

Power Analysis of Regional Bodies for the Effective Implementation of the Africa Women's Protocol

Introduction

Oxfam GB Southern Africa commissioned a power analysis to identify key actors necessary to support efforts aimed at the ratification, domestication, and implementation of the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (the Africa Women's Protocol) and the Abuja Declaration on Health (including HIV and AIDS). The power analysis contains a strategic analysis of key targets in the African Union and other inter-governmental organisations.

In July 2002, Africa cautiously welcomed the birth of the African Union as the dawning of a new era in regional governance. Its predecessor the Organization of African Unity (OAU) had successfully spearheaded the liberation struggle. However, it had been widely criticised as a union of African leaders with no regard for popular participation. The African Union, which was conceived as a union of African peoples, opened wider doors for civil-society engagement on issues that affect the continent.

The Constitutive Act of the African Union recognises the importance of democracy, respect for human rights, the rule of law, good governance, gender equality, and effective participation of civil society. This finds reflection both in new structures to facilitate this and in efforts to mainstream gender equality in the African Union. It is clear that there is space that can be exploited to enhance popular participation and improve the lot of women on the continent.

The promotion of gender equality and women's rights is at the heart of Oxfam GB's efforts to overcome poverty and suffering, working in partnership with different stakeholders. Oxfam GB recognises the value of the Africa Women's Protocol as a tool for gender mainstreaming and for influencing policy, attitudes, and practice changes at international, regional, national, and local level. For this to happen, partnerships need to be developed and strengthened with various stakeholders at different levels. Oxfam GB supports civil-society organisations in their work with key institutions of the African Union, such as the Heads of State Summit, the African Union Commission, the Pan-African Parliament, the Economic, Social and Cultural Council of the African Union (ECOSOCC), and various institutions at national level. The power analysis of the various African Union structures, Regional Economic Communities (RECs), and inter-governmental bodies was one of the strategies used by Oxfam GB to support civil-society organisations to focus on key actors that are critical to support the ratification, domestication, and implementation of the Africa Women's Protocol.

The power analysis

The power analysis studied a number of continental and regional organisations with a view to identifying their roles, functions, strengths, and weaknesses. It looked at the following African Union organs: the Assembly of Heads of State and Government, the Executive Council, the Permanent Representative's Committee, and the Pan-African Parliament (PAP) and the Economic and Social Council. In addition, it analysed the New Partnership for Africa Development (NEPAD) and the Southern Africa Development Community (SADC) and briefly examined the relationship between the various organs. The research methods used were a literature review, interviews, and questionnaires.

Its objectives were to identify:

- actors to engage with and influence at regional level with a view to attaining the desired changes in policy and practice in relation to violence against women, sexual and reproductive rights/health including HIV and AIDS, governance, and culture;
- methods or ways of attaining those policy and practice changes; and
- bottlenecks that may hinder the realisation of efforts aimed at the popularisation, ratification, domestication, and implementation of the Africa Women's Protocol.

The power analysis examined four organs that existed under the Organization for African Union (OAU), three of which now have new names; the Assembly of Heads of States and Government, the Executive Council, the Permanent Representative's Committee, and the Commission.

In addition, the analysis examined the new face of the African Union; taking two organs, PAP and ECOSOCC as well as a programme, NEPAD. They have in common the fact that they represent a new dispensation in Africa's continental governance. The analysis also examined SADC, arguably the strongest REC in Africa. It makes observations on the relationships between the different organs.

The analysis concludes that the current environment provides a unique window of opportunity for supporters of women's rights and organisations engaged in the battle against HIV and AIDS, tuberculosis, and other infectious diseases, to make headway on the continent. New institutions that provide space for popular participation, recognition of the need for gender mainstreaming, and initiatives like the Africa Gender and Development Index (AGDI) provide a unique opportunity for advancing the struggle for gender

equality on the continent. While Oxfam GB must take advantage of these opportunities, it should avoid the pitfall of spreading itself too thin through a careful process of selectivity and sequencing. Oxfam GB should support partners that build on its comparative advantages and keep in sight the need for a strong link with actions at regional level that contribute to achieving positive changes in the lives of ordinary African women at grassroots levels.

The analysis makes recommendations in the following areas:



Critical actors to support the Africa Women's Protocol

The power analysis notes that it is important to engage with the various structures of the African Union, and the various inter-governmental bodies. However, for maximum impact, there is a need to conduct lobbying and advocacy work in two phases.

