick up gaps in gender mainstreaming within the National Programme of Action. This has actually occurred in several instances, as discussed in Section 4.

Stage four

Africa Peer Review Forum: The fourth stage involves the peer review by the Africa Peer Review Forum, made up of Heads of States and Governments. The Forum is the highest decision-making structure of the African Peer Review Mechanism. Currently Africa has only one female President but some male Presidents and Heads of State practice gender equality and empowerment principles at the domestic level and can make pronouncements at this level, although these have been few and far between.

The consideration of gender issues has been mixed in this Forum. The Forum has made a few attempts to link gender issues critically to the commitments in the NEPAD Framework Document, the NEPAD Declaration and other African Union instruments. The leadership of African countries undertook to re-invigorate the process of gender equality towards accelerated women's empowerment but it has a long way to go in living up to its promises.

A review of the first phase of countries to undergo the African Peer Review Mechanism revealed[89] a number of overarching or special issues that had wide repercussions on the quality of governance and required "immediate and utmost attention". However, despite a strong evidence basis in the first five country review reports reviewed that gender concerns, such as violence against women and gender inequality, were common themes in Africa, the Africa Peer Review Forum in October 2008 focused on five themes[90]: managing diversity and xenophobia; elections in Africa; resource control and management; land; and corruption. In effect it overlooked gender inequality, one of Africa's most persistent and systemic challenges to development and a core objective of NEPAD/African Peer Review Mechanism.

To date, gender mainstreaming, inequality and violence against women remain significant cross-cutting issues, as evidenced below in the country review reports of the African Peer Review Mechanism.

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89 APRM (2008). "Emerging governance issues in Africa: perspectives from the APRM process". 11th Meeting of the Africa Partnership Forum (APF).
90 Report of the Sixth Africa Governance Forum (AGF-VI) (2006). "Implementing APRM: Challenges and Opportunities".

Table 4: Country review reports indicating gender inequality or violence against women as a cross-cutting issue

Gender Issue	South Africa	Kenya	Mozambique	Algeria	Burkina Faso	Mauritius	Ghana	Uganda	Benin	Mali	Sierra Leone	Ethiopia
Domestic violence/violence against women	✔		✔			✔						
Gender inequality /empowerment		✔		✔	✔	✔	✔	✔	✔	✔	✔	✔

The meetings of the Africa Peer Review Forum are closed and little feedback trickles down to the country level, limiting the ability of civil-society organizations and women, among others, to debate the issues that have been addressed. However, there are recent overtures to make the proceedings more open. For example, the more recent country review reports of Tanzania and Sierra Leone contain an annex which includes a transcript of the Peer Review. This is a good move and has potential to escalate the African Peer Review Mechanism dialogue at country level.

Stage five

The fifth and final stage involves the official tabling of the country review report before the regional economic communities to which the country belongs. Other institutions singled out to receive the country review report include the Pan-African Parliament, the African Commission on Human and Peoples' Rights, the Peace and Security Council and the Economic, Social and Cultural Council (ECOSOCC) of the African Union. There is also lack of clarity from a policy perspective and in practice as to how the feedback mechanism between them, the APR Secretariat and the African people are supposed to operate. At this level, it is not clear what kinds of analyses are conducted and the results thereof.

3.4 Gender mainstreaming: Implementing the national programmes from a gender perspective

According to the general guidelines in the questionnaire, gender is meant to be a common theme weaving through all the sections of the African Peer Review Mechanism. Other cross-cutting issues that were identified as requiring systematic attention across all areas of the questionnaire included poverty eradication, decentralization, capacities to participate in the African Peer Review Mechanism, access to and dissemination of information, corruption, broad-based participation and sustainability in both financial and environmental senses. The mechanism recognises that these cross-cutting issues require an integrated and holistic approach from all sectors of society in the development process.

The African Peer Review Mechanism Guidelines enjoin[91] States to design realistic National Programmes of Action that build on, incorporate and synergize with the relevant elements of existing programmes,

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91 African Union and NEPAD (2003). "Guidelines for countries to prepare for and to participate in the African Peer Review Mechanism". Paragraph 18 (v).

policies and strategies that address the key African Peer Review Mechanism objectives, including gender-equity strategies. The participation of civil society, the private sector and other non-state entities is crucial in formulating strategies and programmes that reflect development priorities and strategies from an informed perspective.

Right from the earliest African Peer Review Mechanism reviews, the need was acknowledged to mainstream gender in the implementation of National Programmes of Action, as well as ensuring gender-sensitive approaches[92]. To date, the development of the National Programmes of Action has been opaque and controversial in some countries, where the National Programmes of Action are largely under the control of technical research institutions and technocrats, with civil society usually being granted access to drafts at the last minute[93]. This leaves little room for stakeholders to analyse or make inputs into the National Programmes of Action. However, in some instances, such as in South Africa, civil society exercised vigilance even within the short turnaround time to ensure that the National Programme of Action conformed to the recommendations in the country review report by applying pressure[94] on the Government to comply with its commitments for a people-driven process. Civil-society organizations were able to make the link between gaps raised in the country self-assessment report and the country review report, providing invaluable oversight to the country review process.

Heightened vigilance is vital by all actors on the responsiveness of the National Programmes of Action to identified gender gaps in the country review report and country self-assessment report. With such a high non-response to recommendations evidenced in the first 17 countries, it is conceivable that numerous recommendations relating to gender would fall by the wayside as casualties of non-implementation as seen in Table 4. As observed by Longwe: "It is not uncommon for the transition from problem to goal to show a complete disappearance of a gender issue" in Africa's development landscape[95]. Stakeholders can provide the country review teams with their views on the gender deficiencies of the National Programmes of Action with a view to influencing the teams to make recommendations on perceived weaknesses and remedial measures in order to improve the National Programmes of Action.

Table 5 below highlights the major elements of the National Programme of Action outlined by the APRM Guidelines and makes suggestions on entry points for gender-oriented strategies and focal areas.

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92 Report of the Sixth Africa Governance Forum (AGF-VI) (2006). "Implementing APRM: Challenges and Opportunities". page 30.
93 ECA (2012). "APRM and the quest for a developmental State: the role of civil-society organizations in implementing the National Programme of Action". E/ECA/CGPP/3/3 2012.
94 Hutchings, N, M Dimba & A Tilley (2008). "Assessing South Africa's APRM: An NGO perspective". South African Institute for International Affairs. SAIIA Occasional Papers Series Number 3, page 8.
95 Longwe, Sara Hlupekile (2002). "NEPAD reluctance to address gender issues". Available at http://www.africa.upenn.edu/Urgent_Action/apic-110402.html, accessed 3 February 2014

Table 5: Entry points to promote gender mainstreaming in the National Programme of Action (NPoA)

Elements of the NPOA	Focal areas for gender mainstreaming
Assessment of compliance with the APRM objectives, standards, criteria and indicators, and discussion of major development and governance challenges facing the country.	• Assessment of the extent to which gender-related standards, codes and indicators have been adopted, adhered to and implemented • Conducting gender-gap analyses and identification of constraints barring the attainment of de facto gender equality
Outline of the priorities for enhancing governance and socioeconomic development in the short, medium and long term.	• Identification of priorities as reflected in studies and national gender policies and action plans in order to reduce gender inequalities in the political and social economic arena • Identification of good practices that can be up scaled in the short to medium and long term
Description of ongoing efforts by the country in this regard, such as poverty-reduction strategy papers (PRSPs) or other poverty-reduction programmes, strategies to achieve Millennium Development Goals, Human Rights Action Plans, institutional reforms and other development strategies.	• Recommendations on the harmonization and rationalization of NPoA strategies and action areas with existing national and institutional gender strategies, action plans and policies/laws, including programmes
Clear, time-bound commitments on key governance and socioeconomic development priorities over the next three years, including the identification of key stakeholders for implementation, and the estimated budgetary implications and allocations.	• Analysis of NPoA gender initiatives • Identification of stakeholders in the private, non-governmental and government sectors, including gender activists and stakeholders promoting gender • Identification of earmarked funds for gender mainstreaming • Identification of areas where CSOs can work with government in advocacy and service delivery within the NPoA • Monitoring of gender budgeting frameworks and indicators
Description of the national consultations that have taken place during the self-assessment and developing the National Programme of Action	• Identification of gender-inclusive approaches and any deficits noted • Information sharing with all stakeholders on how to improve the process
Outline the feedback mechanism established to keep local stakeholders involved in the process, including efforts to disseminate information in an easily accessible and understandable manner.	• National gender machinery to mobilise CSOs and share and disseminate information • CSOs monitor national progress reports on implementation of NPoA • CSOs to develop user-friendly information materials on the gender perspectives

Description of the capacity-building and resource- mobilization requirements for undertaking the Programme of Action.	Analysis and information-gathering by partnering with stakeholders and ministries, departments and agencies named in the NPoA Mainstreaming gender in the budgeting frameworks
Outline the implementation, monitoring and evaluation mechanisms for the programmes of action.	Gender institutions isolate gender indicators for monitoring and share them with CSOs Gender institutions and actors monitor and produce reports for dissemination to the public Monitoring of gender commitments in the NPoA through annual progress reports on implementation of NPoA

3.5 Implementing the national programme of action and challenges in realizing gender-equality goals

Mobilizing adequate resources for implementing the National Programmes of Action has been a source of concern, particularly given that many African countries depend significantly on aid. For example, Benin sought external funding[96] for 99 per cent of the National Programme of Action. On the other hand, Uganda disbursed UGX 2,833.55bn ($943,000) for the year 2008-2009 for the National Programme of Action - 18.5 per cent above the UGX 2,391bn that had been planned[97]. This was done through integrating the National Programme of Action budget into national planning processes, meaning that there is potential for domestic funding if the initiatives are well thought out. For many countries, the budgetary commitments of the National Programme of Action are viewed as an extra burden, given that effective implementation of pre-existing national programmes and plans is already constrained by lack of resources.

Challenges also arose when pre-existing programmes were replicated in the National Programme of Action[98], leading to costing problems and increasing the margin of duplication. Based on extensive studies by the Economic Commission for Africa, countries have been strongly urged[99] to harmonize the National Programme of Action with existing national-development strategies and plans with a view to optimizing the limited financial resources.

In many instances, the national governing councils and other stakeholders are not able effectively to monitor implementation of the National Programmes of Action as separate national monitoring mechanisms are utilized for national-development programmes and for the National Programme of Action. In countries such as Uganda, Rwanda and Benin there have been attempts to integrate the monitoring systems of the African Peer Review Mechanism and national development in various ways. Nonetheless, unless the African Peer Review Mechanism programmes and funds are specifically earmarked as such within national-expenditure frameworks, this increases the difficulty for monitoring.

It is of the essence that governance indicators such as those contained in the National Programmes of Action be incorporated in mainstream national development plans and monitoring and evaluation processes. In some countries such as Kenya the African Peer Review Mechanism structures were integrated to some extent, although it was acknowledged that governance indicators were not well incorporated in Kenya's National Institute for Monitoring and Evaluation, a body on which the

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96 Adotey, Bing-Pappoe (2010). "APRM-NPoAs and other national plans into a common medium-term expenditure framework: Experiences from Ghana, Rwanda, Uganda, and Benin". ECA. page 7.
97 Available at aprm-au.org/knowledge-network/Uganda.
98 As before.
99 As before.

NEPAD Secretariat was represented. In Uganda, the APR Secretariat was integrated into the National Planning Authority and contributed significantly to key governance indicators during the development of the national development plan. The Ghana National Programme of Action was mapped onto the Growth and Poverty Reduction Strategy II (GPRS II) and its priorities aligned to the National Budget and the consolidated fund[100]. Also in Ghana, there were efforts to harmonize the African Peer Review Mechanism Monitoring and Evaluation Framework with existing related systems[101]. However, it was noted that funding for governance issues had not been covered in the national budget, leading to a paucity of resources for implementation of the National Programme of Action and, as in other African countries, Ghana reported challenges in mobilizing the required resources for implementing the National Programme of Action and resourcing the National Governing Council to play an optimal role in overseeing the implementation of the programme.

In Rwanda, the Government prioritized the implementation of the National Programme of Action by ministries, departments and agencies, based on its integration into the Economic Development Poverty Reduction Strategy (EDPRS), the national instrument for development planning. Rwanda recognized that the National Programme of Action and the strategy were implemented by the same institutions and agencies and shared the same resource-bases and therefore sought to harmonize them structurally[102]. Nonetheless, certain challenges were noted in this regard: Some National Programme of Action activities fell outside the poverty reduction strategy and the monitoring and evaluation system of the strategy was not established at that time.

In countries that have adopted mid-term expenditure frameworks, it is essential to capture the National Programme of Action commitments so as to allow ease of monitoring, including of gender indicators. For example, Uganda has been promoting gender budgeting across the sectors through the budget framework papers, and activities in this framework that are earmarked to the African Peer Review Mechanism can easily be traced.

All these challenges have in many instances caused undue delays in the effective implementation and monitoring of the National Programme of Action and consequently, delays in realizing the gender commitments in the National Programme of Action. There is need for substantive strategies and actions to ensure that the National Programme of Action, which is the culmination of the African Peer Review Mechanism process, is implemented within the timeframes allotted. It is important for countries that commit to the African Peer Review Mechanism to dedicate a minimum amount of funds to facilitate the implementation of the National Programme of Action.

Working with civil-society organizations and other entities who already have earmarked funds to address some of the National Programme of Action priorities can help alleviate the resource challenges. In Uganda several civil-society organizations working in the area of women's rights were able to work alongside the other stakeholders to implement[103] some activities identified in the National Programme of Action. In South Africa, the business community, through the auspices of Business against Crime South Africa (BACSA), partnered with the South Africa Police Services to fight crime[104], focusing particularly on violent organized crime and review of the criminal justice system. BACSA had an operating budget of R26.7 million in the 2009/2010 financial year. This is illustrative of the kind of financial support that can be garnered from like-minded partners to implement the National Programme of Action.

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100 "Ghana's PoA: Progress of implementation", paper presented during the "Consultations on the Support to National APRM Programmes of Action". 12–13 March 2007. Tunis.
101 As before.
102 "Implementing the APRM POA: Lessons from Rwanda". Presentation made at the African Development Bank consultation meetings 12–13 March 2007. Tunis.
103 Republic of Uganda 2nd and 3rd year Consolidated Progress Report on the Implementation of the APRM Programme of Action (PoA) 2009-10/2010-11, page 53-54
104 NEPAD (2010). Second report on the implementation of South Africa's APRM programme of action. page 52. Available at http://www.abstract.lib-ebook.com/a1-economy/1179478-10-84-second-report-the-implementation-south-africas-aprm-programme.php.

Section 4:

Overview of women's rights and gender issues in Africa

Analysis of the country review reports, national programmes of actions and African Peer Review Mechanism implementation progress reports reveals certain common or divergent themes and gender issues that are discussed in this section under 11 broad areas. It is notable that not all country review report issues are evenly and adequately developed in terms of gender-specific content and data; in particular the corporate governance and economic governance and management sections often reflect little to no gender analysis.

4.1 Legal frameworks, standards and codes

Overview: Many countries have enabling policies and laws promoting the rights of women, although in some instances these exist alongside discriminatory provisions and negative cultural practices. The trajectory of environments enabling gender equality is positive, with over 70 per cent of the 54 African Union member States having national gender policies and laws as well as action plans and national gender machinery. Despite this, the trends in the country review reports reveal a big gap between de jure and de facto rights of women. Countries such as South Africa, Mozambique, Uganda and Rwanda have progressive constitutional protections for the rights of women expressed in subordinate law but, in reality, women still lack equity or equality with men.

Some instances of discrimination against women are entrenched in the law and in non-responsive legislative processes. The Nigeria country review report[105] noted that a 2005 Federal Bill to domesticate the Convention on the Elimination of All Forms of Discrimination against Women had faced delays from the legislature. Nigeria is a federation and each state would still have to pass laws to domesticate the convention before it took effect. In Uganda, the passage of a key women's rights law, the Domestic Relations Bill, has been passed over by successive parliaments, delaying women's rights for decades. The implementation of the National Programmes of Action in each of the two countries did not change the status quo.

Protection and promotion of women through adoption of standards: It is essential for the African Peer Review Mechanism review process to incorporate reports and recommendations of United Nations and African Union treaty standards that address women's rights and gender equality, including those flowing from the Convention on the Elimination of All Forms of Discrimination against Women and the Solemn Declaration on Gender Equality in Africa and other gender and development processes. There are other important regional mechanisms that can be utilized such as the East African Community monitoring mechanisms as well as the Southern African Development Community Protocol on Gender and Development. In particular, the reports of the Convention on the Elimination of All Forms of Discrimination against Women and shadow reports by civil-society organizations around the national reports submitted to the convention as well as the Gender Links Barometer reports on implementation of the Southern African Development Community protocol provide invaluable gender-based reports on the status in specific countries and flag outstanding gaps that need to be remedied. In many countries, reporting on the Convention on the Elimination of All Forms of Discrimination against Women was found to be an area of backlog in that reports were in arrears and were not current.

