

DEVELOPMENTS IN LAWS

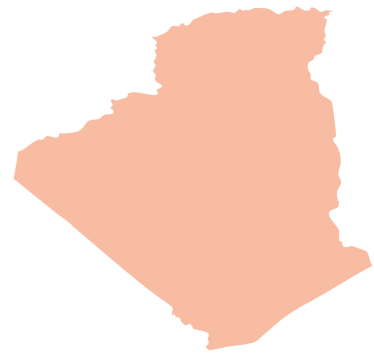
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Algeria



CONSTITUTION

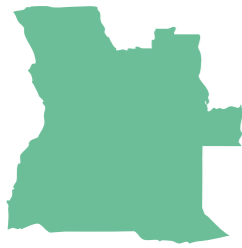
- The amendment to the Constitution in 2008, reaffirming in article 31 bis the State's commitment to “promote the political rights of women by increasing their opportunities to access representation in elected bodies”;

LAWS

- The amendment to the Nationality Code in 2005, allowing children to take their mother's nationality, in line with the principle of gender equality (article 6) and enabling a man to acquire Algerian nationality through marriage to an Algerian woman (article 9 bis);
- The amendments to the Family Code through the Ordinance 05-02 of 27 February 2005, prohibiting the *wali* (regional representative of the State), who may be the father or another relative, from compelling a minor person under his guardianship to contract marriage;
- The amendments to the Criminal Code, in particular article 341 bis, which makes sexual harassment a criminal offence;
- Adoption in 2015 of a new law criminalizing violence against women, this law amends the penal code in order to “criminalize, for the first time, domestic violence against women” and includes a wide definition of violence, whether it is physical, psychological, social or economic, provides for severe jail sentences for authors of these types of violence.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- The creation of institutional mechanisms for the advancement of women, in particular the establishment of the National Council for the Family and Women by means of Executive Decree No. 06-421 of 22 November 2006, and its two internal committees, on women and on the family, which comprises about 50 representatives of various national institutions operating at both the national and local levels;
- The National Strategy for the Promotion and Integration of Women in 2008, including the establishment of the inter-ministerial committee, and the subsequent national plan of action to implement the National Strategy for the period 2010-2014, which is aimed at creating a database of information disaggregated according to sex and building capacities to promote gender equality and women's empowerment;
- The Programme for the Strengthening of Women's Leadership and Consolidation of Women's Participation in Political and Public Life, aimed at undertaking research, fostering dialogue and engaging key stakeholders in initiatives to strengthen women's participation in political decision-making;
- The Joint Programme for Gender Equality and Women's Empowerment, focused on improving access to employment for women through targeted support of existing job creation mechanisms.¹



Angola

LAWS

- Law on the Participation of Women in Political life in 2005;
- Law against Domestic Violence, in 2011².



Benin

LAWS

- Act No. 2006-19 of 5 September 2006 on the suppression of sexual harassment and protection of victims;
- Act No. 2011-26 of 9 January 2012 on the prevention and prohibition of violence against women, which covers domestic violence and marital rape, sexual harassment, forced prostitution, forced marriage, honour crimes, female genital mutilation and other harmful practices³.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- In 2006 Benin adopted the 2006-2011 strategic guidelines for development which seek, among other things, the promotion of gender equality, women's empowerment and improved social protection⁴;
- National Policy on Gender Equality, in 2009 which aims to achieve by 2025, equality and equity between the sexes with a view towards sustainable human development⁵;
- Action Plan to Combat Violence against Women, in 2012.



Botswana

LAWS

- Enactment of the Abolition of Marital Power Act in 2004 and the subsequent amendments to a number of statute laws to align them with the Abolition of Marital Power Act;
- Domestic Violence Act (2008) was also adopted to protect family members against violence in the home⁶.

Burkina Faso



CONSTITUTION

- The Constitution was amended in 2012 with adoption of the Act N°033-2012/AN that recognizing gender equality⁷.

LAWS

- National Gender Policy adopted in July 2009;
- National Action Plan for 2009-2013, “Zero Tolerance for Female Genital Mutilation”;
- Act No. 09296AN/2008 adopted in 2008 of the law to combat trafficking in persons and similar practices which criminalizes all forms of trafficking, expands the definition to include trafficking of young girls and women, places an emphasis on the need to protect victims of trafficking and prescribes punishments for convicted offenders;
- Act No. 28-2008/AN on the Labour Code protecting pregnant employees;
- Article 303 of Act No. 033-2004/AN of 2009 and Act n°034-2012/AN of 2012 which establishes the principle of equal pay for work of equal value for women and men;
- Act N°034-2009/AN of 2009 and on rural property law that establishes the principle of equality for men and women in access to land in rural areas⁸.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- The Ministry for the promotion a women was reorganized by decree N°2013-856/PRES/PM/MPFG in 2013 to take onto consideration a gender dimension. The Ministry for the promotion a women changed its name to The ministry of the promotion of gender and women and two new structures have been created namely the General directorate on the promotion of gender and the General directorate for the promotion women's entrepreneurship⁹.
- 2015: Adoption of Law No. 061-2015/CNT on the Prevention, Suppression and Compensation for Violence Against Women and Girls and Care of Victims
- 2016: Creation of Ministry of Women Affairs, National Solidarity and Family with a Secretariat of State for Social Affairs.

Burundi

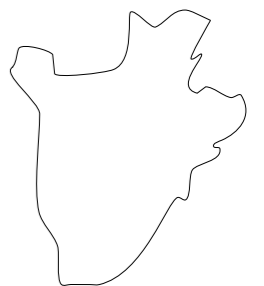


LAWS

- 2016: Adopted new law on gender based violence.

PENDING

- Reform on the Labour Code, where sections on the private sector need to be brought into line with the Convention, particularly with respect to paid maternal leave;
- Reform of the Personal and Family Code (Article 126 on the obligatory consent of the wife for any act concerning the disposition of a jointly held asset, and Article 88 to establish the same legal age of marriage for girls and boys);



- Reform of the Inheritance, matrimonial regimes and gifts, which are still governed by customary law.¹⁰
- 2015: Establishment of Department for the Promotion and Empowerment of Women, Ministry of Human Rights, Social Affairs and Gender.