The report concludes that Oxfam GB should support civil-society organisations in its first phase to focus primarily on PAP and NEPAD (the programme, the Secretariat, the African Peer Review Mechanism [APRM], and the Africa Union Commission, which is actually the engine of the organisation). It should nevertheless keep an eye on policy organs like the Assembly the Executive Council (EC) and the Permanent Representative Council (PRC). It should also build strategic partnerships with the United Nations Economic Commission for Africa (UNECA), United Nations Development Fund for Women (UNIFEM), SADC, and the Southern African Development Bank.

In the second phase, it should focus on the merged court, ECOSOCC, and the Peace and Security Council.

The analysis noted the strengths and weaknesses of the various structures. Table 1 below summarises the key strengths of the various organs to focus on for phase one.

Table 1: Policy organ of the African Union in relation to gender equality

PAN-AFRICAN PARLIAMENT
STRENGTHS
<ul style="list-style-type: none">• New organ: window of opportunity to influence it as it charts its course in new territory• Embodiment of people's voice , pioneer in the area of popular participation in the African Union• Mandate for the promoting human rights, democracy, good governance, transparency, and accountability in Africa• Forum that brings together a wealth of wisdom, expertise, and competence in its diverse membership• Willingness to tackle daunting African problems like conflict in Darfur

EXECUTIVE COUNCIL
<ul style="list-style-type: none"> • Makes recommendations that are usually adopted by the Assembly • Makes a number of high-level decisions • Meets more frequently than Assembly and also considers the budgetary and administrative issues • In-depth consideration of substantive programmes
PERMANENT REPRESENTATIVE'S COMMITTEE
<ul style="list-style-type: none"> • Most accessible policy organ • Full-time representatives considering African Union issues throughout the year • Regular contact with Commission and other organs • In-depth consideration of issues and reports • As providers of policy advice to their delegations they greatly influence country positions • Responsibility for following up decisions, commenting on Secretariat's proposals, and liaising with the ministries in their home countries
THE COMMISSION
STRENGTHS
<ul style="list-style-type: none"> • African Union Secretariat with fulltime employees regularly considering African Union issues • Ongoing restructuring to align the Commission to its changes and expanded role provides space for engagement • Influence in determining issues on the agenda of the African Union Assembly • Influence in requirement for Commission to make a statement on financial implications of all decisions • Produce reports and drafts that form the basis of decisions • Clearing house for information and exchange of experience
REGIONAL ECONOMIC COMMUNITIES AS SADC
STRENGTHS
<ul style="list-style-type: none"> • As building blocs for regional integration, they are closer to the national level • More regular meetings that are usually better attended and attract more effective participation because of fewer numbers • Greater chance that members will adhere to decisions within the smaller groups as peer pressure will be more effective • Greater public awareness than the continental bodies
NEPAD
STRENGTHS
<ul style="list-style-type: none"> • Home-grown programme by Africans for Africans • Focuses on projects/programmes in critical areas such as

infrastructure

- Squarely addresses good governance and responsibility by member states
- New programme not saddled with baggage of negative perspective of OAU
- Donor support and good will
- Strong marketing capacity
- Better known than any of the other institutions
- APRM review mechanism to monitor good governance and democracy in willing countries

Conclusions

The analysis highlights the fact that different actors have different strengths and each has a role to play. It underscores the importance of actors working together in a way that magnifies the total effort and ensures that our whole is greater than the sum of our parts.

There is a window of opportunity for gender activists to positively influence important stakeholders and programmes on the continent. There are new organs that are not yet fully operational. Never in the continent's history has there been greater recognition of the need to promote women's rights and to mainstream gender into the programmes and projects of key organisations. However, alongside the new opportunities, old challenges of patriarchy and the strengths of discriminatory cultural traditions continue to rear their ugly heads. Women must strengthen themselves as a constituency if they are to exploit, sustain, and expand this space.

Recommendations

Strategic areas for intervention

1. Stay the course: build on existing interventions

- *Continue to support promotion campaigns for the universal ratification and implementation of the Africa Women's Protocol*

- *Support capacity-building for key actors and institutions*

There is often a tendency for the international community to follow the latest global priority or fad, often at the expense of existing interventions. Oxfam GB supported work on the Africa Women's Protocol long before it entered into force. It should continue to support the ratification campaign with a view to obtaining continent-wide ratification. The more ratifications the Protocol receives the more legitimacy and strength it will have as a tool for the promotion of gender equality and the protection of women's rights.