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105 Nigeria Country Review report. Page 357.

Is the failure to sign, ratify and domesticate standards and codes on women's rights a cause or result of gender inequality? This question underscores the common thread that is the failure of Governments to adopt key international and regional instruments relevant for the protection and promotion of the rights of women in Africa. This extends to failure to domesticate even where they have been signed and ratified or to implement them effectively once domesticated.

Domesticating standards: Within the various country review reports, information on gender related instruments that have been signed or adopted is confusing and often contradictory from section to section. For example, in the country review report of Mauritius, the sections report differently on whether Mauritius has signed and ratified the Southern African Development Community Declaration on Gender and Development and its Protocol. This ambiguity makes it hard for domestic stakeholders and activists to ascertain what legal standards pertain in their country.

An analysis of available standards and codes in the countries reviewed indicates three emerging issues. The first is the low political will to commit to internationally agreed principles of women's human rights as evidenced in undue delays in the ratification process. The signing and ratification processes comprise of executive procedures that remain largely unknown to national stakeholders, including the organs of Government.

Thus, while several national stakeholders are involved in lobbying activities for progressive women's rights instruments to be signed and ratified, the implementation of this is outside their mandate and in many instances ratification takes years. The value of the African Peer Review Mechanism is evidenced particularly by the fact that the Maputo Protocol has been passed by some countries and ratified pursuant to the National Programme of Action commitments in those countries. Examples are Uganda and Ghana, the latter also signed[106] the Convention on the Elimination of All Forms of Discrimination against Women.

Secondly, ratification of treaties is very much a political process, and patriarchal interests can block the adoption of gender-progressive laws and policies. This is particularly manifested in the some countries reservations on key provisions, based on their cultural or religious domestic laws, particularly in the area of women's personal law. This was the case in Lesotho which made reservations to the Convention on the Elimination of All Forms of Discrimination against Women in regard to culture and chieftainship. Algeria is a signatory to the same convention but has reservations to section 2 on the prohibition of discrimination, section 9 on equal rights in regard to nationality, section 15 giving equality before the law and section 16 on equality in marriage. It is notable that no countries withdrew their reservations despite the African Peer Review Mechanism advocacy on these issues. While Uganda ratified the Maputo Protocol, it expressed reservations against the provisions on abortion rights.

Domestication is also a political question and requires legislation to be passed in Parliaments, most of which tend to be male-dominated and reflect patriarchal interests. At this stage, bills considered to be inimical to male interests tend to become "controversial" and viewed as subversive and so they are not easily passed. For example, the country review report of Uganda indicates that the Domestic Relations Bill has stalled in Parliament since 2003. This Bill has "contentious" issues[107], for instance around differences in cultural and religious ideology on marriage; matrimonial and personal property rights; marital rape; equality in marriage; and on divorce.

In another example, Nigeria, there is a dichotomy of domestication procedures at federal and state level, particularly those falling under the Exclusive Legislative List which limits the expeditious application of the Convention on the Elimination of All Forms of Discrimination against Women. Article 12 of

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106 This analysis is drawn from assessing four complete sets of the National Programmes of Action. It was not possible to obtain the majority of the National Programme of Action Implementation Progress Reports.
107 APRM (2008). "Republic of Uganda Country Review Report". No. 7. Page 289.

the Constitution stipulates that when the Federal Assembly ratifies an international treaty, this treaty cannot become applicable country-wide until it has also been ratified by at least two-thirds of the different states' Houses of Assembly. Only Imo and Anambra states had passed a Gender and Equal Opportunities Law at the time of review and to date, only 11 of 36 states have outlawed female genital mutilation. However, the progress report on the implementation of the National Programme of Action noted108 that the assemblies of several states had passed laws prohibiting child marriages and female circumcision and gender violence by prohibiting domestic violence against women and maltreatment of women.

At the domestication phase, further gender-progressive standards may be lost through reservations made at the ratification or through omissions in domestic law. For example, after review of Ghana, the Domestic Violence Bill was passed to implement the National Programme of Action but it left out a provision on marital rape.

The third major issue is the low level of implementation of gender-sensitive laws and policies. The country review reports indicate that even where gender-progressive laws are in place, in most cases the institutional and resource frameworks to enforce them are weak. In particular, the national gender machineries that are meant to play a key coordinating, gender mainstreaming and empowerment role are greatly under-capacitated in several countries. This is discussed in Table 5 below. Where violations of women's rights are criminalized, most judicial and law and order entities lack the appropriate enforcement capacities and attitudes to protect vulnerable women from harm.

Nonetheless, the identification of gaps in legal protection of women through the auspices of the African Peer Review Mechanism has been helpful in fast-tracking legal reform processes. There are several examples of outstanding laws that were enacted as a result of prioritization in the National Programme of Action. Gender-responsive laws were passed in Mozambique, Uganda, South Africa, Kenya and Nigeria pursuant to implementing their National Programmes of Action. These laws particularly covered the areas of education, criminalization of sexual offences, domestic violence and harmful traditional practices. Institutions were consequentially established to promote the objectives of gender empowerment in certain areas, as was strongly demonstrated in Mozambique, Nigeria and South Africa.

4.2 Institutional frameworks

Ability of gender institutions to perform: Gender machineries and institutions have been established by Governments to address gender-specific issues. These are underpinned by gender policies and action plans and strategies and, in many instances, focal points for gender have been appointed across ministries.

The compartmentalization and isolation of ministries and departments in charge of promoting the rights of women is a common feature that combats the effectiveness of the strategy of gender mainstreaming. National mechanisms for gender mainstreaming, equality and women's rights remain incapacitated, underfunded and isolated. For example, the Ministry of Gender, Labour and Social Development in Uganda receives less than 0.034 per cent of the total Government budget allocation for its activities at central level, yet this Ministry handles[109] issues of children, the disabled, the elderly, workers, youth and community development. Many other country review reports indicate similar resource constraints.

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108 State assemblies in Anambra, Imo, Ebonyi, Nasarawa, Plateau, Ogun, Ekiti, Abia, Rivers, Taraba have passed the Child Rights Law; Cross River and some other states addressed child abuse by prohibiting child marriages and female circumcision and addressed gender violence by prohibiting domestic violence against women and maltreatment of women; Edo, Rivers, Delta, Ogun and Osun State enacted laws prohibiting inhuman treatment of widows and dehumanizing and harmful traditional practices and abolishing female circumcision.
109 APRM (2008). "Republic of Uganda Country Review Report"' No. 7. Page 144.

A review of the country review reports reveals that almost all women's ministries are underfunded and yet their country National Programmes of Action do not indicate that funding them is a priority[110], so this is not likely to be addressed in the implementation process. Table 7 below is illustrative of the countries' resource and capacity deficiencies and the limited National Programme of Action initiatives to address this.

Table 7: Capacities of gender machineries of countries reviewed by the African Peer Review Mechanism

Country	Challenges confronting gender institutions at the time of review	National Programme of Action response and implementation
Mauritius (APRM Implementation Progress Report not available)	The Ministry of Women's Rights, Child Development and Family Welfare has limited financial and human resources	NPoA proposed to increase budget allocations to the women's Ministry.
Rwanda	Gender Monitoring Office that monitors gender issues and budgets not operational	Not addressed
Uganda	The national machinery responsible for gender is overloaded with other responsibilities, such as youth, internally displaced people (IDPs), the elderly and community development. The Ministry of Gender, Labour and Social Development remains one of the least resourced ministries i.e. receives 0.034% of the total government central budget allocation to run its activities.	Not addressed
Mozambique	The Ministry of Women and Social Affairs has limited human and financial resources.	Not addressed
Algeria	The post of Deputy Minister for the Family and the Condition of Women is located under the Ministry of Health and there is no autonomy or resource capacity to perform optimally.	Not addressed
South Africa	The Office for the Status of Women in the Presidency lacks the capacity to perform its functions efficiently and effectively.	Not addressed
Lesotho	Government gender focal points are in all government departments and the ten districts but are viewed as ineffective and lacking in knowledge and capacity on gender mainstreaming strategies and processes.	Not addressed

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110 This does not mean that countries cannot increase the budgets of gender machineries and institutions outside of the NPoA, but it may not be reported in the APRM Annual Implementation Reports.

Country	Challenges confronting gender institutions at the time of review	National Programme of Action response and implementation
Ghana	Ministry of Women and Children remains under-resourced. The gender desk officers in the metropolitan, municipal and district assemblies are not senior officers who can influence policies and programmes.	Not addressed
Tanzania (APRM Implementation Progress Report not available)	Ministries have gender focal points but suffer limitations in their capacity to mainstream gender issues. There are inadequate national and local machineries for the advancement of women.	NPoA proposed to build capacity of gender focal points in municipal, district and local government authorities.
Benin	The Ministry of Women and Children has few personnel and high staff turnover. The Ministry being allocated very low funds.	NPoA proposed capacity-building structures in charge of gender promotion. No progress was reported in this regard.
Mali	The Ministry for the Promotion of Women, Children and the Family lacks an adequate budget to implement its mission. The gender focal points lack a clear mandate or commensurate authority to mainstream gender where they are based. Resource allocation for gender concerns is very low i.e. resources dropped from 0.5% of the national budget to 0.3% between 2006 and 2008.	Not addressed
Sierra Leone	Gender institutions are challenged by weak operational and implementation capacities, lack of logistical support, inadequate devolution and low budgetary resources.	Not addressed
Zambia	The Gender in Development Division faces challenges of staffing and resource constraints which prevent it effectively carrying out its mandate. There is still lack of clarity from stakeholders on what its role was intended to be.	

Clearly countries have not invested in building strong institutions for mainstreaming gender and promoting the rights of women in Africa. The National Programmes of Action do not seem to have made commensurate efforts to remedy this gap. This could limit the propensity of the African Peer Review Mechanism to address systemic constraints and obstacles to accelerating gender equality as a goal.

4.3 Participation and representation in the public sphere

At the time of review, certain countries that are key regional players, such as Mauritius, Ghana, Nigeria and Kenya, displayed high gender disparities in terms of representation in the public sphere. At the time of review, these countries lacked formal affirmative action measures for women as principles of governance and gender equality. Since then Kenya's 2010 Constitution has entrenched affirmative but there is still a problem in the lack of implementation. Mauritius has also embraced affirmative action.

The United Nations posits[111] that societies in which women are excluded from public life and decision-making cannot be described as "democratic". The meaningful and substantive inclusion and participation of women on equal terms with men in governance and public office is key to ensuring that the perspectives, concerns and experiences of women are articulated and integrated into critical decision-making mechanisms and processes. The Beijing Platform for Action notes:

"Women in politics and decision-making positions in Governments and legislative bodies contribute to redefining political priorities, placing new items on the political agenda that reflect and address women's gender-specific concerns, values and experiences, and providing new perspectives on mainstream political issues".[112]

Women reap greater numeric gains in the public sector than in the private arena but nevertheless remain under-represented overall, despite laws and policies on equality in all reviewed countries. This is the case even in countries that indicate greater gender ratios of females than males in the education sector, such as Mauritius and Algeria. This suggests that other variables are preventing equality or even equity in female representation in public spheres and it points to socio-cultural, religious and political barriers.

Indeed, a small number of countries that were reviewed did make remarkable strides in increasing the representation of women in governance and even achieving and exceeding the target of 30 per cent parliamentary representation, particularly Rwanda, Tanzania, Uganda, Mozambique and South Africa as indicated in the Table[113] below. However, in many other countries, the women's representation remains mostly below 20 per cent in the legislature and way below that in the executive arena. Some countries have newly undertaken or scaled up affirmative action measures after the National Programme of Action implementation to address gender imbalances, but this is more evident in the legislative sphere than in any other field.

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111 CEDAW General Recommendation No 23 A/52/38, paragraph 14.
112 Paragraph 182.
113 The Column on NPoA responses are incomplete due to lack of access to relevant NPOA Implementation Progress Reports. Figures of current Parliaments obtained from the Inter Parliamentary Union website "Women in Parliament" http://www.ipu.org/wmn-e/classif.htm.

Table 8: Representation of women in parliaments and cabinets at the time of review and as at 1 August 2014

Country	Ministers	Members of Parliament	Affirmative action measures at the time of review	Changes after implementation of the National Programme of Action
Mauritius	10%	17.4%	None	The representation of women in Parliament stands at 18.8%. There are only two female cabinet ministers, i.e. 8%. There is a new gender-quota law and at least one-third of the candidates in local elections must be women. Only 6.4% of village and town councillors are women.
Mozambique	25.9%	39.2%	Quotas by FRELIMO 30% affirmative action seats at local council level	There has not been another election cycle since the review
Nigeria	Figures not available	7.0% 7.3% Senate 6.4% House of Representatives	National Economic Empowerment and Development Strategy Document promotes affirmative action and 30% women's representation where necessary	The representation of women in Parliament stands at 6.7% and women in cabinet at 31%

Country	Ministers	Members of Parliament	Affirmative action measures at the time of review	Changes after implementation of the National Programme of Action
South Africa	45%	33%	Affirmative action practiced by political parties	The African National Congress raised the bar for a minimum 50% representation of women in all structures of government. This was not adhered to nor was the "zebra" proportional representation on the party list, i.e. alternating men and women candidates. 115 (46%) out of the 249 ANC seats at national level are held by women, which is 4% less than in 2009. The representation of women in Parliament currently at 40.8%. Women in cabinet remain at 41%. Women premiers dropped from 55% in 2009 to 22% in 2014. In the 2011 local elections, women's representation dropped from 40% to 38%.
Rwanda	32%	49%	Affirmative action in all decision-making bodies by operation of law Political parties required to reserve 30% positions for women	The Parliament of Rwanda currently stands at 68.3%.
Uganda	Ministers of Cabinet 28% Ministers of State 13.6%	35%	Affirmative action is guaranteed under the Constitution, which sets 30% quotas at all levels The Local Government Elections Act reserves one-third of elected councillor's positions for women	No new elections have taken place since last review

Country	Ministers	Members of Parliament	Affirmative action measures at the time of review	Changes after implementation of the National Programme of Action
Kenya	11.54%	8.3%	Though not applicable at the time of review, the draft constitution contained provisions to reduce the imbalance in the representation of women by securing at least one third of parliamentary seats for women	All Ministries obliged to ensure that women form 30% of all newly recruited public servants

Chairpersons of Maendeleo Ya Wanawake at the provincial, district and divisional levels to be co-opted as automatic members of all Provincial, District, Constituency Development and HIV/AIDS coordination committees to monitor and influence development that benefits women and children

The representation of women in Parliament stands at 19.1% and in cabinet |
| Algeria | Information not available | 7.7%

6% Parliament, 3% Senate | None | The representation of women in Parliament stands at 31.6%. In a move hailed as "historic" by the United Nations, 7 women were appointed to the Cabinet. A new law passed in 2012 provides for a quota system for women's participation in Parliament. |
| Lesotho | 32 % | 22 % | Local Government Elections (Amendment) Act of 2005 reserves a minimum of 30% seats in the local councils for women | The representation of women in Parliament stands at 26.7%. Representation of women in Cabinet stands at 39%. 67% of Assistant Ministers are women.

Lesotho is ranked first in sub-Saharan Africa by the Gender Gap Index, and eighth in the world for closing the Gender Gap by 76.8 per cent in 2010. [1]

The National Assembly Elections Act of 2011 stipulated that one third of seats in local government be reserved for women |

Country	Ministers	Members of Parliament	Affirmative action measures at the time of review	Changes after implementation of the National Programme of Action
Ghana	Information not available	7.9%	The Affirmative Action Policy 1998 requires:

50% of government appointees to District Assemblies to be women

40% representation of women at all levels of governance, on public boards, commissions, councils, committees, the Cabinet and Council of State

20% of the District Assembly Common Fund to be spent on poverty programmes that target women. | Affirmative Action Policy to appoint 30% women to decision-making positions at all levels of government is not adhered to

Ghanaian women activists compiled a list of potential women candidates to be called upon for public service by government

The representation of women in Parliament stands at 10.9% |
| Tanzania | | 30.3%. | The 1997 Constitution reserves up to 30% of National Assembly seats for women

The Local Government Elections Act reserves one-third of elected councillors' positions for women. | Representation of women in Parliament stands at 36% |
| Ethiopia | 7.1% | 21% | No official affirmative action policies mentioned in the country review report | The representation of women stands at 27.8% |

Country	Ministers	Members of Parliament	Affirmative action measures at the time of review	Changes after implementation of the National Programme of Action
Burkina Faso	14%	15.3%	No official affirmative action policies mentioned in country review report	National Assembly passed a law in April 2009 setting quotas for legislative and municipal elections. By law political parties must ensure at least 30% female representation among their candidates. The representation of women in Burkina Faso stands at 18.9%
Benin	23%	6%	No law on affirmative action	The representation of women currently stands at 8.4% In 2010 Government set a 20% quota for women in all party lists for parliamentary elections. The Constitutional Court nullified this on the grounds that quotas for women candidates violate the principle of gender equality guaranteed by the Constitution. The 2011 elections were held without any women's quota for party lists and this accounts for the low numbers
Mali	18%	10%	The Charter of Political Parties requires parties to set aside 10% of their funds to be allocated pro rata to the number of elected women	The representation of women stands at 9.5%
Sierra Leone	8%	14.5%	No affirmative action policy	The representation of women in Parliament stands at 12.1% The representation of women in Cabinet stands at 11%

Country	Ministers	Members of Parliament	Affirmative action measures at the time of review	Changes after implementation of the National Programme of Action
Zambia	19.2 %	15 %	No law on affirmative action in the political sphere[2]	The National Constitutional Conference Act provides for nomination of a minimum of 30% representatives of women where institutions are called upon to submit representatives Representation of women in Parliament stands at 10.8% Women represent 10.5% of the Cabinet and there are four women deputy ministers

The above table is based on the most attainable indicators from the country review reports, as other indicators were documented inconsistently.