Cameroon

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- The national strategy to combat violence against women, in 2012¹¹;
- Document on National Gender Policy, whose main elements apply to the situational analysis of gender issues in Cameroon¹².
- New Penal Code on the Rights of Women and Girls adopted in 2016.

Cape Verde

LAWS

- Act No. 84/VII/2011 on Gender-based Violence;

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- National Plan to Combat Gender-based Violence for 2007-2011¹³

Central African Republic

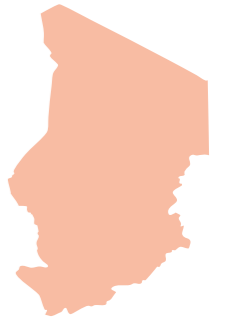
LAWS

- Act No. 06.005 of 20 June 2006 on reproductive health;
- Act No. 06.032 of 27 December 2006 on protecting women against violence.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- The adoption, in 2005, of a national policy for the promotion of equality and equity and, in 2007, an action plan thereon;
- The establishment of a sectoral committee on gender and poverty reduction¹⁴.

Chad



LAWS

- Act No. 006/PR/02 of 15 April 2002 on reproductive health, which prohibits domestic and sexual violence as well as harmful practices such as female genital mutilation (FGM) and early marriages (art. 9);
- Decree No. 414/PR/PM/MEN/2007 of 17 May 2007, which establishes the Directorate for the Advancement of Girls' Education within the Ministry of Education.
- Representation and Gender Parity (Law No. 38/PR/2015) adopted in 2016.

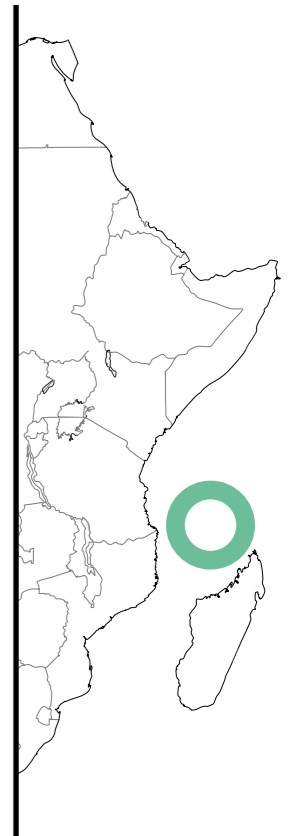
LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- Efforts of the State party, in cooperation with a number of United Nations agencies, to be more responsive to incidents of sexual and gender-based violence in eastern Chad, in particular by providing training on sexual and gender-based violence prevention and response to officials from the *Détachement Intégré de Sécurité (DIS)* and to its national police, by recruiting female police officers and by opening gender-unit posts in the refugee camps¹⁵.

Comoros

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- The National Policy on Gender Equality and Equity and its implementation with the support of United Nations agencies;
- The Poverty Reduction and Growth Strategy and its plan of action, which incorporates a gender perspective¹⁶.





Congo

LAWS

- Establishment of the Ministry for the Advancement of Women and the Integration for Women in Development;
- Adoption of the Electoral Law 005/2007 of 25 May 2007 establishing a 15 percent quota for women in National Assembly and Senate and a 20 percent quota for women in local elections
- Adoption of Bill on Gender Parity in 2016

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- Development in 2008 of a national gender policy and its 2009–2019 Plan of Action¹⁷.



Cote d'Ivoire

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- 2007 Solemn Declaration on Equality of Opportunity, Equity and Gender;
- National Action Plan for Women (2003-2007);
- National Policy Paper on Equal Opportunity, Equity and Gender;
- National Plan of Action for the Implementation of Security Council Resolution 1325 (2000) on Women, Peace and Security¹⁸.
- In 2016, legislative provision on GBV and law on Property Rights of Women (Decree No. 2016-590) and National Strategy to combat GBV;

Also 2016, establishment of Directorate on the Development of the Competence of Women (DVCF).

Democratic Republic of Congo

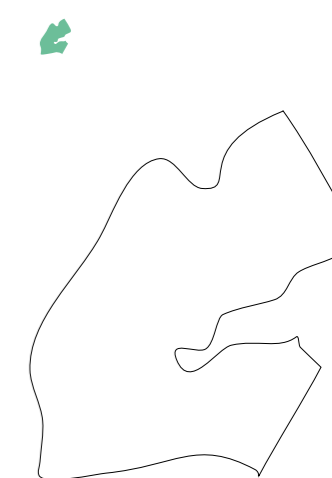
LAWS

- Act No. 08/005 of 10 June 2008, in which political parties are requested to consider gender equality in establishing electoral lists;
- Law No. 16/008 of July 2016 of the Family Code in which the marriage authorisation for women was abolished;
- Law No. 16/010 of July 2016 of the Labour code in which women are allowed to work at night.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- The National Policy on Gender Issues, in 2009, and its action plan;
- The National Strategy for women's political participation in democratic governance, in 2010;
- The National Strategy against gender-based violence (2009-2010),
- The National Agency for Eliminating Violence against Women and Adolescent and Very Young Girls,
- A technical coordination committees to fight sexual violence;
- National Fund for the Promotion of Women and the Protection of Children;
- The National Strategy on maternal and child mortality;
- The action plan on reproductive health, gender and population (2008-2012);
- The integrated rural development policy and the national strategy on microfinance (2008-2012)¹⁹.

Djibouti



LAWS

- The Family Code (2002), which sets the minimum age of marriage at 18 years for women and men, albeit with exceptions, and improves the economic position of women in polygamous marriages, abolishes the practice of repudiation and criminalizes the refusal of a divorced husband to pay alimony ("family abandonment");
- The amendment in 2009 of article 333 of the Criminal Code (criminalizing female genital mutilation) to define and criminalize failure to report female genital mutilation and of article 7 of the Criminal Procedure Code to relax the conditions to be met by women's rights organizations for bringing female genital mutilation cases to court;
- The Education System Act (2000) introducing free compulsory education for girls and boys aged 6 to 16 years;
- The Labour Code (2006) providing for, inter alia, 14 weeks of paid maternity leave and three days of paid parental leave for fathers.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- The establishment in 2008 of the Ministry for the Advancement of Women, Family Welfare and Social Affairs, which was renamed Ministry for the Advancement of Women and Family Planning, in charge of relations with Parliament;
- The National Strategy for the Integration of Women in Development (2003-2010) and its action plan aiming at strengthening women's participation in political and economic life, improving maternal and child health, and increasing women's and girls' access to education and literacy²⁰.



