AWESOME x FIDA Kenya Joint Statement on Violence Against Women and Girls (VAWG) and Women's Participation and Leadership (WPL)

Submitted to the African Commission on Human and Peoples' Rights (ACHPR) – October 2022

Various world platforms such as the UN, the EU, and the AU have all been working collectively for decades toward gender equality. This has been done through high-level engagements that have resulted in international resolutions and also regional agreements. These agreements have been borne out of the challenges facing countries in most parts of the world and the key among the discussion points have been bridging the gender equality gap and ending violence against women and girls.

Research has shown that ending violence against women and girls (VAWG) and the push for women's political participation is a catalyst toward sustainable development. This is primarily because these two challenges affect how society develops its policies and laws with key input by women who can safely voice their opinions and at the same time become an agent of improved livelihoods in the community[1]. It is therefore imperative for organizations under the AU to look inward to the advocacy measures toward two main development agendas women's political participation and also ending VAWG.

Women's lack of representation in government, especially in high-level executive and legislative bodies, limits their influence over governance and public policies. Arguably, women's participation in decision-making is essential for ensuring their equality and rights. Where women have participated actively in public policy, they have been able to raise the visibility of women's issues including but not limited to VAWG and accelerated work toward ending gender discrimination in social, economic, and political spaces. Unfortunately, women have made slow progress in the political arena, even while making impressive gains in other areas such as education, employment, and health.[2]

Violence against women is rooted in inequalities and discrimination against women and its prevention and eradication must be grounded in gender equality and empowerment of women. Violence against women is prohibited both by global human rights

[1] Voice and Agency Empowering women and girls for shared prosperity, pg 2, https://www.worldbank.org/content/dam/Worldbank/document/Gender/Voice_and_agency_LOWRES.pdf <assessed 07 October 2022

[2] Global Women's Issues: Women in the World Today, Women in Power and Decision Making, Chapter 7 < https://opentextbc.ca/womenintheworld/chapter/chapter-7-women-in-power-and-decisionmaking/#over1 > accessed on 19 September, 2022

instruments – such as the Convention on the Elimination of All Forms of Discrimination against Women and the Declaration on the Elimination of Violence against Women - and by key regional treaties across the continents of Africa, Latin America and Europe, such as the Belém do Pará Convention, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of women in Africa (Maputo protocol), and the Istanbul Convention.

These twin agendas cannot be inspected in this year's forum without considering the aforementioned intersection between the representation and participation of women and girls in political leadership and other decision-making spaces as a catalyst for eliminating incidences of violence against women and girls. According to a UN Women report, 2 in 3 women reported that they or a woman they know experienced some form of violence and are more likely to face food insecurity. Only 1 in 10 women said that victims would go to the police for help. This was recently manifested during the Kenya General Elections 2022, where women political aspirants alleged vide media that they and undergone various forms of violence on the campaign trail, by fellow male politicians and the general public they were engaging with.[3] Infact during the electoral cycle, FIDA-Kenya released its preliminary sexual and gender-based violence (SGBV) monitoring report where it was documented that Cultural events which include church gatherings and funerals record the highest platforms where SGBV is reported[4]. Online meetings follow closely while official government functions and fundraisers record fewer numbers. This analysis, therefore, depicts a trend that projects violence as a social phenomenon. This is further acerbated by the fact that during an election or even in the subsistence of African communities social gatherings are the biggest purveyor of violence. This, therefore, begs the question as to whether policing and enforcing the various rights enjoyed by individuals is stretching the space where violators can penetrate unabetted due to the gaps in monitoring and enforcement of rights by the states. Further from the FIDA-Kenya analysis one notes that most of these cases are left unprosecuted in Kenya.

The recent election in Uganda in early 2021, was held amidst COVID-19 pandemic restrictions, was marred by excessive violence towards the opposition and election irregularities. While Uganda holds regular elections, their credibility has deteriorated over time, and the country has been ruled by the same party and president since 1986. The ruling National Resistance Movement (NRM) retains power through patronage, the manipulation of state resources, intimidation by security forces, and politicised prosecutions of opposition leaders. Further In Uganda customary and religious laws can be implemented alongside statutory law which provides an anchorage for harmful norms and cultural practices that exacerbate incidences of SGBV and VAWG amongst women and girls. This is further exacerbated where WWDs experience compounded forms of discrimination in their communities. Uganda's Constitution provides for 'representation of the marginalised', with five seats reserved for members who represent persons with