In countries such as South Africa, Mali, Nigeria and Sierra Leone, the representation of women in Parliament dropped, despite making progressive commitments in the National Programmes of Action. For example Nigeria's country review report indicates that women constitute 49.6 per cent of the population, they are responsible for producing over 70 per cent of the nation's food supply and yet their level of participation in governance and decision-making is below 5 per cent; women are also under-represented in appointments to parastatal bodies at state and federal level, and ambassadorial appointments. In some instances, offices of the Commissioner for Women's Affairs that exist at state level were not filled or existent, or were occupied by a male Commissioner.

4.3.1 Affirmative action in politics

Women are grossly underrepresented in the elective/political life of many of the countries that were reviewed, giving some substance to the finding in the Benin country review report: "In politics, women are often treated in a diabolical manner". This statement could very well apply to several other countries that were reviewed and strengthens the perception[114] that men, across virtually all cultures, are socialized to see politics as a legitimate sphere for them to act in. Even where affirmative action measures have contributed to women's presence and increased women's leadership in the political, public and social arenas, this is not always commensurate with the quality of decision-making. In many instances, as noted in the Nigeria country review report, men and women alike view the involvement of women in politics as deviant behaviour. It is likely that gender stereotypes such as this lead to the exclusion of women and account for their low presence in the public and political spheres.

Affirmative action measures are central in addressing obstacles to women's participation. There is demonstrable evidence[115] to show that quotas can affect women's representation positively. This is evidenced in Rwanda, which leads the world in terms of women's representation in Parliament. Indeed, affirmative action quotas have been used in all countries with good representation of women in the legislature, as is evident in the table above.

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114 Matland, Richard (2005). "Explaining women's representation: The role of legislative recruitment & electoral systems". EGM/EPWD/2005/EP.4. 12 December 2005. Inter-Parliamentary Union (IPU) Expert Group meeting on equal participation of women and men in decision-making processes, with particular emphasis on political participation and leadership. 24-27 October 2005. page 2.
115 As before.

What are the desirable thresholds of women's participation in public life? The Beijing Platform refers to a "critical mass" of women leaders, executives and managers. General Recommendation 23 refers to studies that demonstrate that when women's participation reaches 30 per cent to 35 per cent, this is a critical mass with potential for real impact on political style and content of decisions and potential to revitalise political life. This logic resonated within the women's movement and is reflected in the system quotas or proportional representation for women, which aims to ensure that a substantive minority of women are well-placed to influence legislation in favour of women.

Few of the countries reviewed can elicit this kind of dynamic move towards passing a significant threshold number of women leaders, although Rwanda and South Africa stand out as beacons in this regard in the legislature and executive respectively. The country review reports of South Africa, Uganda, Rwanda and Mozambique clearly illustrate that setting gender quotas for public office has had positive results in increasing women's representation, although there is no evidence to correlate this to results in influencing laws, policies and programmes in favour of women. The country review report of Uganda shows that affirmative action measures across the board need to move beyond numbers to substantive participation in agenda setting and decision-making.

The majority of the country review reports show dismal performance in achieving the target of 30 per cent female representation in various sectors, as shown in Table 8. In many country review reports, reasons assigned for women not taking up or being appointed to public office include lack of capacity, timidity and fear, as well as lack of self-confidence or support from fellow women. These aspects cannot be overcome simply by laws and policies, but require longer-term action by diverse stakeholders, including civil-society organizations, political parties and government as well as community and opinion leaders.

The concept of "critical mass" has however been discredited for being rather simplistic, as it puts women in a homogeneous group of political actors with common interests. There indeed exist several instances where increased female representation in Parliament has been unproductive or inimical in influencing laws and policies and it is recognized [116] that female minorities may end up conforming to dominant male norms, party ideologies and positions. Instead "critical actors" are needed - motivated female or male individuals or groups who initiate and champion[117] gender-friendly policies or legislative positions or actions that will influence these.

It is imperative for women and women's affiliations[118] to commit to influence the politics of the day towards gender equality. This calls for sustained training[119] for women and girls in advocacy, fundraising, leadership, self esteem, public speaking, self-assertion, political campaigning and the electoral process. The African Peer Review Mechanism implementation progress reports of countries such as Lesotho, Uganda, Ghana and Mozambique reflect that concerted actions are being undertaken to boost affirmative action interventions.

4.3.2 Political parties:

Political parties are an essential springboard for women to take up leadership positions and to represent female constituencies and positions. However, a study of the country review reports reveals that, in the majority of the countries, the party list for candidates tends to reinforce gender-discriminatory patterns of exclusion and subordination to male counterparts. In such a setting, gender-neutral party rules are manipulated to benefit men, as evidenced in Nigeria where the country review mission was informed

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116 Childs S and L Krook (2009). "Analysing women's substantive representation: From critical mass to critical actors". *Government and Opposition*, Vol. 44, No. 2, pp. 125–145.
117 As before.
118 Miranda, Rosa (2005). "Impact of women's participation and leadership on outcomes". page 3. EGM/EPWD/2005/EP.7 12 IPU Expert Group Meeting.
119 General Recommendation 23.

that women seeking primary elections within party structures have been asked to step down[120] in favour of a male candidate because male candidature is considered more likely to attract votes. A few National Programmes of Action undertake legal reform in this regard, although only South Africa reports concrete results in this regard.

The Beijing Platform requires[121] political parties to review party structures and procedures to eliminate discrimination against women's participation, develop initiatives to encourage women's participation, incorporate gender issues in their political agenda and ensure that women can participate in the leadership of political parties on an equal basis with men. Thus, as shown in the Table above, Mozambique, Rwanda, Benin, Burkina Faso and South Africa are committed to increasing gender parity in political parties through legal obligations (in both South Africa and Mozambique these were not official government positions but rather party positions). However in practice, this was not adhered to, as is evident in countries where elections were held post review. The Constitutional Court in Benin even held that laws on quotas for women were unconstitutional.

4.3.3 Administrative, judicial and other public appointed positions

General Recommendation 23[122] of the Convention on the Elimination of All Forms of Discrimination against Women extends the application of political power to legislative, judicial, executive and administrative powers, including the formulation of policy at local, national regional and international levels. Further, this concept applies to women's involvement and participation in civil-society organizations and associations.

Just as in the case of elective office, women are underrepresented in all sectors of public service. The reasons for this under representation are not adequately developed in the country review reports, but a few countries refer to the socially constructed gender barriers women face in this regard. The country review reports of Benin, Mali and Sierra Leone indicate that the burden of work leaves little room for women to pursue active public and political activities, and this in itself is a result of gender discrimination.

In Benin, women's lower participation is attributed to, among other things, heavy work load, unequal distribution of paid and unpaid work between men and women and lack of child-care structures such as child-care centres. Even in Sierra Leone, where the ward structure of local governments is hailed as a commendable practice for women's participation in decentralized governance, women have not engaged effectively the wards due to the burden of multiple gender roles.

The African Peer Review Mechanism implementation progress reports make little mention of how countries are attempting to rectify women's involvement in appointed office. However, Kenya made positive strides after the review by taking an executive decision to ensure that all public-service recruitments reserve 30 per cent of positions for women. In Ghana, in what is probably a great practice, gender activists compiled a list of potential women candidates who can be called upon for public service by the Government.

The appointment of women to executive office to become ministers and deputy ministers is quite low. Data of women's appointments to public office, such as ambassadors, permanent secretaries and members of or heads of public institutions is also is hard to obtain, pointing to the lack of gender disaggregated data in Africa.

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120 APRM country review report of the Federal Republic of Nigeria, No 8 page 123.
121 Strategic Objective G.1 Paragraph 190.
122 General Recommendation Paragraph 7.

4.3.4 Traditional institutions

Traditional authorities and institutions play a significant role in alternative dispute mechanisms and in influencing and shaping the pace of cultural evolution. Many of these institutions unfortunately serve as bastions of patriarchal norms of male dominance and have failed to adopt progressive norms that promote the rights of women. In many countries these cultural or traditional institutions have zero adherence to gender equality norms. Several country review reports recognize the need to transform the traditional political governance systems to conform to human rights principles of dignity and non-discrimination, including gender equality.

In Sierra Leone, obstacles related to patriarchy arise in regard to the political empowerment of women. The Sierra Leone country review report illustrates[123] the case of a female candidate - Elizabeth Simbiwa Sogbo-Tortu - who was disqualified on the basis of her gender from contesting as the Paramount Chief. This was in violation of the Chieftaincy Act (2009) Section 8, and the courts ultimately overruled this practice. More gender-responsive judicial pronouncements of this sort as well as positive advocacy by these traditional institutions in favour of gender equality are critical in changing practices that are inimical to gender equality in the public and social sphere.

4.3.5 Civil-society organizations:

Women's participation in the public sphere includes the activities of women in civil society associations and organizations. Women have resorted to alternative structures in response to being locked out of traditional power structures, and non-governmental organizations form a vital outlet. Most country review reports make brief mention of the critical work of civil-society organizations, many of which are pushing critical gender agendas and articulating issues that are integral to attaining the African Peer Review Mechanism objectives on gender equality. This under-emphasis on civil-society organizations is linked to the old African Peer Review Mechanism questionnaire that downplayed the vital work of these entities.

Nonetheless, it is clear that these civil-society organizations add value and all National Programmes of Action recognise them as implementing stakeholders. In the implementation progress reports of Uganda and Mozambique, the prominent role of civil-society organizations in implementing or advocating for gender targets is acknowledged. For example the first Mozambique implementation report makes direct reference to the women's movement lobbying and bearing results[124] such as that Parliament passed the Domestic Violence Law 29/2009 as a result of civil-society lobbying through a petition made by organizations that advocate women's human rights, headed by Fórum Mulher (Women´s Forum).

4.4 Participation in the informal sector

4.4.1 Inadequate focus

An analysis of most country review reports reveals uneven documentation of women's experiences in the informal sector, despite the fact that women are predominantly found in the informal sector. Their participation covers working in cottage industries, the domestic arena, small trade or businesses, and small-scale farming and the agriculture sector. As noted in the Burkina Faso country review report, there is little diversification and few innovations in these types of activities.

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123 APRM. "The Country Review Report of Sierra Leone" No 15. Page 156.
124 Mozambique APRM National Forum (2013). "Progress report on the implementation of the National APRM Programme of Action 2010 – 2012". Page 39.

The informal sector is characterized by little to no government regulation in the form of laws, policies and programmes to protect the rights of women or to promote their interests and concerns. Further, there is a general lack of gender-disaggregated data to guide trends analysis, planning and programming to improve the situation of women in the informal sector.

Women dominate the informal sector in almost all countries reviewed. The reasons for women being involved in the informal sector are not well developed in the country review reports. However in a few instances it is clear that most women are restricted to working predominantly in this sector because of their low education levels and subordinate status in society. In Algeria, women's participation in the corporate sector has been constrained by religious and cultural prejudices and women have failed to find successful employment in the private sector, despite high education levels.

4.4.2 Limited protections

The informal sector in Africa is rudimentary at best. As noted in the Burkina Faso country review report: "The informal sector is based on socio-cultural values and the traditional mode of socioeconomic organization."[125] This means there are few programmes and interventions designed to support women in the informal sector in Africa. The Burkina Faso country review report observes that the informal sector contributes more than 30 per cent of the GDP and provides more than 70 per cent of non-agricultural jobs. Although women are important to the trade and cottage industries, social norms of gender discrimination and exclusion affect the productivity of women on a daily basis.

The appropriate inputs required to help women become successful entrepreneurs are lacking. In Burkina Faso it was noted that "the Burkinabe woman plays a definite economic role, but that this is invisible and not well known in the national budgeting and accounting systems".[126] To take another example, women entrepreneurs in Tanzania faced challenges including being located in low-growth areas and socio-cultural obstacles as well as legal, regulatory and administrative barriers. For the most part, women involved in business and trade activities are challenged by lack of organizational skills, networks or markets, and predominantly by their failure to obtain credit facilities for income-generating activities.

Quite a few of the recommendations in the country review reports urge Governments to facilitate the transition of women's employment from the informal to the formal sector. This is in acknowledgement of the fact that the informal sector offers few protections or meaningful benefits for women. The gaps are notably in the lack of fair labour laws and that where labour laws exist they are not enforced. In most countries (for example the Kenya and Mauritius country review reports point this out) it is in the informal private sector that violations occur such as wage differentiation, discrimination in recruitment, sexual harassment, denial of maternity benefits and missing social security schemes.

Some country review reports make the point that, although women are significantly involved in the informal sector, they are not entrepreneurs. There are few documented incidents of women being successful in the informal sector, whether literate or illiterate. Only the "Mama Benz" female entrepreneurs in Benin (women traders in the informal sector to the tune of tens of millions of francs, even though they are illiterate and lack training) are highlighted[127] as being an outstanding good practice. However, even in this example of the Mama Benz, there is no indication of government measures to scale up their outputs through enabling policy environments or incentives.

The country review reports and National Programmes of Action reflect the planned and actual interventions of Governments in this sector, but these mostly do not reflect a gender dimension or

125 APRM (2008). "Country review report of Burkina Faso". No 9. Pages 27-8. Available at http://aprm-au.org/sites/default/files/Coun-try%20Review%20Report%20-%20Burkina%20Faso%20%28English%29%20No%209%20December%202009_0.pdf.
126 As above, page 150.
127 APRM (2008). "APRM Country Review Report. Republic of Benin". No. 6. Page 198. Available at http://aprm-au.org/sites/default/files/Country%20Review%20Report%20No.%206%20-%20Benin%20%28English%29%20January%202008_0_0.pdf.

perspective. Nonetheless, there is evidence of a few gender-specific initiatives that are feasible to promote the welfare of women in the informal sector. There is an agricultural subsidy mechanism that empowers women to access inputs in Tanzania. In Burkina Faso, houses for women in at least 20 poor provinces are aimed at providing training facilities and skills to women to teach them a trade and provide for their families. In Ghana, the Ministry of Women and Children's Affairs has made available microcredit schemes that exclusively target rural women entrepreneurs. The Ministry provides a Social Investment Fund; Export Development and Investment Fund; Community-Based Rural Development Project; Export-Import-Guarantee Loan Facility and a Loan Facility.

4.5 Access to resources

This section looks at the trends in women's access to resources in terms of land, income, finances, employment and property.

A. *Financing enterprise*

One of the reasons why women tend to flock to the informal sector is that the start-up capital can be minimal, even extending to goods and services-in-kind, such as livestock, food, agricultural produce, menial or domestic work, sewing or cooking. The availability of microcredit or other finance is core to the promotion of women's work and employment, particularly in the informal sector and is critical in catalysing the propensity of women to become entrepreneurs and eventually transition to the formal sector. Most country review reports reflect that Governments have programmes and policies on microfinance, although these are mostly gender-neutral as only a few Governments have developed women-specific promotional programmes and strategies.

Lack of access to finances limits female entrepreneurship. Most reports do not mention many details about women-led enterprises but, for example, South Africa's report demonstrates that they do not fare well. The report says that lack of access to land is compounded by discriminatory social and cultural practices; the land-reform programme has so far been slow and ineffective as far as rural women are concerned. There are also challenges in accessing credit facilities. These have created a difficult environment for women in the informal sector.

In Burkina Faso, affirmative action is practised in some instances to help women to obtain credit without collateral, but instead based on their characters and the mutual guarantees of fellow association members and associations of women in enterprise. However, affirmative-action measures in this sector are few and far between. In Algeria, there are increasing numbers of small enterprises run by young people, especially young women, but the slowness and complexity of procedures to access microcredit finance, coupled with lack of follow-up and support for young beneficiaries, has led women to revert to informal work such as sewing, preparing food or doing household work. In Tanzania, women entrepreneurs are largely concentrated in low-growth areas and earn lower financial returns than their male counterparts due to legal, regulatory, and administrative barriers.