Egypt

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- A national planning methodology that has facilitated the mainstreaming of gender issues in the socio-economic national five-year plans for 2002-2007 and 2007-2012;
- Continued coordination and other activities of the National Council for Women, the national mechanism for the advancement of women, and its development of a strategic framework aimed at achieving the third Millennium Development Goal, on gender equality, by 2015. The Committee also notes with appreciation that equal opportunity units have been established in most ministries and that the unit dealing with issues relating to the Convention within the organizational structure of the National Council for Women has now become permanent;
- Adoption of the new child law (Law No. 126 of 2008), which raises the age of marriage from 16 to 18 years for both males and females and criminalizes female genital mutilation²¹.



Equatorial Guinea

LAWS

- Law No. 3/2005 on the prevention and combat of the transmission of STDs and HIV/ SIDA.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- “No to violence against women in Equatorial Guinea” campaign of 2008;
- The establishment of the Fund for Social Development, which prioritizes women’s access to health-care services²².

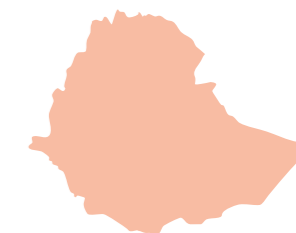


Eritrea

LAWS

- Adoption in 2007 of Proclamation No. 158/2007 to abolish female circumcision²³.

Ethiopia



LAWS

- Adoption of the new Criminal Code (2005), which criminalizes various forms of violence against women, including domestic violence and extramarital rape, harmful traditional practices such as female genital mutilation, early marriage and marriage by abduction, and trafficking in women and children.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- Establishment of victim-friendly benches in federal courts and of special units to investigate and prosecute crimes against women in prosecutors’ offices in Addis Ababa and Dire Dawa and in some regional states, as well as the steps taken so far by the State party to train judges, prosecutors and police officers on the application of the Criminal Code and on women’s rights.
- National Plan for Gender Equality (2005-2010);
- The Plan for Accelerated and Sustainable Development to Eradicate Poverty (2005-2010), which includes “unleashing the potential of Ethiopian women” among its eight strategic elements;
- Te Development and Change Package for Ethiopian Women, seeking to promote the economic and political participation of women and to eradicate harmful traditional practices;
- The joint United Nations/Government of Ethiopia flagship programmes on gender equality and maternal health;
- The introduction of girls’ scholarship programmes and the supply to girls of educational materials and uniforms, with the support of non-governmental organizations;
- The introduction of girl-friendly schools, as well as the construction of separate latrines for girls and boys in schools;
- The provision of incentives to parents in pastoralist areas to send their daughters to school;
- Training and the taking of affirmative action to raise the share of female teachers in primary and secondary schools to 50 per cent and to increase the number of female college and university instructors;
- Health Extension Programme, by training health extension workers on maternal health and emergency obstetric care and by expanding the number of primary health-care units, health centres and hospitals²⁴.
- 2015: Establishment of state department for gender under the Ministry of Public Service, Youth and Gender Affairs.



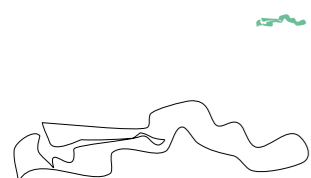
Gabon

LAWS

- Act No. 38/2008 of 29 January 2009 aimed at combating and preventing female genital mutilation;

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- National Gender Equality and Equity Strategy, aimed at promoting equality of opportunity and treatment of men and women with respect to education, vocational training, employment and occupation, in 2010²⁵;



Gambia

LAWS

- Domestic Violence Act, in 2013;
- Sexual Offences Act, in 2013;
- Women's Act, in 2010;

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- Maternal and Child Nutrition and Health Results Project, 2014-2019;
- National Plan of Action on Gender-based Violence, 2013-2017;
- Gender and Women's Empowerment Policy, 2010-2020;²⁶



Ghana

LAWS

- Criminal Offences (Amendments) Act, 2007 (Act 741), which widens the scope of persons responsible for the practice of female genital mutilation and increases sanctions for that offence;
- Domestic Violence Act, 2007 (Act 732);

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- Re-engineering of the Ministry of Women and Children's Affairs;
- Development of the National Policy and Plan of Action (2009-2019) on the implementation of the Domestic Violence Act, 2007²⁷.

Guinea



CONSTITUTION

- New Constitution of 2010, recognizing in article 8 the principle of equality for men and women under the law;

LAWS

- New Electoral Code of 2010, establishing a 30 per cent quota for women's representation on electoral lists.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- Strategic plan for the acceleration of the eradication of female genital mutilation for 2012-2016;
- National gender policy, in 2011;
- National strategy for the fight against gender-based violence, in 2010;
- National strategic framework to combat HIV/AIDS for 2008-2017, including effective means of addressing the concerns of women and girls;
- National action plan on implementing Security Council resolution 1325 (2000) for 2009-2013²⁸.

Guinea-Bissau



LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- Establishment in 2000, of the Institute for Women and Children as an operational structure for the development and coordination of policies on women's rights, gender equality and the advancement of women²⁹.



Kenya

CONSTITUTION

- New Constitution approved by public referendum in 2010 which provides for a comprehensive Bill of Rights which enhances protection for women through, *inter alia*, the following provisions : Article 14 (1) (2) which guarantees equal citizenship rights for women, and in particular the direct applicability of the constitutional right of women to pass on Kenyan citizenship to their foreign spouses and children born outside of Kenya; Article 27 (4) which prohibits direct or indirect discrimination, *inter alia*, on the basis of sex, pregnancy and marital status;
- The new Constitution requires the repeal of many discriminatory provisions which existed in the former Constitution and the application of the Constitution's guarantee of non-discrimination with respect to all laws, including those in the areas of marriage, divorce, adoption, burial and succession;
- The State party has implemented the constitutional principle contained in article 27 (8) that not more than two-thirds of the members of elective or appointive bodies be of the same gender in newly established commissions crucial to the implementation of the new Constitution³⁰.