2. Bridge the gaps

- Legislation and policy versus implementation

- Actors at the continental, regional, national, and local levels

One of the greatest challenges that plagues efforts to promote and protect the rights of women is the chasm between decisions and implementation.

- Create links: the gap between decisions, laws, and policies on the one hand and implementation on the other must be bridged by strengthening the link between actors at the regional, national, and local levels. We must devise innovative ways of following the decisions through from where they are made, through the channels they are supposed to take to reach grassroots level implementation. This could be by strengthening the links of organs like PAP to the grassroots.
- Create spaces and support for civil society to engage in key policy fora that impact on gender equality and women's empowerment at different levels.

3. Build strategic alliances

- Seize all available space for engagement

- identify and network with key actors

- focus on youth

On youth, it is important to note that Africa is a young continent with a large percentage of its population below 18. If one starts early it is easier to influence young people. In addition, the youth have a longer life ahead in which to positively or negatively affect their communities.

4. Advocate for positive change

- New directions

- Harmonisation of policies

- Improved co-ordination

5. Strengthen key actors and institutions

- Capacity-building

Attention needs to focus on strengthening the institutional capacity-building of women's-rights organisations in resource mobilisation, campaigns and advocacy, and creative communication (e.g. using

video clips, audio-visual materials, and the Internet in an interactive way). Partners also need to be assisted to work better with western media.

6. Raise awareness

- *Sensitisation campaigns*

Lack of awareness about the African Union, its instruments, and its organs remains a major impediment that must be addressed.

7. Make all this meaningful at the grassroots

- *Concrete, visible interventions*

When all is said and done, whatever is done at the global and regional levels will have little meaning if it does not find reflection in the lives of women at the local level. To borrow the famous slogan from the environmentalists, we must 'think globally but act locally'. The Africa Women's Protocol must be simplified, translated, and disseminated. The Protocol contains 32 articles and it needs to be made user-friendly, depending on the different needs of different audiences. Therefore it may be difficult to raise awareness on all aspects at the same time, especially among rural women in rural and semi-urban settings. It is advisable that the Protocol is used in such a way that thematic aspects are translated and related to the various aspects of work undertaken by civil-society organisations and to the daily lives of women.

Organisations working in the health sector, for example, can produce small booklets on Article 14, relate it to their work, and show women how to access services related to reproductive health. Taking into account the low levels of women's literacy in most rural areas, creative ways of disseminating the Africa Women's Protocol need to be developed.

Table 2 summarises possible interventions, target actors, and possible activities focusing on phase one.

Table 2: Possible interventions

ORGAN/BODY	ACTORS TO INFLUENCE	POSSIBLE STRATEGIES/ACTIVITIES
African Union Policy Organs	<ul style="list-style-type: none"> • Chairpersons of the Assembly and other organs) • Member of the Troika: outgoing Chair, Current Chair, and Incoming Chair • 'College' of leaders who are opinion leaders by virtue of economic or military power, legitimacy of their countries, clout, expertise, or interest in a specific issue of their individual representative. Change from time to time and therefore must be constantly watched. • Representatives and desk officers responsible for gender and HIV AIDS in embassies, foreign and line ministries. 	<p>Lobby/advocate for more accession to the Africa Women's Protocol.</p> <p>Stronger gender machinery, greater women's representation, gender mainstreaming, gender sensitising programmes.</p> <p>Implementation of existing laws and policies, ratification of Africa Women's Protocol.</p>
Africa Union COMMISSION	<ul style="list-style-type: none"> • Chairperson who is the CEO, legal representative and accounting officer • Deputy chairperson in charge of administration and finance, who is a vital player in the restructuring process; Commissioners whose buy-in is crucial to the success of gender mainstreaming • Director, Gender • Head of Gender • Interested donors/development partners 	<p>Meeting gender directorate to explore possible areas of co-operation especially in gender mainstreaming.</p>
NEPAD	<ul style="list-style-type: none"> • Chairperson • Representatives of the Steering Committee • Representatives of the Implementation Committee 	<p>Evaluation of NEPAD in light of the Protocol particularly in critical sectors like agriculture, labour, ICT, education, and governance</p> <p>Exploitation of APRM process</p>