The mainstream financial institutions do not fund the kind of activities women engage in under the informal sector and the inflexible loan conditions of commercial banks are not conducive to borrowing by women. High illiteracy levels, added to lack of business, accounting, marketing and organizational skills, prohibit women from accessing much-needed funding for income-generating activities. Lack of access to financial assistance from credit institutions constraints women's ability to develop enterprises to their full potential; women are forced to resort to the services of microfinance or microcredit institutions, whose amounts are not adequate[128] to provide meaningful inputs such as time-saving technologies and infrastructure, among others. Microfinance institutions give much-needed help but they give small

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128   APRM (2008). "Country review report of Burkina Faso". No 9. page 348.

amounts and sometimes reinforce discrimination by requiring spousal approval for loans (noted in the country review report of Mozambique) thus subordinating women to men's control.

As mentioned above, some governments have put in place microcredit programmes and schemes to promote the informal sector, but only a few of these schemes are designed specifically to promote the activities of women. Even in countries such as Ghana, Mozambique and Uganda, where gender-specific initiatives have been designed to facilitate women in the informal sector, the deficiency gap is quite high. In Mozambique, women are coming together to form thrift societies to raise much-needed funds but there is little analysis of how they have fared.

Few countries have addressed these issues from a gender perspective after the review within the National Programme of Action. Only South Africa reports instituting a fund for women entrepreneurs in response to issues identified in its National Programme of Action, while Ghana has instituted a microcredit scheme for older women. Little information is provided about the magnitude of the funds and their impact. In South Africa, a Women's Fund to support women entrepreneurs was established by the Presidential Working Group on Women.

B. Land

Land is a fundamental element of resources and a factor of production for men and women. While the right to own land is formally guaranteed for women, according to almost all the country review reports, there is a huge departure in women's actual access to, control and ownership over land in almost all the countries. Men represent 85 per cent of agricultural landholders[129] in sub-Saharan Africa.

The country review reports reveal that even where an affirmative land policy exists, as in the cases of Zambia and Uganda, invariably women do not have equitable ownership and control over land. The usual means of land ownership, whether through inheritance or purchase, apply to men more than women and women are more or less disenfranchised or even occupants on sufferance. In most of Africa land is held according to customary norms that often bar women from accessing it.

The multiplicity of legal, cultural and religious regimes aggravates women's right to land ownership. While women may be allowed to till land for subsistence farming, men are heads of households and own the means of production and reproduction: land and women[130]. This is vividly demonstrated in Lesotho where land in rural areas is held according to customary practices which mean that a family is headed by a man who has control over family property, which must be in his name; women's access to land therefore is mainly through men. In Burkina Faso, the country review report points out that women are allocated land to till for subsistence farming, often in infertile areas, but it can be withdrawn at will. Women are under-represented on village structures that deal with land issues and fail to influence decision-making in their favour. As a result women are confined to the agricultural sector and unprofitable rural industries.

In Ethiopia, the Government has taken some initiatives to promote joint ownership of land for men and women. A Women Development and Change Package has contributed to promoting joint ownership of land in the rural areas, also facilitating rural credit and giving extension packages to female-headed households. This is a positive step towards promoting female-led enterprise.

Vicious cycle: Most country review reports ascribe women' failure to access land to patriarchal and traditional norms of land acquisition. This is aggravated by lack of capacity by women (who are often treated as legal minors and form the majority of the poor) to purchase land in their own right.

129 UNDP (2012). *Africa Human Development Report 2012: Towards a Food Secure Future*. New York. page 126
130 As before, page 345

At the family level, failure to own land and other inputs affects women's control over proceeds from land, in some cases leading to food and human insecurity.

The country review reports of Uganda, Kenya and Ghana emphasise the need for legal reforms to promote land reform and to redistribute ownership to allow equal access and control, though not along the lines of gender. The African Peer Review Mechanism implementation report in Kenya points to policy reforms in this regard but does not address this along the lines of gender equity.

C. Employment

The Convention on the Elimination of All forms of Discrimination against Women (CEDAW)[131] in its preamble notes that "in situations of poverty women have the least access to food, health, education, training and opportunities for employment and other needs".

Equal opportunity and participation of women in the labour market becomes a key factor in empowering them to input substantively to their countries' economies and increase chances of self-development. Vulnerable employment (unpaid family workers or own account ones[132]) characterizes the African labour market. Women in particular dominate this sector: for example[133], 84 per cent of African women were in vulnerable employment against 70.6 per cent of men. Cultural barriers and limited economic opportunities maintain this status quo, often with negative results. In countries where women are denied equal opportunities to participate in their economies, gross domestic product (GDP) growth can decline by 27 per cent.[134]

Gender Disparity: There is uneven handling of analyses on employment of women within the various country review reports and National Programme of Action implementation progress reports. In some reports employment is absorbed within discussions on the informal or corporate sector and in other reports it is a standalone issue.

African women's involvement in the non-agricultural employment sector in 2009 accounted for[135] as low as 18.8 per cent in North Africa and 32.6 per cent in the rest of Africa. A review of the country review reports reveals that in every country the rates women in employment are lower than the rates of employment of men in both the formal and informal sectors, both in terms of numbers and seniority of position. Women form the majority of the unemployed in the public and private sectors.

High rates of education do not seem to have levelled the employment field. For example, women in Algeria formed only 16.4 per cent of the total workforce as recorded in 2004, although Algerian women outstrip men in terms of high education levels at primary and secondary school levels. In Mauritius, women make up two-thirds of the unemployed workforce despite the fact that the proportion of girls at the three levels of education is higher than that of boys[136]. The male unemployment rate was 4.4 per cent and the female rate was three times higher at 12.3 per cent as at 2009. In Mali, despite increased levels of education of women, the incidence of women in permanent employment decreased from 8.8 per cent to 7.3 per cent of which only 15 per cent were senior positions in 2006, which is another example of an inverse relationship between education attainment and employment.

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131 CEDAW was adopted and opened for signature, ratification and accession by General Assembly resolution 34/180 of 18 December 1979, and entered into force 3 September 1981, in accordance with article 27(1).
132 Vulnerable employment, female (% of female employment) data.worldbank.org/indicator/SL.EMP.VULN.FE.ZS. Accessed 12 September 2014
133 AfDB, OECD, UNDP (2014). African Economic Outlook page 89 Available at www.africaneconomicoutlook.org/en/outlook, accessed 1 August 2014
134 IMF (2013). *Women, work and the economy: Macroeconomic gains from gender equity.* Washington, DC.
135 AU, AfDB, UNECA, UNDP (2012). *MDGs Report 2012, Assessing progress in Africa toward the Millennium Development Goals*. Page 46
136 Supported by Mauritius Gender Statistics 2009, published by Statistics Mauritius. Available at statsmauritius.govmu.org/English/Pages/cso/ei837/intro.doc. Page 10.

Algeria's country review report[137] describes this peculiar situation of inability or unwillingness to absorb the increased population of highly qualified women into the work sector and its long-term social and economic consequences. Failure to employ capable and competent women has negative implications; given that they form the majority of the citizens in several countries, a significant human resource remains unutilized.

The majority of the country review reports report a deficit in women's employment in the public sector in executive, judicial and administrative institutions. Even where affirmative action has been adopted at country level, this tends to favour women in elective positions at Parliament and local government level, rather than in appointed positions. The incidence of women employed in the public sector is slightly higher than in the private sector. In the private sector, women's representation in executive and management positions is almost negligible, for example in Algeria, women represent only 3 per cent of economically active individuals in the corporate sector. The rates of unemployment increase significantly outside the agriculture sector.

The employment situation of women is further aggravated by the fact that the International Labour Organization laws that would promote fair and equal employment terms and conditions for women are not well ratified, domesticated or adhered to in principle and practice.

Serious inequalities and discriminatory practices are documented in the country review reports in regard to women in employment. Women are not paid the same amounts as men for the same work and do not receive equal training opportunities or promotion, as evidenced in Algeria, Ghana, Mauritius and Tanzania. Women's experiences in the workforce have been reported as reflecting "tremendous difficulties" and their contributions in the domestic and agricultural arena as "invisible"[138]. This trend has had unfortunate effects, including feminization of poverty, lack of resources and unequal power relations skewed in favour of men. In the country review reports that reflect a prevalence of trafficking in women and girls as well as prostitution, the pursuit of employment is at the heart of the vulnerability of these victims. For example in Nigeria, where trafficking in women is prevalent, the country review report notes that 65 per cent women live below the poverty line.

With the exception of South Africa, there are no reported affirmative action measures in the employment sector for women. The National Programme of Action of Tanzania is the only call for affirmative-action interventions while Ethiopia's National Programme of Action calls for protective laws on women's employment rights. Rwanda's affirmative action policy of 30 per cent extends to the corporate sector but the Rwanda country review report reports that women lack the required competencies and skills to work in these jobs.

The private sector: The private sector across the board is notorious for not observing labour laws, particularly in regard to the rights of women workers. In such circumstances, failure of governments to enforce compliance with codes and standards has unfortunate results.

South Africa and Mauritius have perhaps the most comprehensive laws on equal opportunities in the employment sector. However South Africa's country review report reveals that the higher up the employment ladder you look the fewer women you will see, particularly at management levels. South Africa has passed a Black Economic Empowerment law that requires women to benefit from at least 40 per cent of the shareholding transactions made, but companies are not held accountable for failure to adhere to gender targets for women and these programmes have not benefitted women as much as they have benefitted men. The third implementation progress report of the National Programme of Action notes that the aggregate growth of women in leadership positions has slowed since 2010 (due

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137   APRM (2007). APRM country review report of Algeria. No 5. Page 293.
138   APRM (2013). APRM country review report of Tanzania. No 17. Page 69.

to transformative gains in the private sector) and does not indicate that any remedial action has been taken in this regard.

Limited categorization of employed women: The country review reports do not undertake in-depth analyses of the plight of the rural women nor is the unpaid work of women in the domestic sphere addressed. Neither do they address the other diverse and often vulnerable categories of women in this context such as women with disabilities, female immigrants and refugees, and female-headed households.

Institutional frameworks: There is a dearth of institutions that exist to promote and protect the rights of female workers both in the informal and formal sectors. The country review reports do not discuss the work of trade unions from a gender perspective even where gender concerns in the labour sector are raised in the country review report.

In Algeria and Burkina Faso, good practices exist in the form of observatories on women who also look into the employment of women. Uganda has established the Equal Opportunities Commission which presumably will address inequalities in the public sphere, including the workplace.

Overall, the National Programme of Action implementation reports show limited responsiveness towards providing equal opportunities for the recruitment, promotion and protection of women in the employment sector.

4.6 Health

4.6.1 Limited categorization

The picture that emerges is that Governments are struggling with their mandates to protect the lives and health of mothers and women, and in some cases they are failing alarmingly. In most instances, health is not approached as a right-based issue, but rather as a programmatic issue. The country review reports indicate a wealth of statistics on health issues, but the trend is to report on maternal health care and HIV under Millennium Development Goals Objective 5, which offers a narrower definition of health for women.

One of the bigger gaps in the National Programmes of Action, and which is reflected in the mechanism implementation progress reports, is the narrow focus on health rights of women as focused on maternal health care. The reasons for this are unclear, but this situation could lead to the continued marginalization of women's right to attain comprehensive and affordable health care in Africa. In their implementation reports, Ghana and Uganda show results relating to only pregnant women. Likewise the first Kenya and Lesotho implementation reports respectively show significant response in providing targeted and prioritized health care for pregnant women and mothers with HIV/AIDs.

Not given as much attention are other female-specific diseases such as cervical or breast cancer or menopausal disorders. The Millennium Development Goals report assessing Africa's progress towards the goals (hereafter referred to as the "MDGs Report on Africa 2012") urges countries to transcend the indicators[139] in addressing Objective 5 and to consider issues of maternal morbidity, post-natal care and fertility rates.

Maternal mortality: Forty countries had high maternal mortality ratios in 2010 of which countries such as Sierra Leone (890 annual deaths of women from pregnancy-related causes per 100,000 live births)

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139 AU, AfDB, UNECA, UNDP (2012). *Assessing Progress in Africa toward the Millennium Development Goals.* Page 79.

and Nigeria (630) had the highest rates, while Mauritius (60) had a very low rate[140]. Nigeria accounts for 14 per cent of global maternity mortality rates; Kenya and Zambia have made no progress in this regard[141]. However, Ethiopia, Algeria, Rwanda and Mauritius have registered more than 50 per cent reductions in the indicators, indicating good progress towards achieving Goal 5, as noted in the MDGs Report on Africa 2012. The country review report of Mozambique also reflects progressive reduction in the maternal mortality rate. However countries such as Zambia, Lesotho, Burkina Faso, Mali and Tanzania face severe challenges in the attainment of qualitative health care improvements and to achieve the targets of Goal 5.

Best practices in maternal health care are showcased in Mozambique and Tanzania country review reports, as illustrated in Table 11 below. The Tanzania National Programme of Action calls for affirmative action in the health sector. Overall, few country review reports make recommendations around women's right to health and the implementation reports do not reflect much action in this area.

Disparities in health care: Across the board, regional divergences are noted in the rates of access to health care for women and girls in urban areas vis-à-vis rural areas with the latter being worse off. For example, the Uganda country review report notes the low participation of rural women in development programmes and that this is aggravated by poor-quality health care and limited service delivery.

In the area of HIV, almost all country review reports indicate that the prevalence of HIV among women in general is twice or three times as high as among men. In all countries, even those countries with the lowest rates of HIV and AIDs among women and men, women are predominantly and disproportionately affected and infected. The country review reports identify gender discrimination as the cause of these disparities. Social factors influencing the spread of HIV among women include: harmful and cultural traditional practices, domestic violence, child marriages, wife inheritance, domestic care-giving, illiteracy and poverty. Social norms affect other areas of women's reproductive health. In Algeria, for example, care for pregnancies outside marriage is still taboo.

Despite the female face of HIV/AIDs, as noted in the Mozambique country review report, women are not actively involved in sensitizing Mozambican society to the pandemic. In Lesotho, commercial sex workers lack access to basic health services. In Tanzania, gender differentiation was noted in access to health in that only 15 per cent of women make decisions about their own health, compared to 66 per cent of men, due to unequal access to income.

Birthing and spacing: Information on and use of family-planning methods for women is quite low in several countries. The MDGs Report on Africa 2012 reveals that almost one in four women in Africa who seek to exercise the right to space or delay their next pregnancy are not using contraceptives[142]. The report reveals that the prevalence rate for using contraceptives is above 50 per cent in Mauritius, South Africa and Algeria; it is between 30 and 50 per cent in Lesotho, Kenya, Rwanda, Zambia and Tanzania; between 20 and 30 per cent in Mozambique, Benin, Burkina Faso, Ghana and Uganda; between 10 and 15 per cent in Ethiopia and Nigeria; and below 10 per cent in Mali and Sierra Leone.

There are various reasons why few women use contraceptive in most countires.The Sierra Leone country review report says that only 4 per cent of women have access; the Ethiopia report says that use of contraceptives is condemned in certain parts of the country; access to female contraceptives is problematic in Mozambique; in Benin women require spousal consent for contraceptives and it is hardly ever given and use of contraceptives was recorded at 7 per cent as at 2006. In Ethiopia, family-planning methods are condemned especially in the rural areas. The country review report for Burkina

140 United Nations General Assembly. "Framework of Actions for the Follow-up to the Programme of Action of the International Conference on Population and Development beyond 2014". January 2014 A/69/62, page 14
141 UNECA (2013). "Report on progress in achieving the Millennium Development Goals in Africa". E/ECA/COE/32/3 AU/CAMEF/EX-P/3(VIII) page 8
142 MDGs Report 2012. "Assessing Progress in Africa toward the Millennium Development Goals". Page 76.

Faso indicates that, in 2003, two-thirds of women seeking birth control could not find the necessary contraceptive methods.

Data: A good practice that is reflected in the country review reports is the gender-disaggregation of data and making this available to track health issues affecting women, particularly regarding HIV/AIDs and maternal health. After the review, Uganda showcases significant utilization of disaggregated data in its implementation progress report and indicates a fall in the rates of mother-to-child transmission of HIV. The tracking of Millennium Development Goal 5 has been problematic for policymakers, as no new comprehensive data for maternal health indicators have appeared since 2008 and this presents a conundrum[143] and limits the ability to diagnose the magnitude of the problem and the remedial action to take as well as the required inputs.

Obstacles to meaningful health care: Legal and policy frameworks outlined in the country review reports do not indicate adequately what gender-specific strategies are in place to provide better health care for women's reproductive and other health rights. In a few countries, women's health care is reflected within the national gender policy. In one or two other countries, these issues are found within national health laws and strategies. In Benin it is reported that women's specific needs are not adequately addressed in health-sector policies and strategies.

One of the constraints women face is the cost of accessing health care. Even in Tanzania, which showcases best practice in maternal health care, the burden of related costs to the patient deter the full success of designed interventions. Few countries provide free and accessible health care, although South Africa has gone a long way in meeting this standard. In Algeria free health care for women extends to private institutions and such fees are refunded 100 per cent under the social security fund. Tanzania also grants free health care to pregnant women, as does Sierra Leone.