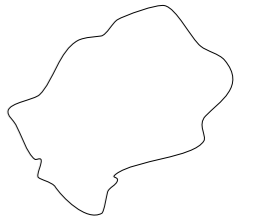
LAWS

- The sections within the Penal code that perpetuated discrimination on the basis of gender Caps 170, 172 and 173 have since been repealed by the Kenya Citizenship and Immigration Act 2011;
- The Government has audited the Laws and amended discriminatory clauses as evidenced in the review of Section 38 of Sexual Offences Act of 2006³¹.
- Amendment to Sexual offences Act (2006): The Government repealed Section 38 of the Sexual Offences Act under which women face the risk of being victimized for initiating prosecutions against their abusers as of June 2012. Victims of sexual offences whom majority happen to be women are now able to report cases of sexual violence without fear of criminal sanctions. In addition, Regulations required for the implementation of the Sexual Offences Act have been passed.
- Women and land entitlements: Kenya's Constitution and the three laws adopted in 2012 (the National Land Commission Act, the Land Act and the Land Registration Act) are significant improvements with respect to women's rights to land;
- Marriage Act (2014) seeks to eliminate social inequality between men and women in marriage in the context of Kenya. The Act provides that parties to a marriage have equal rights and obligations at the time of the marriage, during the marriage and at the dissolution of the marriage 3(2). The Act provides that all marriages will be issued with marriage certificates, including customary marriages³².

PENDING

- Draft Gender Policy framework 2011 developed with an overall goal of mainstreaming gender concerns in the development process in Kenya in order to improve the social, legal, economic, and cultural conditions for women, men, girls, and boys³³.

Lesotho



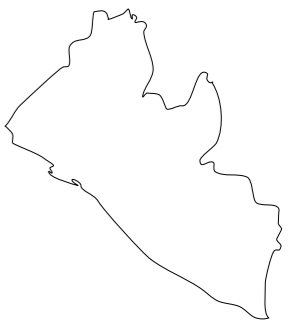
LAWS

- The Sexual Offence Act (2003), recognizing marital rape as an offence;
- The Legal Capacity of Married Persons Act (2006);

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- Law Reform Commission, with the mandate of reviewing discriminatory laws³⁴.

Liberia



LAWS

- Education Reform Act of 2011, which seeks to advance girls' education at all levels;
- Children's Law of 2011, which partly addresses female genital mutilation;
- Law Reform Commission Act of 2011, which provides for the revision of laws including those with a bearing on women's rights.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- Establishment of Criminal Court "E" in Montserrado County mandated to hear cases of rape and other forms of sexual violence;
- Sexual and gender-based violence crimes unit within the prosecution system;
- Women and children protection unit in the police service, in 2009³⁵.

Libya



LAWS

- The electoral law was revised to include a gender parity provision requiring each party to place its female candidates in an alternating pattern with male candidates on their lists to ensure that women were elected³⁶.
- 2015: Establishment of New Gender Mechanism in the Presidency called Women Support and Empowerment Unit



Madagascar

LAWS

- Law to combat trafficking in persons, which criminalizes forced marriage, among other forms of exploitation, in 2014.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- Gender and elections strategy, covering the period 2015-2020, aimed at enhancing the representation and participation of women in decision-making.³⁷
- 2015: General Directorate responsible for the Promotion of Women.
- 2016: NAP for Combating GBV.



Malawi

LAWS

- Marriage, Divorce and Family Relations Act, in 2015 and consolidates multiple marriage regimes and addresses some of the discriminatory provisions in previous laws governing marriage and family relations. The provision that has received the most domestic and international attention sets the age of marriage at 18 and demands formal government registration of all marriages.³⁸
- Gender Equality Act, in 2013.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- National gender policy, in 2015.
- National girls education strategy (2014-2018).³⁹



Mali

LAWS

- Act No. 2015-052 of 18 December 2015, instituting measures to promote gender equality in access to nominated and elected positions by providing for a minimum 30 per cent quota for the representation of each gender;

- Act No. 2011-087 of 30 December 2011, which amended article 224 of the Personal and Family Code, providing for the equal right of Malian women and men to transmit their nationality to their foreign spouses and to their children;
- Act No. 06-40/AN-RM of 16 August 2006, on agriculture, removing legal barriers to access to and use of land by women.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- Plan of action, covering the period 2015-2017, for the implementation of Security Council resolution 1325 (2000) on women and peace and security;
- National Fund for Agricultural Development and the land tenure policy (2015), which provides for the allocation of 15 per cent of State-managed land to women and young people.
- 2016: Three-year action Plan of Gender Policy;
- 2016: Establishment and Operationalisation of Permanent Secretariat of the National Gender Policy.

PENDING

- Bill addressing violence against women is being developed
- National programme to combat violence against women and girls is pending finalization.
- Bill to prohibit female genital mutilation was submitted to the National Assembly in 2009 and a bill creating a committee to follow up on that bill
- National plan of action to combat female genital mutilation that covers the period 2015-2019.⁴⁰

Mauritania



LAWS

- Organization Act No. 2012-034 of 12 April 2012, promoting women's access to electoral mandates and elective offices;

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- Updated poverty reduction strategy paper for the period 2011-2015, which includes a gender component;
- National Plan of Action for Rural Women, in 2009;
- National strategy against female genital mutilation, in 2007⁴¹.
- 2015: National Gender Mainstreaming Strategy and adoption of a National Gender Mainstreaming Strategy.

Mauritius

LAWS

- Combating of Trafficking in Persons Act that was passed by parliament in 2009, which provides, inter alia, for repatriation of victims of trafficking, return of victims of trafficking to Mauritius and compensation to victims of trafficking;
- Employment Rights Act that was passed by Parliament in 2008 and which introduced the payment of maternity allowance applicable to all confinements, and also five continuous working days as paternity leave to all married male workers;
- Adoption of the HIV and AIDS Act in 2006.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- National Gender Policy Framework in March 2008;
- National Action Plan to Combat Domestic Violence formulated by the Family Welfare and Protection Unit in 2007;
- Women Empowerment Programme project;
- The revision carried out by the National Remuneration Board in 2008 with regard to the wage gap between women and men for field-crop and orchard workers, as well as for livestock workers⁴².