ORGAN/BODY	ACTORS TO INFLUENCE	POSSIBLE STRATEGIES/ACTIVITIES
	<ul style="list-style-type: none"> • Presidency and Ministry of Foreign Affairs in Host Country • APRM Chairman and other members especially Graca Machel • Leader of Host country Parliamentarians • Interested donors/ development partners 	
UNECA		Explore co-operation based on AGDI to monitor Protocol
SADC	<ul style="list-style-type: none"> • Chairperson • The Troika • The Council of Ministers • The Secretary General • The Head of the Gender Unit • The Sub-Committee on Gender • The Chairman and gender representatives of the SADC National Committee 	<p>Make full use of fora of policy organ meetings for advocacy</p> <p>Examine programme</p> <p>In-depth discussion with gender unit to map out areas of co-operation</p>
ECOSOCC	<ul style="list-style-type: none"> • Chairperson • Bureau of the Assembly • Standing Committee • Member of the Sectoral Committees of gender and cross-cutting issues like HIV and AIDS • CSOs from key countries such as Nigeria and South Africa • Active regional civil society and professional organisations • Commission Unit that serves as the ECOSOCC Secretariat • Interested donors/ development partners 	Use for new and emerging issues in Protocol such as implications of the right to a positive culture.
PAP	<ul style="list-style-type: none"> • Chairperson • Chairpersons of the Committees on Gender, Disability who are crucial actors in determining PAP's programme in the area • The Bureau (comprised of vice-presidents) 	<p>Continue to support gender committee's draft strategy</p> <p>Support advocacy efforts at strengthening PAP and transforming it into a legislative body.</p> <p>Ensure that gender concerns are ken on board in election</p>

ORGAN/BODY	ACTORS TO INFLUENCE	POSSIBLE STRATEGIES/ACTIVITIES
	<ul style="list-style-type: none"> • The clerk • PAP MPs in countries one wishes to influence especially the Chairperson and members of the relevant committee • Parliamentarians who are vocal on gender, HIV, and management issues • Leader of host country Parliamentarians • Interested donors/development partners 	<p>monitoring missions and those to conflict areas</p> <p>Commission research on critical issues</p> <p>Support greater interaction between PAP, regional, and national Parliaments</p> <p>Promote greater engagement between organs on gender issues</p> <p>Support sensitisations proposals such as PAP Day</p>

References

African Union: Protocol to the African Charter on Human and People's Rights on the Rights of Women.

African Union: Statutes of Economic, Social and Cultural Council (ECOSOCC) of the African Union.

Cilliers Jakkie and Mashele Prince: Pan African Parliament: A Plenary of Parliamentarians, in African Security Review, Vol. 13 No. 4, 2004.

Femme Africa Solidarite: Dakar Strategy on Mainstreaming Gender and Women's Effective Participation in the African Union, 2003.

IDASA: Proceedings of a Round Table Discussion on Fostering Integration among Africa's Diverse Parliaments: The Prospects and Challenges of PAP, Cape Town 12 November 2003.

Mukasa Rosemary Semafulu: Research Report on the Protocol to the African Charter on Human and People's Rights on the Rights of Women, Harnessing a Potential Force for Positive Change, A Study Commissioned by Oxfam.

Mukasa Rosemary Semafulu, Taking the Work On The African Women's Protocol Forward: A Power Analysis Of Selected Key Stakeholders, A Study Commissioned By Oxfam GB Southern African Region.

Mutasa Charles: Is the African Union ECOSOCC a New Dawn and a New Deal? 2005.

NEPAD Secretariat: Summary Report of the 1st NEPAD Multi-Stakeholder's Dialogue, held in Sandton, Johannesburg, 22-23 October 2004.

NEPAD Secretariat: The New Partnership for Africa's Development, Johannesburg, 2001.

OAU, Constitutive Act of the African Union, adopted by the 36th Ordinary Session of the Assembly of Heads of State and Government of the AU, 11 July 2000, Lome, Togo.

Sturman and Cilliers Jakkie: ECOSOCC: Bringing Peoples' Power to the African Union? in African Security Review, Vol. 12 No. 1, 2003.

Two Papers from the Regional Strategy Meeting on Women's Political Participation and Gender Mainstreaming in AU and NEPAD, Nairobi, 27-31 October 2003.

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