4.7 Education

The various country review reports reveal varying degrees of success in progressing towards equal education for girls and boys. Advances have been made in all countries over the years. Nonetheless, in the majority of the countries, gender gaps remain unconscionably high between girls and boys at the secondary and tertiary levels. In many countries, the attainment of Millennium Development Goal 3 is unlikely to be met by 2015.

Increase in gender parity: In quite a few countries, the country review reports reveal that the scales have tipped to the point where girls achieve higher literacy rates than boys. This has occurred in Mauritius, where the primary education enrolment ratio of boys to girls was 100:101 in 2009, at secondary level, the ratio for boys to girls was 71:76, and at tertiary level, the male-female enrolment ratio was 42.2:57.8. In Algeria, where net enrolment was 96.8 per cent in 2004/2005, the girl:boy proportion was 96:100 in primary and senior school, 136:100 in secondary school and 135:100 in higher education. In Rwanda in 2003, gender equality in the education system net rates were at 82.3 per cent for females and 80.9 per cent for males. Gender equality has been attained at the primary level in Lesotho since 2003, and in 2006 the female to male enrolment ratio in tertiary education was 153:119, in primary schools 104:100, and in secondary schools 131:127.

Some countries show stark gender inequalities in the field of education. The Ghana country review report shows very high illiteracy rates among girls, recorded at 54.3 per cent (that is among females of 15 years) and in Burkina Faso as low as 26.5 per cent for females between the ages of 15-24 years. In Mali more than 61 per cent of the population was found to be illiterate and women constituted 67 per cent of the illiterate population.

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143 MDG Report 2012. "Assessing Progress in Africa toward the Millennium Development Goals". page 79.

The MDGs Report on Africa 2012 indicates accelerated progress on the gender-parity index for school life-expectancy[144] in Africa, but slow returns in the area of tertiary education. There were significant percentage changes between 1999 and 2009 in countries such as Rwanda (56.25), Burkina Faso (63.33), Ghana (103.67), Uganda (110.53) and Mali (156.25).[145]

The poorest girls: Girls from backgrounds of poverty are vulnerable to exclusion and marginalization based on gender stereotypes. For example in Benin only 6 per cent of poor girls obtain basic numeracy skills[146]. Statistics project that there will not be universal primary completion for the poorest girls until 2086 and, if trends continue uninterrupted, girls from the poorest families in sub-Saharan Africa will only universal lower secondary school completion in 2111[147].

Text box: Key pointers on the role of education and the girl child

Early marriage: Child marriages for all girls of age 15 years and under in sub-Saharan Africa are estimated at 2,867,000. The Education for All Global Monitoring Report 2013/4 indicates that the figure would fall by 14 per cent if all girls had primary education and by 64 per cent if all girls had secondary education.

Early motherhood: There is a strong correlation between education and the age at which girls marry or enter the reproductive phase. Education is the pathway to women exercising their reproductive rights in a timely manner. Early births for all girls under 17 years in sub-Saharan Africa are estimated at 3,397,000[*] and it is estimated that this figure would fall by 10 per cent if all girls had primary education and by 59 per cent if all girls had secondary education.

Births: Similarly, the report estimates the average number of births per woman in sub-Saharan Africa at 6.7 for women with no education, dropping to 5.8 for those who attain primary school level education and to 3.9 for women who attained secondary-school education.

Source: The Education for All Global Monitoring Report [**]

Positive measures: Governments are attempting to level the ground by providing universal primary education and hopefully improve the gender parity index. The Ugandan Government has undertaken affirmative action for girls in the education sector. In Kenya, the first Kenyan African Peer Review Mechanism implementation report indicates increased resource allocations towards education of girls in primary and secondary school. By 2010, countries like Lesotho, Mauritius, and Rwanda were recorded as having achieved gender parity at secondary school level.[148]

There are efforts to influence the content of curricula towards gender equality. The country review report recommendations and National Programmes of Action of Rwanda and Nigeria indicate the imperative for girls to be encouraged to study sciences and technology. The Benin country review report touches on the need to strengthen the curriculum with education on women's human rights. This is crucial given that in some countries such as Sierra Leone, girls are discouraged from undertaking this discipline.

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[*]   As before, page 28 xx
[**]   As before, page 29 xx ibid.
144 The average number of years of instruction that a boy or girl entering the system can expect to receive from primary to secondary school. The benchmark is 12 years. Fewer years of schooling indicate a low completion rate or high dropout rate.
145 page 146 xx
146 United Nations Educational Scientific and Cultural Organization (2014). *Education for All Global Monitoring Report. Teaching and learning: Achieving quality for all 2013/14.* Unesco. Paris. page 32.
147 As above, page 41.
148 UNECA (2012) "Report on progress in achieving the Millennium Development Goals in Africa". page 4

Quite a few countries have taken positive measures such as offering scholarships or food for children and parents, and reducing or abolishing fees. Zambia attributes gender parity in primary school to policies that reintroduce pregnant girls into schools. There is a recognition of the need to increase the proportion of female teachers, for example in the National Programmes of Action for Mozambique, Benin and Nigeria.

Challenges and quick wins: Despite these positive trends, it is notable that in most countries the retention of girls in school, particularly at the higher levels, is lower than that of boys. While the reasons for this vary, at the heart of this are gendered socio-cultural factors such as domestic responsibilities, parents' preference for boy-child education, early marriage, child labour, sexual harassment, pregnancies and work burden on girls. Other factors include failure of parents to pay fees and long distances to schools from home communities.

There are some weaknesses in the documentation in the country review reports. Gender ratios in primary education are not disaggregated by rural and urban measures.

The Government of Mozambique has taken steps, since the review, to secure the retention of girls in schools through involving the communities the girls hail from. However the Government notes candidly[149] that the obstacles persist to girl-child education. In the wake of the African Peer Review Mechanism review, Nigeria took many multifaceted initiatives[150] amounting to affirmative action and other special measures to ensure access to education for girls, including scholarships, increased resource allocations and all-girls' schools in Northern Nigeria. Uganda has fulfilled its commitment in the National Programme of Action by making universal secondary education compulsory.

4.8 Violence against women

Gender-based violence: Gender-based violence in all countries reviewed manifests as a deeply rooted practice, often based in societal and cultural practices. Because it occurs mostly in the private sphere and due to taboos and stigma around the issues, particularly when it comes to sexual violence, women tend to shy away from taking action to protect or remedy their vulnerability. The country review reports also indicate that the same patriarchal norms in communities and societies are reflected in law-enforcement agencies, which results in re-victimization or lack of meaningful solutions for victims of gender-based violence.

Overarching issue: Violence against women and girls cuts across every country that was reviewed and all country review reports indicate that this vice is pervasive. The most common forms of violence occur at the family and community levels and include domestic violence, rape, defilement, trafficking, child marriage and prostitution. Female genital mutilation is also practised in a number of countries, as well as widow inheritance.

Adequacy of legal protection: Most countries are undertaking legal reforms to protect women, often in the form of a law prohibiting sexual offences and domestic violence and sometimes in laws protecting child rights. Zambia has a more comprehensive law, the Anti Gender Based Violence Law, that is all-encompassing. Most countries pass laws that only prohibit domestic violence.

In several countries, law-making processes are lengthy and this delays the effective protection of women's rights. Examples were the long overdue domestic violence laws in Uganda and Kenya, and the adoption of the domestic violence law in Ghana. However, in response to their National Programme

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149 Mozambique APRM National Forum (2013). "Progress Report on the Implementation of the National APRM Programme Of Action 2010 – 2012". April 2013. Page 97.
150 "APRM Second Progress Report on the Implementation of the National Programme of Action (NPoA) of the Federal Republic Of Nigeria". Page 45.

of Action commitments, quite a few countries reported passing domestic violence laws during the implementation process, including Uganda, Mozambique, Kenya and Ghana. The implementation reports for these countries also show a strong push to sensitize communities on the need to fight violence against women.

There is a big gap between the de jure and de facto protection of women from violence. Many formal justice systems and institutions are not responsive to the experiences and concerns of women, creating obstacles to gender justice. In some countries, the plurality of legal regimes has further created confusion on the appropriate systems. In some instances entrenched gender-blind or insensitive approaches have prevented delivery of justice. There are instances where women prefer to resort to the customary justice systems to avoid the complexities of formal legal systems, even though these systems do not respect human rights norms, including gender equality.

Challenges to progress: The absence of strong and effective enforcement institutions to respond to violations of women's human rights denies them effective remedies. Several country review reports record that cases go unreported as a result of this. It is in these areas that the annual implementation reports show the strongest responsiveness. For example, the National Programmes of Action of Uganda, Nigeria, Mozambique and South Africa indicate strong and multifaceted measures to strengthen actors, institutions, strategies and policies for handling the issue of sexual and gender-based violence. This is at the national and community levels. In South Africa even the business community and other parts of the private sector are involved in these initiatives.

There are deep taboos against publicizing or discussing violence against women and these prevent gender-based violence from being treated with all due seriousness. Cultural norms still hinder the addressing of violence against women as a violation of human rights. In many instances, some of the forms of violence are traditional practices and are reinforced either by law or by absence of the law. For example, in Sierra Leone, husbands are allowed to chastise their wives due to poor enforcement of the domestic violence law. In Nigeria, wife chastisement is allowed under the Penal Code. Female genital mutilation and early child marriage are also allowed under culture and religious norms and practices, and widow inheritance also has its roots in cultural practices. This aggravates the ability of law-enforcement agencies to handle such deeply rooted practices in society.

4.9 Status of women

Invariably, all country review reports indicate that at the heart of gender inequality are cultural practices that reinforce gender stereotypes and discrimination. Country review reports identify patriarchal norms, male domination and chauvinism as accounting for the perpetuation of gender inequalities. Governments blame pervasive discriminatory cultures as the primary cause of gender inequality. Despite this, not much seems to come out in the way of state re-engineering of social attitudes through public education and communication programmes, although the National Programmes of Action of many countries reflect a commitment to move in this direction in recognition of this gap.

Form and substance: Across the board, there is a formal recognition of the equality of women on the same basis as men, and this is captured in various national constitutions and laws. This stems mostly from the Convention on the Elimination of All Forms of Discrimination against Women and the standards of the Maputo Protocol, which are further entrenched in laws, policies and strategies. For example, Kenya even has an equality law.

However, it is evident from the reviewed countries that in reality most are not succeeding in adhering to compliance with gender equality. Laws, policies and programmes fail to transform women's lives and this continues to affect women negatively in all spheres. Women are more disproportionally affected

by conflict, poverty and disease, yet systematically disempowered and excluded from participation in public life and at the same time suffer discrimination, marginalization and violence in the public and private spheres.

Gender inequality has prevented women substantially from exercising their citizenship, as reflected in various country review reports. At the heart of discrimination against women are patriarchal and cultural norms, practices and traditions that subordinate women to men and create a hostile environment for gender equality. The reviews shows that even in countries where women have achieved high levels of education, gender disparities are prevalent in regard to employment, health services, education and property ownership. Access to power, privilege and resource is denied to women in a systematic and deliberate manner based on gender differences.

There is little analysis in the country review reports about the disparities between women in the rural and urban areas. The country review reports of Nigeria, South Africa and Uganda, Kenya and Lesotho make brief mention of the situation of women in rural areas compared to the situation in urban areas, particularly when discussing the Millennium Development Goal on maternal mortality. The plight of the rural women is not addressed in most other areas, as well as among women themselves, and women are treated a homogenous group.

Measures towards equality: Most country review reports indicate the presence of government programmes to address the constraints and barriers to gender equality. In implementing their National Programmes of Action, a number of countries are working with communities in conjunction with civil-society organizations to overcome obstacles and constraints to gender equality and to promote the rights of women. However centuries of tradition and culture have entrenched gender discrimination and this means that tackling it calls for sustained and multi-stakeholder participation and this is a big challenge to mobilize.

Inadequate legal frameworks: There is an overwhelming tendency in societies to resist strong legal frameworks for women's rights. This is seen in countries such as Uganda and Mali, particularly over women's sexual and reproductive rights as well as on property ownership.

Women face stark discrimination in economic, political and social relations and this is often hidden or it can be entrenched in gender-neutral or even discriminatory laws. Perhaps the biggest ambiguities or challenges to gender equality can be found in the area of personal law. In many instances, the role of traditional and cultural mechanisms and systems is cited as inimical to the rights and status of women. These mechanisms and systems are strong custodians of culture and they influence how women are viewed and treated, often contrary to the legal norms. The practice of female genital mutilation showcases the depth of cultural values and this can present a conundrum in that the victims are willing participants in a cultural ritual, which they claim is their tradition. This leads to under-reporting not only by the community closing ranks, but also by the victims maintaining a wall of silence. In certain cultures, for example in Lesotho, married women are viewed as minors under customary law.

Lack of information and high illiteracy levels compound the gender gaps. Yet the country review reports of Mauritius and Algeria display an anomaly that challenges this notion: whereas women in those countries are well educated, they are still greatly undermined and marginalized in the social, economic, political and public arenas.

Conceptualizing violence: The African Peer Review Mechanism structures at national level are specifically reminded[151] to include gender as a cross-cutting issue in the administration of the questionnaire. The country review reports identify either gender equality or gender-based violence as a cross-cutting issue,

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151 All the studies conducted by Open Society Initiative of Southern Africa via national consultants on reviewed countries reflect that.

without giving a clear reason for the distinction. Countries that register violence against women as a cross-cutting issue, rather than gender equality, do in fact document overwhelming proof of systemic gender inequalities. In reality, violence against women is a clear manifestation of gender inequalities and should be reflected as one of the forms of gender inequality.

The United Nations Committee on the Elimination of All Forms of Discrimination against Women says there is an indivisible link between violence and gender inequality and identifies gender-based violence[152] as "a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men". Further, the United Nations Rapporteur on Violence against Women defines violence[153] as follows:

"Violence is a tool through which discriminatory structures are strengthened and the more insidious and subtle forms of discrimination experienced by women daily are reinforced".

Perhaps the starkest confirmation of the cause-and-effect relationship between violence against women and gender equality is found in the Declaration on the Elimination of All Forms of Violence against Women. It recognises that:

"Violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men"[154].

Thus the confusion caused by referring to violence against women as a cross-cutting issue in country review reports diffuses the gravity of gender inequality and blurs the focus on the systemic issues in some of the country review reports and National Programmes of Action.

Gender-disaggregated data: The country review reports make a valiant effort to disaggregate data to the extent possible, keeping in mind that the primary information can only be obtained at source from the countries under review. However, an analysis of the country review reports reveals that the systematic collection and utilization of data disaggregated by gender is problematic all over Africa. Without this type of data, planning and implementation of programmes continues to be conducted in a gender-neutral manner that has serious implications for women beneficiaries. A few countries such as Mauritius, Lesotho, Ghana, Mozambique and Ethiopia make the commitment to develop gender-disaggregated databases in their National Programmes of Action. Uganda has embarked on evidenced-based programme implementation relying on gender-disaggregated data in some sectors in the implementation of its National Programme of Action.

4.10 Gender mainstreaming

Gender mainstreaming has been defined as "the process of assessing the implications for women and men of any planned action including legislation, policies, and programmes, in any area and at all levels"[155]. The presence of enabling legal frameworks without commensurate resources and championing of gender equality through concrete action plans and programme implementation has resulted in inadequate results in many countries. All countries have attempted to put in place institutions to promote the rights

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152   General Recommendation 19 of the Committee on Elimination of All Forms of Discrimination against Women.
153   Special Rapporteur on Violence Against Women (2000). "Integration of the human rights of women and the gender perspective: Violence against women, Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences". E/CN.4/2000/68. February 2000.
154   Resolution 48/104 of 20 December 1993
155   ECOSOC Agreed Conclusions (E/1997/100)

of women, but in many cases, these work through isolated approaches, despite the rhetoric on gender mainstreaming.

The question needs to be addressed by all actors to the African Peer Review Mechanism: When gender equality is identified as a cross-cutting issue, what does it mean in terms of formulating and implementing the National Programme of Action? The logic of cross-cutting issues is that their systemic nature causes them to overarch and transcend any one section, requiring the critical focus and action necessary to achieve the gender objectives of the African Peer Review Mechanism.

When one or two or more sections of an African Peer Review Mechanism country review report are gender-neutral in their content and analysis, this makes it difficult to assess whether the issue is cross-cutting. This is the reason for careful scrutiny of all the sections from a gender perspective. An overview of the handling of gender issues in country review reports reveals that only in sections on democracy and political governance and socioeconomic development is serious focus given to gender issues, while the sections on corporate governance and economic governance and management often have very random approaches to the issue. This pattern is reflected in the National Programmes of Action and the implementation progress reports.

Standardization of gender-analytical approaches: The earlier country review reports (examples are those of Mauritius and Ghana) suffered from under-developed gender analyses as compared to the later reports. These reports reflect many inconsistencies in approach towards gender analyses and concepts. Later reports overcame the teething challenges, particularly with the participation of the African Centre for Gender Development of the Economic Commission for Africa.

The democracy and political governance section of some country review reports mostly emphasize women's participation in the public sphere, violence against women and the legal and institutional frameworks. Other issues addressed within the section are the issues of health, employment, women's participation in the informal sector, and even health, leading to a convergence with the issues covered in the socioeconomic development section.