Morocco

LAWS

- The Royal Commission on the Personal Status Code has undertaken important legal reforms to eliminate existing discrimination against women, such as the adoption of the Family Code, the Nationality Law, the Law on Civil Registration, the Labour Code and the Code of Criminal Procedure as well as the amendments to the Penal Code;
- Reorganization of the *Conseil Consultatif des Droits de l'Homme*, which is in line with the Paris Principles, the establishment of the Diwan Al Madhanlim, as an Ombudsman to deal with complaints vis-à-vis the public administration as well as the establishment of the Instance Équité et Réconciliation, with a view to examining the serious human rights violations of the past, since these instruments and bodies also contribute to the protection of the human rights of women;
- National strategies for gender equity and equality, to eliminate violence against women, for universal basic education, and on migration⁴³.

Mozambique

CONSTITUTION

- Incorporation of a specific provision articulating the principle of equality between women and men, as well as provisions on general principles of equality.

LAWS

- Family Law of 2004 which establishes the equality of women and men in marriage and family relations;
- Land Law of 1997, which explicitly sets forth equal rights to land for women;
- Commercial Code of 2005, which incorporates equal rights for women in the exercise of any commercial activity.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- National Plan for the Advancement of Women 2002-2006
- Gender Policy and Implementation Strategy in 2005;
- Inclusion of the objective of gender equality in the Government's five-year plan 2005-2009 and in certain sectoral plans and programmes;
- High level of the institutional machinery for achieving gender equality in place at the government level, including the Ministry of Women and Social Action and the National Council for the Advancement of Women, which is composed of different stakeholders from both Government and civil society, as well as mechanisms in place at the parliamentary level;
- Appointment of a woman as Prime Minister and the appointment of a number of women ministers and vice-ministers. The committee of CEDAW has stated that the proportion of women parliamentarians in Mozambique is among the highest in the world⁴⁴.



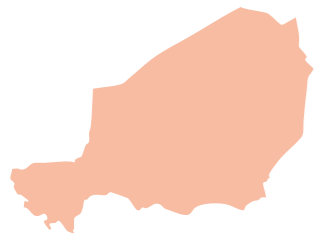
Namibia

LAWS

- Child Care and Protection Act, in 2015, which contains provisions on the trafficking of children, including girls, and the minimum age of marriage set at 21 years old for boys and girls (the most progressive in Africa)⁴⁵;
- Prevention of Organized Crime Act, in 2004 (entered into force in May 2009), which has been used to combat trafficking in human beings, including women and girls;

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- National Gender Policy (2010-2020);
- National Gender Plan of Action (2010-2020);
- Gender-responsive budgeting guidelines, approved by the Cabinet in 2014;
- Education and Training Sector Improvement Programme (2006-2020), which are intended to enhance education from early childhood development to lifelong training⁴⁶.



Niger

LAWS

- Act No. 2000-008, which introduced a quota system for positions reserved for women in decision-making bodies;
- Reforms to the Penal Code in 2004, including provisions prohibiting female genital mutilation and slavery⁴⁷;
- In Act No. 2000-2008 of 7 June 2000, establishing a quota system for elected officials, Government and the State administration;
- Act No. 2006-16 of 21 June 2006 makes reproductive health a right; moreover, it adopts a gender perspective, stipulating that within the couple that right belongs not to one spouse only, but to both⁴⁸.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- The adoption of the national policy for the advancement of women, which addresses social, economic, political, legal and cultural issues;
- The adoption of the Reproductive Health Act in 2006;
- The establishment of the Ministry for the Advancement of Women and Protection of Children; the designation of Advisers on Gender and Development to the President of the Republic and the Prime Minister; and the creation of the National Institute for Monitoring the Advancement of Women, together with the 8 regional institutes and 36

departmental institutes for monitoring the advancement of women⁴⁹;

- The Gender Initiative programme (with UNFPA funding), which began in 2005;
- The Capacity Building Project for Gender Equity, financed by the African Development Bank;

PENDING

- The announcement by the delegation that a national gender policy is being finalized⁵⁰.

Nigeria



LAWS

- National Gender Policy in 2007, which constitutes a comprehensive framework for promoting gender equality and the advancement of women⁵¹;

PENDING

- The “Gender and Equal Opportunities Bill 2010: A Bill to Incorporate, Domesticate, And Enforce selected aspects of the United Nations Convention on the Elimination of all Forms of Discrimination Against Women, and the National Policy on Women and other Matters Related Therewith”;
- The HIV/AIDS anti-stigma bill has been passed by the legislature and was signed into law by the President as part of the celebration of the 2014 World HIV/AIDS Day⁵².
- Violence Against People and Persons Act adopted in 2015;
- 2015: Gender and Energy (Strategy) Road Map.
- 2016: New National Gender Policy including a National Women Empower Fund (NAWEF) by the Ministry of Women Affair.

Rwanda

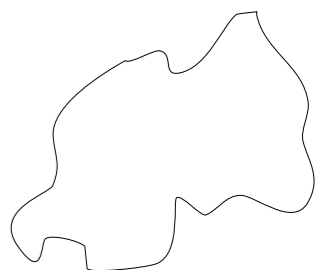


CONSTITUTION

- Adoption in 2003 of its Constitution, which enshrines the gender non-discrimination norm and principle of gender equality and which triggered extensive legal reforms aimed at removing discriminatory provisions⁵³.
- Polygamy has been outlawed according to article 26 of this new Constitution.

LAWS

- Law No. 59/2008 of 10/09/2008 on prevention and punishment of gender-based violence;
- Law No. 13/2009 of 27/05/2009 The law regulating labour prohibits discrimination on the grounds of gender, marital status or family responsibilities;



- The organic law No. 10/2013/OL of 11/07/2013 governing political organizations and politicians in its article 7 provides that “ Political organizations are prohibited from basing themselves on race, ethnic group, tribe, lineage, region, sex, religion or any other division which may lead to discrimination ”.
- The law to institute Part five of the Civil Code regarding matrimonial regimes, liberalities and successions.
- In the organic law of 02/05/2012 instituting the Penal Code, discriminatory provisions were repealed. For example, article 245 relating to penalty for adultery provides equal penalties to both sexes, unlike the old Penal Code, which provided severe penalties to females compared to males.
- The Commercial Code of 1988 was reviewed by law of 27/04/2009 and by law of 07/05/2010¹⁶ to eliminate all forms of discrimination against women. With the new law, there is no need for a woman to have the authorization of her husband to start a business, as was the case in the past⁵⁴.
- 2016: New Family Law adopted (No 32/2016).