[3]Kenya's women politicians tell us that they're running to make change in the country, despite facing the same old sexist challenges. https://twitter.com/BBCAfrica/status/1554411538525880320?s=20&t=x6-pR1yKwZhnvwx_bF4eDw <accessed on Monday 3rd October 2022>

[4] https://www.standardmedia.co.ke/national/article/2001452398/745-women-assaulted-in-campaigns-report-says assessed 7 September 2022

disabilities. Despite the legal protection of their rights enshrined in the CRPD and Constitution of the Republic of Uganda, 1995, PWDs continue to be marginalised. PWD with disabilities registered social exclusion through ostracisation, denial of rights and opportunities, economic deprivation, and lack of access to information. Women with disabilities tend to experience more stigma and discrimination than women without disabilities. Gender and disability therefore intersect, and women with disabilities can face double or even triple discrimination. For example, women with disabilities are at greater risk of experiencing SGBV compared to their counterparts without disabilities.

Ethiopia is undergoing a turbulent period of political change and civil strife. Reforms in Ethiopia in the last two years have taken the gender parity agenda forward. Government has demonstrated its commitment to promoting gender equality by bringing women to senior political leadership positions at national level; appointing women to occupy 50% cabinet posts, with the appointment of the first female President and the first female President of the Supreme Court. However, the political reform process is weak on substantive gender equality, and there has been no opportunity for the women's rights movement (WRM) to engage with top leadership including the Prime Minister. For WWDs (and PWDs)poverty and lack of opportunities and choices make WWDs more likely to experience abuse and exploitation due to various factors. Among these are that WWDs generally have very low self-esteem and are abused in their homes or at their workplace. They are also more likely to not report abuse or seek help. Law enforcement members like the police do not always give positive response to those few that go to report abuse instances. Responses might include remarks about how the WWD should feel lucky that she was found attractive enough to be the target of abuse. Such acts discourage others from seeking redress in the future

---

States and governments are urged to adopt a focus and policy adherence toward promoting women's participation and leadership across all levels.

All stakeholders are urged to guarantee every woman and girl meaningfully engages and participates in leadership and decision-making across various spheres and spaces of their lives and to the realisation of a life free from violence by drafting and implementing holistic integrated policies on;

- Gender Equality: Aligned to Sustainable Development Goal (SDG) 5, achieve gender equality and empower all women and to the following sub-objectives: prevention and elimination of SGBV against women and girls and the strengthening of women's leadership and women's participation in decision-making
- Equal Participation: From the local to the global level, meaningful and equal women's leadership and political participation is realised
- Women's Participation and Leadership: Women in leadership commit to championing issues of gender equality, such as the elimination of gender-based violence, promoting parental leave and childcare, pensions, gender-equality laws, and electoral reform, gender mainstreaming in governance etc.

- **Prevention, protection and prosecution:** Full Implementation of laws and policies at the global regional and respective national levels to advance gender equality, promote women's participation and leadership and eliminate all forms of violence against women and girls. In particular, we call for the full implementation of the: African Union Gender Strategy and respective policy documents, key provisions on gender and the protection of women and girls from violence encapsulated within the African Charter on People and Human Rights, CEDAW and its Optional Protocol, the Maputo Protocol and best practices at the global stage that have been anchored in the Istanbul Convention (Europe) and the Belem do Para Convention (OAS).
- **Recognition and Adoption:** The ILO 190 Convention recognises the workplace within diverse manifestations. We call for the adoption of this definition in addressing and advocating for the elimination of VAWG and addressing the various spaces it manifests including the political sphere and relevant processes.
- **Coordination:** The effective implementation of the African Union Gender Strategy relies first and foremost on the quality and depth of engagement with countries of operations and organisations leading the course The necessary acceleration in African Union Gender Strategy action to emerging challenges toward the achievement of the laid out goals, also depend on broad stakeholder and donor support, in terms of strategy and resources. In implementing country-specific municipal gender strategies, states will pursue an active coordination and partnership approach with organisations and coalitions, working to achieve the goals of the African Charter on People and Human Rights, CEDAW and its Optional Protocol, the Maputo Protocol and best practices at the global stage that have been anchored in the Istanbul Convention (Europe) and the Belem do Para Convention (OAS).