4.11 Monitoring and evaluation: The National Programmes of Action and the African Peer Review Mechanism implementation progress reports

The National Programme of Action is the culmination of the African Peer Review Mechanism country self-assessment processes. The logic of the National Programme of Action is to transform the aspirations of the African Peer Review Mechanism into concrete policies and programmes that aim to accelerate in-country socioeconomic and political advancement. The section below looks at several dimensions of the National Programme of Action from a gender perspective.

Routine or business unusual: It is essential that the National Programme of Action does not come across as merely another programme document or strategy or as extra work for implementing institutions and stakeholders. It is meant to be a phased, costed and time-bound action plan to identify fundamental governance issues whose accelerated resolution would catalyse the achievement of overarching development objectives. The National Programme of Action promotes multi-stakeholder national agenda-setting and implementation. While it should be customized to suit country realities, this must be grounded on the kind of empirical and state–societal policy dialogues that are propounded in the African Peer Review Mechanism approaches and methodologies.

An overview of the various countries' National Programmes of Action reflects a strong recognition that the identified priority actions are fundamental to improved governance, building on and cementing past and ongoing development initiatives. For example, the emphasis in the South Africa National Programme of Action underscores this perspective well, stating[156]: "The problems to be addressed in this Programme of Action should be such that a discernible impact can be made through limited and specific governance improvement interventions.... this programme complements previous agreements and commitments.... reflects a renewed commitment to prior agreements...complements existing multi-sectoral programmes." These positive affirmations are echoed in several other National Programmes of Action.

Gender integration in the National Programmes of Action: For gender perspectives to be implemented within the African Peer Review Mechanism framework, they must be incorporated in the National Programmes of Action, flowing from the analyses presented in the countries' self-assessment reports and the country review reports. The challenge noted in Section 3 is that, in many instances, the country review report presents analyses and recommendations in the sections on economic governance and management and on corporate governance that are gender-neutral. When that happens, gender issues are not adequately integrated in the National Programmes of Action, which means that critical governance gaps are not programmed for implementation. While it must be recognised that the National Programme of Action cannot adopt all recommendations, the country review reports reveal that many critical recommendations of far-reaching consequences for gender equality are abandoned in several countries' National Programmes of Action, even where gender equality is identified as a cross-cutting issue. This is illustrated in the table below

156   APRM (2006). "Country review report of the Republic of South Africa". No. 4. Page 246.

Table 10: Mapping of gender-specific actions in the National Programmes of Action in comparison to overall country review report recommendations

Country	Number of gender-specific country review report recommendations	Number of gender-specific National Programme of Action (NPoA) actions adopted	Percentage of NPoA gender-specific actions adopted out of country review report gender-specific recommendations
Benin	16	5	31.2%
Algeria	18	15	83.3%
South Africa	13	13	100%
Ghana	14	21	150%
3. Burkina Faso	25	15	60%
Ethiopia	8	15	60%
Uganda	11	8	72.7%
Kenya	16	12	75%
Lesotho	14	13	92%
Mali	20	11	55%
Tanzania	15	11	73.3%
Mauritius	11	15	136%
Zambia	17	12	70.5%
Mozambique	13	20	153%
Nigeria	31	14	45%
Sierra Leone	25	7	28%
Rwanda	6	9	150%

Divergences are noted between the recommendations in the country review report and items to be implemented in the National Programmes of Action in another aspect: there is a different emphasis on different sections. For example, actions derived from a country's National Programme of Action may adopt or exceed the recommendations of the country review report or add action areas that are not related to the country review report in one section, while in another section it may adopt only a few country review report recommendations or formulate recommendations that are not related to the country review report.

A comparative analysis of the sections on democracy and political governance and on socioeconomic development shows that frequently unutilized recommendations are mostly those on affirmative action, resourcing of gender institutions and financing for gender equality as well as for reforming laws that are gender-neutral, discriminatory or simply lacking. Failure to address crucial identified gaps in the

National Programme of Action means lost opportunities for accelerating the empowerment of women and achieving the NEPAD goals within the framework and lifetime of the National Programme of Action.

Positive reinforcement: A review of country review reports and National Programmes of Action reveals the tendency for the gender targets in the sections on democracy and political governance and socioeconomic development to be similar or complementary. Within the country review reports, there tends to be convergence in these two sections in regard to women's quotas in affirmative-action measures, the right to education, law reform around domestic violence, sensitization efforts on the rights of women at various levels and the need to combat violence against women. This reinforcement is advantageous, as it highlights the advocacy elements of gender equality and reiterates the need to focus on crucial gender gaps. It also increases the chances of greater attainment of the targets if resources are geared towards the key priority issues.

Implementation timelines: The implementation reports provide an essential mechanism for tracking progress in gender equality and empowerment, not only for the APR Forum but also for national stakeholders. The National Programmes of Action are usually set within a timeline of three years for implementation, and regular annual reporting on progress is required as part of the monitoring system. However, there are instances where countries have indicated longer implementation timelines. For example, the Ghana National Programme of Action states that it is to cover three years from 2005 but it gives timelines for certain activities until 2009 and others until 2011. Ghana has been submitting annual implementation progress Reports to the APR Panel for activities up to December 2011.

The reporting process on progress in implementing the African Peer Review Mechanism in general leaves much to be desired and there are vast variations in the country approaches. For example, Mozambique submitted its first progress report spanning 2010-2012 in 2013[157], one year before 2014, which was the indicated completion of the National Programme of Action. At the other extreme, Ghana submitted at least three biannual implementation progress reports within three years from the time of review, on top of annual implementation progress reports covering the same year! These variations make it difficult for the continental and country actors to monitor gender targets coherently.

The annual implementation progress reports are meant to reflect movement towards meeting the goals in the National Programmes of Action and should reflect the results attained. However, it is common for these reports to outline activities undertaken and their outputs, rather than explain their outcomes and results. For example, the passing of a law or establishing of an institution or programme may be an activity or output but, even within the rigid three-year programme, it is necessary to reflect what tentative progress has been achieved towards bridging the substance of the gaps identified in the National Programme of Action. This would help ascertain whether the National Programme of Action is a practical monitoring tool for stakeholders.

National Programme of Action report format: Monitoring of the progress made in the National Programmes of Action is key in assessing progress towards the NEPAD Declaration and to gender commitments. The African Peer Review Mechanism is yet to develop a monitoring and evaluation framework for the National Programmes of Action. The APR Secretariat has issued a matrix to facilitate qualitative and quantitative documentation towards implementation of the National Programmes of Action, most countries have significantly deviated from this format. The country annual progress reports on implementation of the national action programmes have not served as strong and informative reports for the purposes of monitoring. These annual progress reports do not build a clear picture of what incremental progress has been achieved and it is not clear what were the achievements in connection with the National Programme of Action in contrast to the routine or pre-existing country programmes.

157 Mozambique APRM National Forum (2013). "Progress report on the implementation of the National APRM Programme Of Action 2010 – 2012". April 2013.

The implementation progress report formats vary to the extent that is very difficult to carry out a systematic analysis of progress across the board. Failure to report against National Programme of Action indicators infuses the reports with a lot of ambiguity and subjectivity. Reporting forms differ from country to country, with most not reporting against indicators or specific priorities undertaken in the National Programme of Action. Examples of this are the reports from Ghana, Kenya[158], Uganda[159] and Nigeria. In some of these reports, not only do the reporting matrices lack indicators but also there is lack of reporting against specific indicators in the National Programme of Action, and progress areas are lumped together under the respective sections.

Ascertaining progress: The following statement is of immense and intrinsic value to evaluating progress of the National Programme of Action. It says[160] that the National Programme of Action "….seeks to avoid over-ambitious and unrealistic targets. It is consciously designed to be Specific, Measurable, Achievable, Realistic and Time-bound (SMART)".

It is critical that any National Programme of Action adheres to this formula in order for its objectives to be effective and verifiably attained. While it is acceptable for recommendations of the country review reports or objectives of the National Programmes of Action to provide broad parameters, the National Programme of Action activities must specifically outline actionable measures in order to promote common understanding of the results being sought.

In some countries, some of the gender objectives set in the National Programme of Action are framed generally or equivocally. These abound in the majority of the country review reports such as the following:

Text box: Examples of National Programme of Action objectives that are not "SMART"

Introduce measures to increase women's representation in parliament - Lesotho

Implement Acts to the letter - Sierra Leone

Encouraging women to become politically involved - Algeria

Take measures to promote women candidates in politics - Tanzania

Motivate young girls to achieve their goals - Nigeria

Enact legislation to prevent violation of the rights of women - Kenya

Undertake measures of affirmative action - Zambia

There are a few National Programmes of Action that reveal a mismatch between their gender objectives and the monitoring indicators, and this makes it difficult to monitor and evaluate progress towards the achievement of the objectives. This is evidenced in the country review reports of Mauritius, Sierra Leone, Burkina Faso, Mozambique and Mali.

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158   In the first and second progress report there is some form of "cherry-picking", as they do not report in depth on many of the National Programme of Action commitments that had been undertaken. For example the first report notes the passage of the Sexual Offences bill but does not report on all the other bills outlined in the national programme that were also crucial to promote gender equality.

159 The first Annual Progress Report on the implementation of the Uganda APRM National Programme of Action 2008/09 does not report on activities undertaken in regard to commitments made under the national programme, but rather reads like a restatement of the country self-assessment report. The second- and third- year consolidated progress report on the implementation of the APRM Programme of Action 2009-10/2010-11 provides better details.

160 As before, page 272.

There are instances where countries' National Programmes of Action identify actions for implementation that do not flow from the country self-assessment reports or analysis or recommendations country review report. Examples are the corporate governance section on the Mozambique programme, Mali in the economic governance and management section, Burkina Faso in the democracy and political governance and the socioeconomic development sections, and Mauritius in the democracy and political governance section. This raises questions as to how these were identified as being critical issues for implementation in the National Programmes of Action and whether participatory needs assessment measures were applied?

Quality of documenting/reporting: As mentioned above, some of the implementation progress reports do not give a clear picture of substantive results that were attained as a result of National Programme of Action interventions. A reality check however is the fact that implementation and reaping results is a longer-term issue and it may not fit neatly within the three-year parameters prescribed in the National Programme of Action. Even in Ghana, which has continued to report to date on its implementation of the National Programme of Action, it is clear that progress is incremental rather than dramatic or sudden. Gender mainstreaming is a long-term and sustained effort although there is an immediate imperative to embark on this challenging process.

Lack of effective monitoring backed by strong institutional frameworks: The African Peer Review Mechanism is meant to have strong monitoring mechanisms at the national and continental level, as discussed earlier. In most countries, there have been mixed approaches and results towards the monitoring of the National Programme of Action. In some countries, new structures have emerged which are integrated into the existing national development frameworks (for example in Uganda, Rwanda, Nigeria and Kenya). The same structures were maintained in other countries (for example the National Governing Council of Ghana) and in other countries these structures have been dismantled after the end of the country review mission. This leaves stakeholders who are monitoring the National Programme of Action confused, particularly in the light of limited information on the next steps.

Section 5:

Fostering practices towards gender equality: peer learning through the African Peer Review Mechanism

5.1. Establishing good practices on gender equality

The purpose of the African Peer Review Mechanism, as stated in the African Peer Review Mechanism Base Document[161], is to foster practices, standards and policies for sustainable development and economic integration, among others. Parallel to that, the logic of the mechanism is to ensure conformity between the policies and practises of the African Peer Review Mechanism member States and the standards of the NEPAD-APRM Declaration on Democracy, Political, Economic and Corporate Governance. A key strategy to achieving peer learning is the sharing of experiences. This can facilitate the identification and reinforcement of successful policies, practices and standards that are worthy of emulation. This has the propensity to accelerate[162] the adoption of practices that will foster respect for women's rights and gender empowerment. This section of the study will analyse the extent to which the African Peer Review Mechanism facilitates these goals.

The term "good practice" or "best practices" is often tossed around in development discourse and its meaning has become diluted and vague, to the point where a lot of relativity and subjectivity reign. The country review reports highlight good practices, but no clear criteria or explanation is laid down for how these are arrived at, either within the country self-assessment reports, country review reports or in the African Peer Review Mechanism working documents. The country review reports even sometimes cite the terms "good practice" and "best practice" interchangeably in various reports and sometimes in the same report, without clarifying what is meant in each respect. The Sierra Leone country review report uses the phrase "commendable practice". It is not clear where the line is drawn between "good" or "best" practices. The why and what of the practice is there, but not so much the how. Although an emerging practice may be easy to determine, the cut-off point where a good practice becomes a best practice raises even more questions, and the threshold for a best practice is fluid.

The African Peer Review Mechanism identifies good or best practices in the following countries.

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161   Paragraph 3
162   ibid

Table 12 Good or best practices in gender equality, as identified in country review reports

Democracy and political governance	Socioeconomic development	Corporate governance	Economic governance and management
Gender representation in Parliament National Council for the Advancement of Women			
Women's houses			
Observatory for the Employment of Women	Girls' education in Algeria		
Women in the armed forces			
	Gender equality in local councils, judiciary, Parliament		
National Agency for the Prevention of Trafficking in Persons Gender Affirmative Action in Kebbi State			
Promoting gender equality and women's representation in Parliament Promoting the rights of women in the appointment of women to public service and in the field of education			
Promoting gender equality			
Gender balance in the ward committees	Enactment of three key acts Restructuring of Ministry of Social Welfare, Gender and Children Affairs Establishment of Family Support Unit Adoption of National Action Plan on United Nations Security Council Resolutions 1325 and 1820		
	Maternity waiting home in Dodoma		

There is a certain level of randomness in the determination of what is a good or best practice and this comes through in the country review reports. Sometimes the same circumstances defined as "best practices" in one country review report are not identified as such in another country review report even though there are similar or even better performance standards and practices. For example, it is laudable that Mozambique is hailed for the "best practice" of having significant gender representation in Parliament at 39.8 per cent, Tanzania scores 36 per cent female representation in Parliament but this is not registered as a "best" or a "good practice".

It is also the case that sometimes what is highlighted is the outcome of a best practice rather than the practice itself, so that the desired change that is caused as result of successful gender empowerment practices may be highlighted. For example, in all countries with gender representation of 35 per cent and above, the link between practice and policy of affirmative action and higher yields in gender representation is not interrogated although this would have value in terms of extracting practical learning for the African Peer Review Mechanism.

All these conceptual ambiguities require deeper understanding on what kind of practices the African Peer Review Mechanism seeks to foster with a view to attaining peer learning. What amounts to a good practice has been widely debated in several disciplines. UN Women has identified standards for good practices in gender mainstreaming. A good practice should[163] satisfy at least two out of these four criteria: actual change; impact on policy environments; innovative and replicable; and demonstrable sustainability and replicability. Using this authoritative definition, it is clear to see that a good practice must go beyond mere results or demands, and should incorporate an element of transformative impetus and change.

Furthermore, UN Women has developed[164] characteristics of good practices in gender mainstreaming which involve actions, organizational changes and measures meant to influence the national environment. These would form a useful guide for the identification of good practices in gender mainstreaming and empowerment.

5.2 Trends in identified practices in the country review reports

The majority of the good/best/commendable practices identified in country review reports are in the area of civil and political rights, and especially around women's representation in Parliaments and women's appointments to executive and legislative as well as local government positions (in the country reports of Rwanda, Mozambique, South Africa and Lesotho). As discussed earlier, because of the under-emphasis of gender issues in economic governance and management and corporate governance sections, or maybe mirroring what is on the ground, no best practices are documented in these two sections.

In the above countries, the adoption of affirmative action as a national or party policy as well as quotas for women account for some of these successful practices that improve the level of female representation in decision-making processes. Where affirmative action policies exist in some of the reviewed countries, better results are yielded in terms of increased participation and presence of women in governance processes and decision-making (such as in Mozambique, South Africa, Rwanda and Uganda). For example, FRELIMO in Mozambique practised gender equality ahead of other political parties by having women head the party's lists in several provinces and set quotas for women at 40 per cent[165].

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163 http://www.un.org/womenwatch/resources/goodpractices/guideline.html
164 http://www.un.org/womenwatch/osagi/goodpraexamples.htm
165 Open Society Initiative of Southern Africa and AfriMap (2009). "Mozambique Democracy and Political Participation" OSISA. page 5, 11.

Often, a practice is identified as a best practice even where the circumstances show that it is a recent development that is still in nascent or formative stages or suffers from severe drawbacks, despite appearing successful or impressive. In most country review reports, there is not enough information to bear out whether the identified good/best/commendable practices meet at least half the criteria of a best practice described earlier. For example, the Burkina Faso report highlights an innovative gender-empowerment programme. Local government authorities, in an attempt to address the high incidence of poverty, have built and equipped women's houses in 20 poverty-stricken provinces to facilitate trade and training for women as a short- to medium-term strategy for income generation. The report goes on to note that the results are rather meagre in one region visited and resource constraints limit the ability to extend the programme in that region to more than 40 women since 2004. This kind of information is necessary in determining the sustainability of the programme, and the challenges the programme faces, but it is short on information[166] about the results of the programme and whether it is bringing about actual change, replicability, sustainability and meeting other criteria.