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- The National Gender Policy approved by the Government in 2010 and its Strategic Plan institutionalize the National Gender Cluster as a coordination mechanism that aims at supporting the Government of Rwanda in promoting gender equality and utilizing partner’s synergies to improve gender interventions and avoid duplication ;
- Girls Education Policy in 2008 ;
- Agriculture Sector Gender mainstreaming Strategy in 2010 ;
- Media Gender Mainstreaming Strategy and Rwanda National Police Gender Mainstreaming 2014 ;
- EDPRS II priority Sectors have committed to develop Sector specific Gender Mainstreaming Strategies⁵⁵.

PENDING

- The family law, which is in the last phase of revision in the Parliament removes discriminatory provisions as highlighted in the following examples from the draft of the new law governing persons and family. Article 51 states that spouses in a marriage have to mutually agree on where they will live as oppose to article 83 of the old law which provided that the residence of a woman is where her husband resides ; according to the new law (article 194), spouses jointly ensure the moral and material management of the household, unlike article 206 of the old law which provided that the husband is the head of the family composed by his wife and their children ; article 320 of the new law provides that the father and mother, duration of the marriage, have the capacity to administer the property of their minor child and represent him/her in civil actions while the old law in article 352 stipulated that the authorized representative of a child and the manager of his/her property is his father.

Best practice:

- The Committee of CEDAW commends the State party for its successful use of quotas in political and public life. It particularly congratulates the State party for having the highest representation of women in Parliament worldwide⁵⁶.

Sahrawi Arab Democratic Republic



LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- A Body in charge of the Promotion of Human Rights of Women was established in 2003, To implement its programmes, the Secretariat of State for the Promotion of Women and Social Affairs, has several regional and local facilities and centres for the promotion of women, education and teaching foreign languages, electronic media, sewing etc.⁵⁷

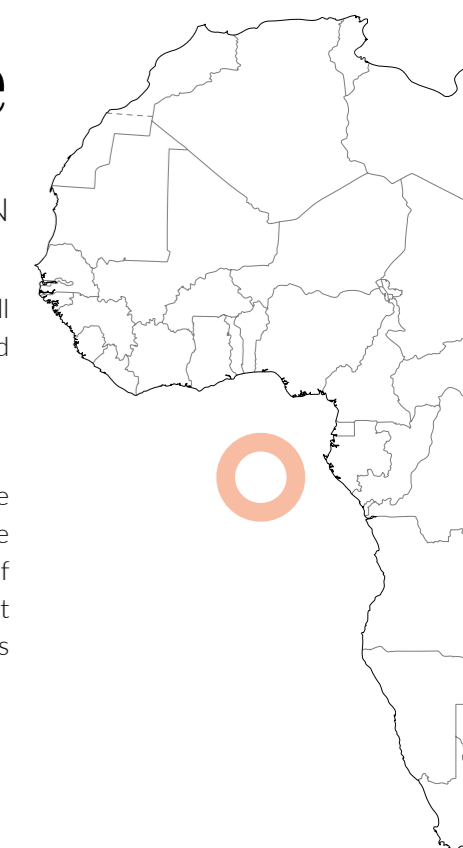
Sao Tome & Principe

CONSTITUTION

- Article 15 of the new Constitution of 2013 specifically mandates the equality of all citizens of both sexes: “Women have equal rights and duties as men, and are assured full participation in political, economic, social and cultural life”.

LAWS

- Law number 2/77 (the Law of the Family) regulates marriage and legally recognizes de facto unions, and establishes a single system of inheritance, considered more favorable to women. It also decrees equality of rights and duties between spouses in matters of the administration of property and the education of children, among others. Thus, it establishes equal inheritance rights, both between spouses and between heirs, regardless of sex, and accords an equal degree of parental authority to both parents⁵⁸.





Senegal

LAWS

- Law No. 2013-03 of 25 June 2013 allowing women to transmit their nationality to their husband and their children born to a foreign father;
- Law No. 2010-11 of 28 May 2010 on parity between women and men in entirely or partially elective bodies;
- Law No. 99-05 of 29 January 1999 amending the Penal Code to criminalize the crimes of rape, female genital mutilation, assault and battery, and incest.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- Second national action plan to accelerate the elimination of female genital mutilation, covering the period 2010-2015, and the establishment of a national observatory for parity in 2011⁵⁹.

Seychelles

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- National Strategy for Domestic Violence 2008-2012;
- National Action Plan on Gender-Based Violence 2010-2011

Good practice:

- The Committee of CEDAW commends the high representation of women in the parliament (43.8 per cent) and in the public service of the State party. The Committee also welcomes the quality and accessibility of maternal and child health-care services in the State party, in addition to the results achieved with regard to de facto equality between girls and boys in the education sector⁶⁰.

Sierra Leone



LAWS

- The Sexual Offences Act, in 2012, which increased criminal penalties for sexual offences, including sex trafficking;
- The Legal Aid Act, in 2012, which aims at providing free legal aid to, among others, women victims of sexual violence;
- The Registration of Customary Marriage and Divorce Act, the Domestic Violence Act and the Devolution of Estates Act, aiming at harmonizing national legislation with the Convention's provisions, each in 2007;
- The Child Rights Act, in 2007, which elevated the minimum age of marriage to 18 years for women and men.

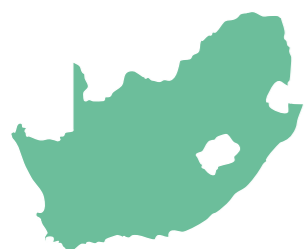
LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- The National Strategy for the Reduction of Teenage Pregnancy, in 2013;
- Special Saturday courts, in 2012, mandated to try sexual violence cases and secure more privacy for victims and expedite trials;
- The National Action Plan on Security Council resolutions 1325 (2000) and 1820 (2008) on women, peace and security;
- The National Referral Protocol on gender-based violence and the National Plan of Action on gender-based violence, in 2012;
- The National Committee on gender-based violence, in 2007⁶¹.

Somalia



- Signed the International Convention on the Rights of the Child 2016;
- 2016: adopted a FGM Law on Zero tolerance of FGM;
- 2016: NAP on GBV and NAP for Resolution 1325.



South Africa

LAWS

- Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007;
- Children's Act of 2005, which seeks, among other things, to ensure a gender-responsive treatment of girls in conflict with the law;
- Promotion of Equality and Prevention of Unfair Discrimination Act (Equality Act), 2000.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

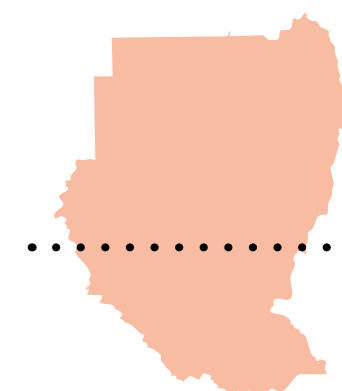
- Women's Empowerment and Gender Equality branch within the recently created Ministry for Women, Children and People with Disabilities (2009);
- The National Gender Policy, and the 365-day National Plan of Action to end gender violence.
- Adoption in 2006 of the Strategic Framework on Women's Empowerment and Gender Equality within the Public Service, and the fact that the State party exceeded the 50 per cent target for representation of women at all levels of senior management – women currently represent 54.38 per cent of Public-Service staff;
- Adoption of the 50/50 gender parity in line with the Southern African Development Community's Protocol on Gender and Development (SADC Protocol), and that currently women represent 44 per cent of parliamentarians and 43 per cent of the members of the Cabinet⁶².

South Sudan

CONSTITUTION

- The Transitional Constitution, the Land Act and the Local Government Act, all explicitly recognise women's rights to own and inherit land and property. The Constitution also calls on all levels of government to enact laws to combat harmful customs and traditions, which undermine the dignity and status of women⁶³.

Sudan



CONSTITUTION

- The interim national constitution of 2005 included clauses on gender equality and affirmative action. Article 32 on the rights of women and children provides that "(1) the State shall guarantee equal right of men and women to the enjoyment of all civil, political, social, cultural and economic rights, including the right to equal pay for equal work and other related benefits. (2) The State shall promote woman rights through affirmative action.(3)The State shall combat harmful customs and traditions which undermine the dignity and the status of women.(4)The State shall provide maternity and child care and medical care for pregnant women.(5)The State shall protect the rights of the child as provided in the international"⁶⁴.

Swaziland



LAWS

- People Trafficking and People Smuggling (Prohibition) Act, in 2009;
- Children's Protection and Welfare Act, in 2012.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- National gender policy, approved by the Cabinet in 2010;
- Reproductive Health Commodity Security Strategic Plan 2008-2015⁶⁵.

Togo



LAWS

- Law No. 2007-017 of 6 July 2007 constituting the Children's Code;
- Law No. 2006-010 of 13 December 2006 constituting the Labour Code;
- Law No. 2007-005 of 10 January 2007 on reproductive health.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- Establishment of the Ministry for the Promotion of Women in May 2010 and the adoption of the National Policy on Gender Equality and Equity in January 2011⁶⁶.



Tunisia

CONSTITUTION

- Tunisia's new constitution of 2014, is one of the first in the Arab world to give the right to both men and women to run for presidential candidacy, according to article 74 ²Every male and female voter who holds Tunisian nationality since birth, whose religion is Islam shall have the right to stand for election to the position of President of the Republic.²

LAWS

- Amendment of the Code of Personal Status (Act No. 2007-32) in May 2007 to equalize the minimum age of marriage for women and men to 18 years;
- Amendment of the Nationality Code (Act No. 2002-4) in February 2002 to allow a Tunisian woman married to a foreigner to transmit her nationality to a child born abroad in the event of the death, disappearance or incapacity of the father;
- Act No. 2008-20 of 4 March 2008 entitling a mother with child custody rights to retain the conjugal home, when she has no other lodging;
- Act No. 2002-32 of 12 March 2002 creating a social security regime for certain categories of agricultural and non-agricultural workers, including domestic employees;
- Act No. 2005-32 of 4 April 2005 prohibiting the employment of children under the age of 16 years as domestic workers;
- Studies and programmes adopted with the aim of evaluating the scope and forms of violence in the State party and eradicating violence against women, including the study on violence against women (2006-2009), the programme entitled "Gender equality and prevention of violence against women", adopted in 2006, and the "National strategy for the prevention of violence within the family and society: gender-based violence throughout the life cycle" for the period 2007-2011.
- Adoption in 2004 of article 226 ter of the Penal Code criminalizing sexual harassment.
- 2016: Creation of Advisory Council to the Prime Minister on Equality and Equal Opportunities between Women and Men.



Uganda

LAWS

- 2006 Refugee Act which contains provisions in line with international standards, including the specific provision recognizing discriminatory practices based on gender as a ground for seeking asylum;
- The Land Act Amendment (2004);
- The Employment Act (2006);

- The Equal Opportunities Commission Act (2007) which provides a legal basis to challenge laws, policies, customs and traditions that discriminate against women, as well as the National Equal Opportunities Policy;
- The amendments to the Penal Code prohibiting defilement of girls and boys (2007);
- The Domestic Violence Act 3 (2010), criminalizing violence in a domestic setting;
- The Prohibition of Female Genital Mutilation Act 5 (2010);
- The International Criminal Court Act (2010), criminalizing sexual exploitation of women during conflict situations.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- National Action Plan on Gender for monitoring the implementation of the Convention for the period 2007–2010 as well as the National Gender Policy (2007)⁶⁷.