5.3 Challenges faced in establishing successful gender equality practices

According to most of the country review reports, affirmative action for women has not gone beyond the political arena. It only extends to land and the corporate and education sectors in a few countries such as Uganda, Zambia and South Africa. Even where numbers increase as a result of these special measures, the reports do not reveal a qualitative increase in the capacity of women to participate in and influence key decision-making processes, nor do they reveal that meaningful resources and power were directed towards the goal of gender empowerment, and that this could have led to a lack of transformative change. Party politics also brings in the added complication of women being loyal to party positions rather than to a non-partisan gender equality agenda.

Replication of best practices across countries certainly poses a challenge in the context of African Peer Review Mechanism, which purports not to be a template approach to governance or to promote externally generated standards on other countries. Replication in this case would mean applying practices across different cultures, races and socioeconomic and political environments. Local contexts and variables may determine the success or failure of an intervention. Nonetheless, the identification of best practices based on the standards of the NEPAD Declaration is integral to the logic and promise of the African Peer Review Mechanism as a tool for peer learning. The modification or adjustability of a good practice is significant in this regard. What can be harvested, synthesised and reproduced in various contexts is what will ultimately lead to peer learning and adoption both horizontally and vertically.

There are two instances where a good or best practice is identified as such within the country review report and is recommended within the National Programme of Action. This in itself is a good practice. Algeria undertakes to scale up the best practice of creating Observatories within the National Programme of Action and uses the African Peer Review Mechanism as a vehicle for promoting learning. In Sierra Leone, the country review report recommends the commendable practice of using the wards for replication (although the National Programme of Action does not pick this up). This is illustrative of the potential of the African Peer Review Mechanism to promote learning both horizontally and vertically among its membership.

Socioeconomic and cultural commonalities exist and sometimes even political commonalities and platforms across the regional economic communities that can be used to promote shared values and

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166   The country review mission goes on to point out, on a general note: "The situation of women still falls short of the expected results and requirements of the integrated social and economic development on which the country has embarked. In fact, problems persist and long-term solutions are required if Burkina Faso wishes to become an emerging country by 2025".

good gender-empowerment practices. One example is the 2011 Kampala Declaration[167] on Sexual and Gender-Based Violence of the International Conference of the Great Lakes Region (ICGLR). It is illustrative of cross-boundary institutional platforms and it creates frameworks that address gender-based violence in 11 countries. In the Kampala Declaration, a call is made to the International Federation of Women Lawyers (who have country chapters in Uganda, Kenya, Tanzania, Rwanda and Burundi) and to civil society to be empowered under Article 18 to address sexual and gender-based violence in the region. Thus the African Peer Review Mechanism, which is meant to liaise with the regional economic communities after the review process, could find linkages in the area of gender violence based on good practices identified to combat gender-based violence.

To date, there is little evidence of a concerted, well thought-out and consistent programme for the African Peer Review Mechanism to roll out good practices. The last Forum by the Heads of State in 2008 that explored the five cross-cutting issues of the African Peer Review Mechanism may have kick-started the peer-learning process, but gender and women's empowerment were not on the agenda. The Economic Commission for Africa has undertaken several capacity-building and experience-sharing initiatives towards harmonization of the National Programmes of Action with national development-planning processes, but gender issues are not specifically covered.

Nevertheless, the reports indicate that there are good examples of initiatives that Governments and citizens have undertaken with a view to achieving gender empowerment and equality. It has to be recognised that the country review reports are not well suited to detail: the documents are bulky enough as it is, and compromises have to be made to make them readable and user-friendly and as a result they do not favour lengthy stories. These shortcomings do not detract from the authenticity of the good or best practices in the countries where this is registered, it just means that when the APR Secretariat is promoting peer-learning among States, it will have to dig deeper to demonstrate the specific features and mechanics of each practice and to find ways to promote experiential learning.

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167   Declaration of the Heads of State and Government of the Member States of the International Conference on the Great Lakes Region at The Fourth Ordinary Summit and Special Session on Sexual and Gender-Based Violence (SGBV).

Section 6

Taking stock to press on

This section discusses the major achievements that have emerged over the years from the African Peer Review Mechanism country reviews, as well as some of the lessons that have been gleaned from these processes. Undoubtedly, the mechanism has been instrumental in promoting the democratic ideals of the African people regarding good governance. This section identifies the challenges that have been identified as constraining the achievement of gender equality in Africa and discusses the factors limiting the mechanism from vigorously engaging on gender issues as well as the priority actions required to promote the functionality of various African Peer Review Mechanism entities in this regard.

6.1 Achievements of the African Peer Review Mechanism

The African Peer Review Mechanism has made strides in the attainment of the ideals contained in the African Charter for Popular Participation in Development (the Arusha Declaration)[168] through its emphasis on democratic participation and widening the space and actors for public discourse. Good governance for women requires a culture of accountability based on gender equality and non-discrimination standards that the State has committed itself to meeting under national, regional and international instruments. This requires the effective mobilization of all actors, at all levels of society, towards the realization of those commitments for women.

The African Peer Review Mechanism has offered women new opportunities to engage with governments, civil-society organizations and the private sector on the gender aspects of governance and its impact on their everyday life, with a view to engendering gender-responsive outcomes that can promote equality and empowerment. This has led to increased citizen engagement, participation and dialogue, and these are essential for democratic governance in Africa.

The mechanism has extended the space for civil society to participate in governance processes through policy dialogue and analysis, planning, implementation and monitoring. The identification of gender as a priority governance issue provides an opportunity to mainstream gender in fundamental national development plans, strategies and programmes. At the national level, the African Peer Review Mechanism structures are specifically asked[169] to include gender as a cross-cutting issue when they are administering the questionnaire.

No doubt, there have been instances where the African Peer Review Mechanism consultative processes were curtailed, rushed or simply not diverse enough due, to administrative and organizational constraints or limited political goodwill. However, there have been good examples of frank discussions between State and society that have contributed to enthusiastic responses and continued engagements with the State beyond the lifetime of the African Peer Review Mechanism. In countries such as Ghana, Kenya and Benin, the African Peer Review Mechanism structures are testament to this[170], such as the District Oversight Committees comprising of men and women at the district level who work on a voluntary basis as civil society in partnership with Government in a programme that lasted beyond the National

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168   United Nations Regional Coordination Mechanism - Africa (2007). "Challenges and prospects in the Implementation of NEPAD". Page 42.
169   All the studies conducted by Open Society Institute of Southern Africa via national consultants of reviewed countries referred to in this report reflect that.
170 National Governing Council-Ghana (2008). "Ghana APRM's Third Annual Progress Report: January –December 2008".

Programme of Action. This was founded in Ghana and, by 2010, 1,700 officials were recruited[171] to deepen the decentralization of the African Peer Review Mechanism in 170 assemblies at metropolitan, municipal and district levels.

The country review reports have showcased and highlighted good/commendable/best practices of governance within Africa, including those relating to gender equality. While the shortcomings in appreciating the component factors of a good practise require more knowledge generation, the fact that the African Peer Review Mechanism seeks to promote peer learning at various levels is indicative of the potential of the African Peer Review Mechanism as a useful platform and warehouse for the synthesis and dissemination of good practices. This practice needs to be extended to the framework of gender equality.

The African Peer Review Mechanism has been hailed as a significant tool in taking stock of systemic problems ahead of time and interpreting their potential to cause conflict. This occurred in the case of Kenya and South Africa, where the country review reports warned that conflict was impending unless there was more success at managing diversity and social change, and these warnings were later borne out by events. While much has been made of the South Africa country review report that served as an early warning for the xenophobic outbreaks in South Africa that actually happened later, the same report flagged up the high prevalence of violence against women as a potential trigger for violent conflict[172], but this did not cause as much alarm. The African Peer Review Mechanism diagnoses have value in prompting African leaders and the citizenry to take action towards immediate and outstanding gender issues, if adequate attention is paid to them. In this regard it is vital for countries to be encouraged to commit to the United Nations Security Council resolutions regarding the role of women in conflict resolution as well as peace building.

In the final analysis it will be important for an overall evaluation of the implementation of the National Programmes of Action to be conducted from a gender perspective to determine whether the African Peer Review Mechanism targets have been met. In the few implementation progress reports that were available, it was possible to see that the mechanism has triggered the implementation of gender-specific programmes and policies. Due to the fact that South Africa's APRM implementation report documents applied the format provided by the APR Secretariat, it is easy to trace the evolution of the African Peer Review Mechanism process and see the evidence that a few carefully selected gender targets can evoke comprehensive multisectoral initiatives from a committed Government towards promoting and protecting the rights of women in Africa. This is illustrated in the table below[173]:

171   http://www.hss.de/westafrika/en/ghana/news-events/aprm-completes-inauguration-of-170-assemblies.html
172   APRM (2006). "Country Review Report of South Africa" APRM Review Report. No 4, 2006. page 71.
173   Derived from the Republic of South Africa country review report and the first, second and third reports on the implementation of South Africa's Programme of Action.

Table 13: Comparative analyses of National Programme of Action gender targets and actual implementation by the Republic of South Africa

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Text box: Examples of National Programme of Action objectives that are not "SMART"

National Programme of Action priorities in the area of democracy and political governance

1. Know Your Rights campaign on literacy and empowering vulnerable groups such as women

2. Anti-trafficking project focusing on women and children and targeting perpetrators

3. Ensuring that vulnerable groups, including women, get access to government services.

Implementation of National Programme of Action gender targets

Affirmative action

1. The African National Congress raised the bar for a minimum 50 per cent representation of women in all government structures.

Institutional reform

2. A Ministry of Women, Children and Persons with Disability established

3. National Register for Sex Offenders of abused women and children implemented

4. Re-establishment of 176 Family Violence Child Protection and Sexual Offences Units within the police force

5. 17 Thuthuzela Care Centres as an anti-rape strategy established across the country in communities with high incidents of sexual violence by March 2009

6. Expanded Partnership Programme with Community Police Forums aimed at strengthening civilian oversight roles

7. Establishment of Provincial Task Teams on Human Trafficking

8. Establishment of the Inter-Ministerial Committee on Violence against Women and Children.

9. Creation of a more capacitated Directorate for Priority Crimes Investigation

10. The business community partnered with SAPS to fight crime, particularly violent organized crime

11. Review of the criminal justice system

12. Victim-friendly facilities established in high contact crime police stations

13. 19 victim empowerment projects funded by the Criminal Asset Recovery Funds.

14. Approval of the women empowerment and gender equality bill to strengthen the fight against violence and crimes directed at women.

15. Government anti-crime partnerships and strategies currently being implemented are significantly contributing towards the reduction of crime levels across the country.

16. The Legal Aid Board of South Africa providing professional legal advice and representation for those who cannot afford private legal practice.

17. Establishment of National Advisory Council on Gender Based Violence to coordinate prevention and response efforts.

18. Increase in conviction rates by courts of cases on violence against women and children.

19. Development of the Directory on Services for Victims of Violence and Crime that empowers people to access services that are available in their area.

Policy and programme reform

20. National Policy Guidelines for Victim Empowerment approved.

21. A policy was developed to enhance Community Policing Forums.

22. Development of a Men and Boys Strategy on the Prevention of Gender Violence, which was piloted in one province in 2009

23. Development of the Family Law Learnership, which includes training on the social context of domestic violence and the Domestic Violence Act 116 of 1998.

6.2   Challenges confronting gender analyses in the African Peer Review Mechanism.

Lack of reliable gender-disaggregated data: The country review reports make a great effort to disaggregate data to the extent possible, given that the primary information can only be obtained at source from the countries under review. The existence and utilization of gender-disaggregated data, as discussed earlier, is integral to understanding how policies, laws and programmes have been designed and their differential impact on men and women, with a view to understanding their gender implications and proposing measures targeted at achieving gender equality. In most countries, the African Peer Review Mechanism is challenged by lack of access to sex, age and gender-disaggregated data, leading to a gap in the country review mission's gender analyses of issues.

Voluntary assessment and implementation: African Peer Review Mechanism is a governance assessment undertaken voluntarily, as opposed to externally-imposed donor-driven evaluations such as the Poverty Reduction Strategy Papers and Poverty Eradication Action Plans. The value that this brings to the table is that countries willingly commit to open themselves up to review and analysis, both from internal and external actors at national and continental levels. As such, the African Peer Review Mechanism and NEPAD Secretariat are not implementing bodies but rather play the role of facilitator; they must

work[174] through regional economic communities, African Union institutions and national institutions. This subordinates them to country dictates to an extent and diplomacy, not obligation, is the over-riding factor in some instances.

The African Peer Review Mechanism processes are meant to be people-driven but the reality is that, in many countries, the primary drivers are mostly the Government and state functionaries. The implication of this is that the mechanism review processes and National Programme of Action tend to be at the discretion of the State, and external or internal compulsions are not part of the equation. Sometimes, retrogressions in commitment to National Programme of Action goals occur when there is a regime change at the personal level, requiring renewed efforts by the Members of the Panel of Eminent Persons to apply diplomatic outreach efforts. Hence, if some States do not adhere to National Programme of Action commitments, little can be done in the way of pressuring them to do so.

Although the gender issues required to catalyse advancement towards gender equality have been identified in country review reports, much of the responsibility to realise these remains with member States. The extent to which member States are committed to this vital goal remains the key to accelerating change, with inputs from all actors including: peers at the level of Heads of State and Government, civil society and the private sector, and the African Union organs as well as regional economic communities.

Nonetheless, it must be acknowledged that in the majority of the countries reviewed, if not all, there have been pre-existing measures, programmes and policies towards gender mainstreaming and equality the growing importance of gender mainstreaming. The African Peer Review Mechanism adds value to these processes rather than "re-inventing the wheel". It remains to be seen the extent to which there will be real change and whether there will be strong political will to improve the status of women in Africa.

Ineffectual monitoring mechanisms: The lack of adequate and specific monitoring mechanisms at national level has been discussed in this study. The APR Secretariat has been called upon frequently to design a monitoring mechanism other than the implementation progress reports in order to ensure that member States are on course with their commitments, but this is yet to be effectively developed. Some countries that have successfully integrated the National Programme of Action into the national development planning processes are able to monitor implementation through their existing mechanisms although this brings some difficulties, as discussed in this report. The best-case scenario would be for all monitoring structures to emphasize gender, either through specific gender indicators or through streamlining gender indicators as cross-cutting issues.

At the continental level, there is much potential to use other African Union institutions and organs to add value to the African Peer Review Mechanism processes but shortcomings have been evidenced here too. The African Peer Review Mechanism is not institutionally embedded in the African Union structures and the regional economic communities. The reports that are submitted to African Union organs and entities, including the African Commission on Human and Peoples Rights, are meant to mainstream governance issues of continental importance into African Union policy-making. However, at this level there has been no notable or substantive handling of key issues raised by the African Peer Review Mechanism.

The African Commission of Human and Peoples' Rights established the Special Rapporteur on the Rights of Women in Africa at its 23rd Ordinary Session. As one of the members of the African Commission on Human and Peoples' Rights, she is mandated to receive and consider the country review reports and, in her capacity as the Special Rapporteur, she is charged with handling all issues regarding the rights of

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174 Human Rights Council (2007). "The African Peer Review Mechanism and the United Nations Economic Commission for Africa and Organization for Economic Cooperation and Development - Development Assistance Committee (ECA/OECD-DAC) Mutual Review of Development Effectiveness". A/HRC/8/WG.2/TF/CRP.5.

women in Africa and to work with various actors and institutions. Her work has obvious synergies with the African Peer Review Mechanism and her office provides a strategic vertical and horizontal linkage that has not been tapped to advance the gender-equality goals in the African Peer Review Mechanism.

Text box: Summary of the mandate of the African Union Special Rapporteur on the Rights of Women in Africa

The Special Rapporteur serves as a focal point for the promotion and protection of the rights of women in Africa in the African Union Commission. She is mandated to assist African Governments in the development and implementation of policies for the promotion and protection of the rights of women in Africa, in keeping with the domestication of the Maputo Protocol. She facilitates the harmonization of national legislation with the Maputo Protocol, undertakes promotional and fact-finding missions to African Union member States, and conducts situational analyses of women's rights in African Union countries, preparing reports on findings. The Rapporteur is vested with powers to collaborate with any relevant actors towards the promotion and protection of the rights of women internationally, regionally and nationally.

It is clear that the Rapporteur on the Rights of Women in Africa has a strategic role to play in promoting women's equality and empowerment. There is a fusion of synergies and opportunities in her office that unfortunately are yet to be harnessed by the African Peer Review Mechanism to facilitate adequate monitoring and implementation of the rights of women in Africa.