United Republic of Tanzania



LAWS

- HIV/AIDS (Prevention and Management) Act (Zanzibar, 2013) and HIV and AIDS (Prevention and Control) Act (mainland, 2008);
- Children's Act (Zanzibar, 2011) and Law of the Child Act (mainland, 2009);

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- National Committee on Violence against Women, Children and People with Albinism;
- National Adolescent Reproductive Health Strategy (2011-2015);
- Education and Training Policy (2014) and National Strategy on Inclusive Education (2009-2017);
- National Gender-based Violence Committee (Zanzibar) and Roadmap on Violence against Children and Gender-based Violence (2014-2016)⁶⁸;



Zambia

LAWS

- Zambian Development Agency Act (2006);
- The Citizens Economic Empowerment Act (2006);
- The Anti-Gender-Based Violence Act (2011).
- 2015: Enacted Gender Equity and Equality Act (No. 22 of 2015)

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- A policy that reserves 30 per cent of titled land specifically for women, at a subsidized rate, as prescribed in the National Gender Policy (2000);
- The introduction of a bursary scheme for female students enrolled in science and technical subjects to ensure greater gender equality in these areas; the incorporation of human rights teaching in the curriculum at the primary and secondary levels in public schools;
- The launch of the Campaign for Accelerated Reduction of Maternal Mortality in Africa;
- The elaboration of the National Gender Communication Strategy;
- The Parliamentary Committee on Legal Affairs, Governance, Human Rights and Gender Matters⁶⁹.
- 2016: Reviewed National Gender Policy of 2000 and National Child Policy and new Constitutional Amendment to incorporate gender equity and equality.



Zimbabwe

LAWS

- Amendments to the Labour Act (Act 7 in 2002 and Act 17 in 2005) prohibiting the demand of sexual favours in return for recruitment for employment, promotion or any other related activities.

LAWS, INSTITUTIONAL AND POLICY FRAMEWORK

- The National Gender Policy (2004), to mainstream gender in all sectors and promote equal advancement of women and men;
- The Domestic Violence Act (2006);
- The Gender Implementation Strategy 2007-2010;
- The First Schedule of the Public Service Regulations (2000), prohibiting sexual harassment;
- The establishment in 2007 of the Women's Development Fund and the Community Development Fund to assist women in various income generating projects, the adoption of the Tourism Policy, which promotes women's participation in the sector by reserving a 30% quota, and the reservation of a 30% quota for women in the mining mechanization that is run by the Ministry of Mines and Mining Development⁷⁰.

Footnotes

- 1 CEDAW /C/DZA/CO/3-4, Concluding observations 2012
- 2 CEDAW/C/AGO/CO/6, Concluding observations 2013
- 3 CEDAW /C/BEN/CO/4, Concluding observations 2013
- 4 <http://www.genderindex.org/country/benin>
- 5 <http://www.genderindex.org/country/benin>
- 6 CEDAW/C/BOT/CO/3, Concluding observations 2010
- 7 <http://www.wipo.int/edocs/lexdocs/laws/fr/bf/bf017fr.pdf>
- 8 CEDAW/C/BFA/CO/6, Concluding observations 2010
- 9 CEDAW/C/BFA/7, State report, 2016
- 10 CEDAW/C/BDI/5-6, State report 2015
- 11 CEDAW/C/CMR/CO/4-5, Concluding observations 2014
- 12 CEDAW/C/CMR/4-5, State report, 2011
- 13 CEDAW/C/CPV/CO/7-8, Concluding observations, 2013
- 14 CEDAW/C/CAF/CO/1-5, Concluding observations, 2014
- 15 CEDAW/C/TCD/CO/1-4, Concluding observations, 2011
- 16 CEDAW/C/COM/CO/1-4, Concluding observations, 2012
- 17 CEDAW/C/COG/CO/6, Concluding observations, 2012
- 18 CEDAW/C/CIV/CO/1-3, Concluding observations, 2011
- 19 CEDAW/C/COD/CO/6-7, Concluding observations, 2013
- 20 CEDAW/C/DJI/CO/1-3, Concluding observations, 2011
- 21 CEDAW/C/EGY/CO/7, Concluding observations, 2010
- 22 CEDAW/C/GNQ/CO/6, Concluding observations, 2012
- 23 CEDAW/C/ERI/CO/5, Concluding observations, 2015
- 24 CEDAW/C/ETH/CO/6-7, Concluding observations, 2011
- 25 CEDAW/C/GAB/CO/6, Concluding observations, 2015
- 26 CEDAW/C/GMB/CO/4-5, Concluding observations, 2015
- 27 CEDAW/C/GHA/CO/6-7, Concluding observations, 2014
- 28 CEDAW/C/GIN/CO/7-8, Concluding observations, 2014
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- 31 CEDAW/C/KEN/CO/7, Concluding observations 2011
- 32 CEDAW/C/KEN/8, State report 2016
- 33 CEDAW/C/KEN/8, State report 2016
- 34 CEDAW/C/LSO/CO/1-4, Concluding observations 2011
- 35 CEDAW/C/LBR/CO/7-8, Concluding observations 2015
- 36 <https://www.hrw.org/report/2013/05/27/revolution-all-womens-rights-new-libya>
- 37 CEDAW/C/MDG/CO/6-7, Concluding observations 2015

- 38 <https://www.cmi.no/publications/5802-ending-child-marriages-new-laws-bring-progress-but>
- 39 CEDAW/C/MWI/CO/7, Concluding observations 2015
- 40 CEDAW/C/MLI/CO/6-7, Concluding observations 2016; Statement from Ministry for the promotion of Women, children and families 2016
- 41 CEDAW/C/MRT/CO/2-3, Concluding observations 2014
- 42 CEDAW/C/MUS/CO/6-7, Concluding observations 2011
- 43 CEDAW/C/MAR/CO/4, Concluding observations 2008
- 44 CEDAW/C/MOZ/CO/2, Concluding observations 2007
- 45 SADC, Gender Protocol 2015 Barometer
- 46 CEDAW/C/NAM/CO/4-5, Concluding observations 2015
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- 48 CEDAW/C/NER/3-4, State report 2015
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- 58 <http://siteresources.worldbank.org/EXTAFRREGTOPGENDER/Resources/SaoTomeCGA.pdf>
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- 63 <http://womenshp.nrc.no/countries/south-sudan/>
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- 65 CEDAW/C/SWZ/CO/1-2, Concluding observations 2014
- 66 CEDAW/C/TGO/CO/6-7, Concluding observations 2012
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- 68 CEDAW/C/TZA/CO/7-8, Concluding observations 2016
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