Promoting peer learning: Perhaps the biggest gap in the African Peer Review Mechanism living up to its promise has been in the failure to promote peer learning, as outlined in its fundamental documents. The capacity of the continental APR Secretariat is limited to facilitate research, studies and experience-sharing activities with a view to understanding the lessons to be learnt from each country review report, particularly best practices.

However, there is hope that processes led by the National Governing Councils and by civil society can overcome some of these organizational failures at the continental level. For example Ghana's National Governing Council has shared some initiatives and the Uganda African Peer Review Mechanism secretariat promoted regional experience-sharing through country visits. The Economic Commission for Africa has sponsored a few studies to examine aspects of the African Peer Review Mechanism that require further thinking and fine tuning, as have organizations such as the South Africa Institute of International Affairs and AfriMap, among others.

6.3 Recommendations

This section offers a set of proposals based on the findings of the study at various levels. The recommendations are made at process and content levels.

Regular review of the African Peer Review Mechanism frameworks: The African Peer Review Mechanism instruments form a central framework of engagement over gender issues. It is incumbent upon the APR Forum, the Panel of Eminent Persons, the Focal Points and the APR Secretariat to review the instruments, documents and guidelines of the African Peer Review Mechanism regularly to ensure that they are living and responsive documents to the needs of Africans. To date only the questionnaire has been reviewed, but this had the effect of improving the gender dimensions of the questionnaire. Documents that are gender-neutral in nature should be adjusted to reflect gender concerns and issues, in particular the questionnaire and all guidelines to the key actors in the African Peer Review Mechanism.

The Panel of Eminent Persons can play a key role in raising the profile of gender issues and concerns arising from a holistic review of the country review reports and can escalate the same to the APR Forum. The extraordinary general meetings of the forum are an essential space that could be utilized for this discussion.

The African Heads of State and Government have declared 2015 as the year of women's empowerment in the context of Agenda 2063. Further, the African Union Commission is developing the Monitoring and Evaluation Plan for Agenda 2063 and the first 10-year action plan. It is critical to ensure robust and "SMART" (specific, measurable, achievable, realistic and timely) indicators of gender equality and women's status. In addition, the 58th Session of the United Nations Committee on the Status of Women in 2015 will focus on the achievements and challenges of the Millennium Development Goals for women and girls. These platforms offer several opportunities for debates on how to enhance the role of the African Peer Review Mechanism as an accountability framework for gender equality and empowerment at the highest policy-making levels of the African Union.

An area of concern revolves around the second review processes. To date, Kenya has undergone the second review. However, there is no known process by which the results of the first review and its results were evaluated and shared, which would inform the areas and further gaps around which closer scrutiny would be undertaken, including in regard to gender commitments. It is recommended that prior to a second review, the outcomes of the first review process should be reviewed, including the attainment of gender targets.

Participation in country missions: In the build-up to establishing country African Peer Review Mechanism structures and processes, sensitization and capacity-building workshops are conducted. The involvement of women is fundamental in engendering the process. Inclusivity is an overarching issue regarding participation by civil-society organizations in the process[175]. During the build-up and afterwards, it is incumbent on the APR Secretariat and the Panel of Eminent Persons to ensure that the process and content of the country support mission, the country self-assessment report and the country review mission is inclusive of women, gender experts and gender issues. They should emphasize that to the country focal point and the technical research institutions and individuals. The continental and country African Peer Review Mechanism secretariats should develop guidelines to that effect, giving clear direction on how to generate gender-inclusive practices and approaches, and the identification of gender as a cross-cutting issue. In particular, the terms of reference for the technical research institutions and individuals should obligate them to incorporate gender expertise that will guide the development and utilization of methodologies that will produce gender-disaggregated data and analysis.

Further, the country review team and the APR Secretariat should strive to ensure gender analysis across all the sections, building up to concrete gender-specific recommendations for the country under review. One way to guarantee this is for the APR Secretariat to ensure gender parity in the recruitment of consultants to the country review mission as a matter of principle and policy and, in particular, to guarantee that one of the resource persons recruited for each section of the report has skills in gender analysis.

Women should be targeted to participate equally with men in the country review team hearings. The African Peer Review Mechanism should lead by example. Women's organizations and representatives can use the forums provided by the country review mission to ensure the gender-inclusiveness of the discourse and to make critical recommendations. It is also important that the country review team and National Governing Councils or African Peer Review Mission Commissions keep a keen lookout to ensure the participation and inclusion of women in significant numbers. This may involve arranging the timing of the public hearings to target themes rather than sections and that the hearings be arranged

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175 Verwey, Len (2004). "NEPAD and Civil Society Participation in the APRM". IDASA Occasional Papers http://www.idasa.org.za, accessed on 21 October 2013.

sequentially rather than simultaneously to ensure the utmost harvesting of women's views on gender issues.

Gender activists and women lobbyists can also organise themselves to try to influence that competent women be appointed to African Peer Review Mechanism structures as representatives of the women's constituency, right from the national focal point people to the National Governing Councils or African Peer Review Mechanism Commission. However, rather than leave this to chance and good will of the responsible authorities, the APR Secretariat should develop guidelines that guide the appointment of the national focal point persons as well as selection criteria for representatives of civil society to the National Governing Councils or African Peer Review Mechanism Commission.

Data on gender-based organizations and actors: Gender activists and specialists, non-governmental organizations and civil-society organizations dealing with gender empowerment and women's rights should submit gender-specific issues papers and empirical data addressing gaps in the country self-assessment report and National Programme of Action to the country review team. It is critical that they attend validation meetings of the country self-assessment report to ensure vigilance over the inclusion of gender issues. South Africa was eventually seen to pay attention to the issue of gender during its self-assessment process when it rewrote its country self-assessment report[176] to include a gender dimension after public validation efforts, presumably based on feedback over the gaps.

There are good practices around gender-specific data that can be utilized to generate critical and current information on the plight of women.

Text box: Examples of credible sources of information on women's rights and gender issues*

1. Countries periodically submit reports to the Convention on the Elimination of All Forms of Discrimination against Women. In that time, many women's and gender-oriented civil-society organizations develop an alternate or shadow report which they submit to the CEDAW Committee and circulate widely at country level. These reports have important qualitative and quantitative gender-disaggregated data that can inform the civil-society organizations as they provide information during the country review mission public hearings.

2. Gender Links, a regional civil-society organization with its headquarters in South Africa, has developed a Southern African Development Community Gender Protocol Barometer that benchmarks progress towards the SADC Gender Protocol by 2015. This includes a Southern Africa Gender and Development Index that contain empirical data on 23 indicators, complemented by citizens' scores of their Governments. The barometers are conducted in 15 countries and condensed into country-specific reports and one subregional compendium. The effort is coordinated through national focal points for the SADC Gender Protocol Alliance Network.

Even though it is often a challenge to ensure the country self-assessment reports are disseminated in a timely manner or in popular formats to the general population and stakeholders, it is important that civil society and women's organizations obtain the country self-assessment reports and familiarize themselves with the contents ahead of the country review mission and other processes. Most often, the country self-assessment reports will be disseminated in draft form to the public for feedback and validation and at this point gender activists and observers should be keen to look out for the adequacy of the report in covering gender concerns and needs in all sections, and make concrete suggestions on

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*   Available at www.genderlinks.org.za/page/sadc-research.
176 Corrigan T (2009). "Socio-economic problems facing Africa: Insights from six APRM Country Review Reports". SAIIA Occasional Paper No 34. Page 24.

areas of improvement. In particular, the analysis of gender concerns and issues in the thematic sections should tie in logically with recommended remedial actions and priorities.

The National Programme of Action: The National Programme of Action should reflect gender targets and indicators in a comprehensive manner. However, it has to be recognized that the National Programme of Action is not a wish-list for gender issues but rather is indicative of the priority programmes and policies that must be funded and implemented in a short span of three years. It is incumbent upon all actors, including civil-society organizations promoting gender equality, to aim for high-level gender objectives targeting systemic and structural barriers that will most likely have impactful outcomes and trigger the sustainability of the results.

The National Programme of Action is meant to be co-implemented and monitored by civil-society organizations. The Uganda National Programme of Action implementation reports show in their narrative a significant partnership with gender-based civil-society organizations in implementing the gender targets outlined in the programme. Thus gender-based organizations and women's organizations can participate in national programme implementation and lobby for this, providing useful skills, information and resources where possible.

Monitoring and evaluation: In evaluating the National Programme of Action, observers of African Peer Review Mechanism and NEPAD processes have urged strongly that Governments should strive to undertake gender-sensitive impact evaluations[177] with the involvement of civil society. A lot of stakeholder vigilance is required to ensure that tools used in monitoring progress take gender considerations into account. Civil-society actors with gender expertise should work with Governments to develop gender-monitoring indicators[178] in order to assess the progress in gender mainstreaming and budgeting.

Text box: Good practice in monitoring gender indicators

In Uganda, organizations rights oriented around women's and gender issues joined a consortium of civil-society organizations to track 32 indicators of the National Programme of Action. They included: The Uganda Association of Women Lawyers (FIDA Uganda); Isis-Women's International Cross Cultural Exchange; Uganda Women's Network (UWONET); the Uganda Women's Network on Gender Transformation and Women Participation in Governance together provided gender analyses and perspectives to the review of the implementation of the National Programme of Action.

The model of district oversight committees is working well in Ghana and Benin, and in a similar manner women can organise themselves right from the grassroots and in their localities to monitor the progress of the National Programme of Action at various levels.

To improve monitoring around gender commitments and indicators, it is necessary that gender personnel and focal points in ministries, departments and agencies be involved and to ensure that these are adequately reflected in the African Peer Review Mechanism Annual Progress Reports. For better results in terms of value addition, it is essential that senior officials, preferably from the levels of principal senior officers to directors, be appointed. Training, coordination and information dissemination should be valuable components of their terms of reference in the event that they lack the right capacities.

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177   United Nations-Regional Coordination Mechanism (2007). "Challenges and prospects in the implementation of NEPAD".
178   UGMP ' Is Uganda on Track with Commitments in the APRM Process?'Uganda Governance Monitoring Platform Annual Governance Status Report, 2009

It is also imperative to work with the various monitoring frameworks for gender at the continental and regional economic community levels. There are frameworks for monitoring progress towards agreed standards and these can be replicated within the framework of the African Peer Review Mechanism. For example, the East African Community Secretariat has developed a standard reporting format for all partner States on key treaty obligations and has a centralized monitoring system that is accessible to all member States. Using a traffic-light system, it highlights countries that are yet to fulfil their reporting requirements with a "red light". Countries that fail to meet their obligations have to explain themselves before the Council of Ministers.

Best practices and peer learning: It is crucial for civil-society organizations to forge cross-boundary and cross-organizational collaborations with a view to promote learning around the African Peer Review Mechanism. In the past decade several entities, including academia, development partners (particularly the Economic Commission for Africa, United Nations Development Programme and the African Development Bank), non-governmental organizations and the private sector, have converged around promoting the ideals of the African Peer Review Mechanism. The strategic participation of women's organizations in these forums can only add value and gender dimensions to these critical debates. Collectively, all actors can further analyse best practices for extractable and experiential learning.

The Economic Commission for Africa, African Development Bank and APR Secretariat are well placed to promote studies around best practices in conjunction with the National Governing Councils. Not only should the country best practices documented in country review reports be further developed, but also those that have arisen as a result of implementing the National Programme of Action. Information-sharing platforms on best practices should be generated among the partners and shared with all stakeholders, to attain the goals of the African Peer Review Mechanism.

Civil-society organizations' interaction around the African Peer Review Mechanism is increasingly becoming transboundary through the auspices of the APR Secretariat and its development partner the Economic Commission for Africa, particularly with the help of the upstream civil-society organizations such as the South African Institute for International Affairs and AfriMap. The leading African women's movement and continental civil-society organizations, such as the African Women's Development and Communication Network-FEMNET, Women in Law and Development in Africa-WILDAF, Femme Afrique Solidarite-FAS and the Africa country chapters of the International Federation of Women Lawyers- FIDA, can similarly adopt these practices.

Linking the African Union to Africa's women: Gender issues have had low visibility in the Africa Peer Review Forum. This is probably due to deficiencies in the gender analysis when documenting and disseminating report findings and the mechanism's implementation progress reports, resulting in failure to highlight the epic proportions of the gender dilemma in Africa. A special effort must be made by the Panel of Eminent Persons to highlight gender issues prominently and put them on the African Peer Review agenda during the presentation of country review reports or of progress reports on the implementation of the National Programmes of Action.

Monitoring the implementation of the National Programmes of Action at continental level is essential in ensuring that the right standards are set. The members of the Pan-African Parliament, the Special Envoy of the Peace and Security Council, and the Special Rapporteur on the Rights of Women in Africa should take up necessary actions to further debate the issues, linking up with the actors at national levels. The Panel of Eminent Persons should submit Annual African Peer Review Mechanism implementation progress reports to these pan-African institutions to ensure that they monitor the progress made at country level by the country under review.

The APRM Secretariat should invest earnestly in extracting good and best practices from country review reports and develop information and communication materials, and facilitate workshops and

other activities for promoting peer learning at all levels. The Panel of Eminent Persons should give the Secretariat all appropriate guidance on how best to achieve this, with support from African Peer Review Mechanism development partners and African intellectuals and feminists.

Further, the APR Secretariat, development partners such as Economic Commission for Africa's African Center for Gender, and the civil-society organizations of the reviewed countries should make an effort to disseminate the ensuing discussions to the constituencies of women and gender activists through systemic feedback mechanisms. This would ensure rich debates both upstream and downstream. It is also important for stakeholders, partners and the African Peer Review Mechanism to identify clearly, probably in separate memorandums, the gender considerations and priorities that require critical engagement and flag these to the Special Rapporteur on the Rights of Women in Africa for further action, as appropriate under her mandate.

All actors should make efforts to ensure that the Special Rapporteur is apprised of the progress made to implement the National Programme of Action and towards the gender equality commitments which had been made by the reviewed countries. The country review reports and various studies conducted by diverse actors on key African Peer Review Mechanism processes and outcomes should be shared with the Special Rapporteur to give her a good overview of the overarching issues. Further, civil-society organizations, gender activists, the African Peer Review Mechanism national and continental partners and the Economic Commission for Africa can lobby the Special Rapporteur to frame critical resolutions urging Governments to accelerate the advancement of gender equality.

The integration of the African Peer Review Mechanism into the African Union should aim to prioritize and harmonize linkages with the Gender Directorate and NEPAD to attain coordinated approaches to monitoring and implementing common objectives of gender parity and empowerment.

Civil-society organizations and the African women's movement have a strong presence at Economic, Social and Cultural Council of the African Union (ECOSOCC) and the Pan-African Parliament. They should strive to move these organs to give serious debate and consideration to these reports, as no significant responses have come out of these institutions to date.

6.4 Conclusion: Acceleration or stagnation?

A rather contradictory picture emerges from a gender analysis of the African Peer Review Mechanism. At the conceptualization and formulation stage of fundamental NEPAD and African Peer Review Mechanism instruments, gender equality is emphasized as an overarching issue and principle. This flows through the various instruments such as the NEPAD or African Peer Review Mechanism Declaration and the African Union Constitutive Act. However, moving from agenda-setting to implementation, flaws are identified in most of the African Peer Review Mechanism operational guidelines setting up key structures and institutions at national and regional levels, leaving these institutions to their own devices when it comes to recognizing the importance of the gender-parity principle.

There are gaps not only in the policy frameworks but also in the processes, as illustrated in this study, from the country self-assessment processes through to the National Programmes of Action. In many instances women are missing from these critical decision-making and agenda-shaping forums and processes, although the statistical data is not adequate to bear this out. In at least one country (Benin), evidence has shown that the absence of women in the African Peer Review Mechanism structures was linked to the under-development of gender issues in the country self-assessment report.

It could be argued that the three-year timeframes for implementing the National Programmes of Action are too short to see overwhelming change in a country. Also, a decade after the process began, only

17 countries in Africa have been reviewed, making it difficult to have a global overview of trends in women's rights issues in Africa. Due to inadequacies that exist in the reporting frameworks and around the National Programmes of Action, it is also not easy to understand the changes, both qualitative and quantitative, that have been achieved on the gender-equality front, among others. On the other hand, the African Peer Review Mechanism has set in motion participatory governance processes and standards that can contribute towards the acceleration of women's empowerment in Africa, given time and some significant re-orientation and provided that some key factors remain constant.

The African Peer Review Mechanism can and should serve as an accountability framework for gender equality in Africa. It would prioritize the fullest attainment of women's participation, as emphasised in the African Charter on Popular Participation in Development and Transformation, 1990 (Arusha Declaration). Participation is indeed a hallmark of the African Peer Review Mechanism processes in the majority of the countries that have been reviewed. What remains is to ensure that the participation and perspectives of women are entrenched as an indivisible element of democratic governance in order to achieve gender- responsive development in Africa.

(Footnotes)

1   http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=11484&LangID=E

2   A land policy provides for affirmative action in favour of women and outlines measures for allocation of 30% of all available land to women. There is also a push and civil-society organizations are undertaking programmes in support of 50-50 parity in decision-making, with support from the national gender machinery.