

RESEARCH PAPER



**PARLIAMENTS AS PEACE-BUILDING
INSTITUTIONS:
RESPONDING TO THE CHALLENGES OF
GENDER-BASED VIOLENCE IN WEST AFRICA**

**United Nations Development Programme
(UNDP)**

July 2010

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The views expressed in this publication are those of the author and do not necessarily represent those of the United Nations, including UNDP, or their Member States.

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List of Acronyms and Abbreviations

CEDAW	UN Convention on the Elimination of all forms of Discrimination against Women
DV	Domestic Violence
FGM	Female Genital Mutilation
GBV	Gender-based Violence
NGOs	Non-governmental organizations
PCHR	Parliamentary Committee on Human Rights
SCR 1325	UN Security Council Resolution 1325
SSR	Security Sector Reform
TRC	Truth & Reconciliation Commission
UNDP	United Nations Development Programme

Executive Summary

In June 2010, **UNDP** hosted a **regional seminar** in *Accra*: “*Towards Strengthening the Role of Parliaments in Crisis Prevention and Recovery in West Africa.*” To prepare for the seminar, it commissioned a series of **research papers** to identify good practices and lessons learned in the sub-region on parliamentary performance in crisis prevention and recovery. This paper focuses on how parliamentary functions have responded to the challenges of *gender-based violence* (GBV) in the region and identifies a number of lessons learned and entry points for strengthening parliamentary responses on this issue.

The analysis in the paper draws on information collected from a desk review of relevant reports, interviews with UN agency staff, MPs and civil society organizations (**CSOs**) based in **West Africa** and responses to a questionnaire that was circulated to **32 MPs in 8 countries** in the region. It is also informed by discussions held during the **UNDP regional seminar** in *Accra*. The findings point to a number of common challenges and opportunities for action to address GBV in the region.

GBV, mostly directed at women by men, is widespread throughout **West Africa** and presents a major obstacle to the establishment of peace, security and sustainable development in the sub-region. Conflict, poverty, discriminatory cultural practices and attitudes and profound gender inequalities are major factors fuelling GBV. Women are offered limited assistance to deal with the consequences of GBV and the failure to put in place mechanisms to prosecute perpetrators has led to a **culture of impunity**.

Some **progress** has been made in addressing the issue in the region - around half the countries now legislate against one or more forms of GBV and almost all the countries have signed up to international and regional women’s rights instruments that commit them to implementing measures to address GBV; however, implementation of these laws has been painstakingly slow with little tangible impact on women’s lives and some of the countries still do not have any laws in place to prevent and punish acts of GBV.

Parliamentarians have a key role to play in preventing and tackling *gender-based violence* by:

- ✓ Passing laws that address GBV;
- ✓ Regulating the justice and security sectors that are key to eliminating *gender-based violence*;
- ✓ Setting gender-sensitive budgets;
- ✓ Holding the executive to account for its commitments on GBV and gender equality.

Some MPs are working hard to push the issue of GBV up the parliamentary agenda, but it is still seen as a '**women's issue**' and is marginalized in parliamentary business. Of particular concern is the lack of knowledge and political will, primarily amongst male politicians in the region, to tackle GBV. The women MPs who champion measures to address GBV are in a minority, largely due to the under-representation of women in parliaments in the region. They have been able to work in partnership with men in some instances, but this is the exception rather than the rule.

Most **achievements** to date have focused on the passage of GBV legislation; much more now needs to be done to ensure these laws are implemented in full. Some MPs have made use of different **parliamentary mechanisms** such as parliamentary inquiries, hearings, awareness-raising activities and debates to strengthen parliamentary responses to the issue, but these have mostly been ad-hoc activities. **Institutional structures**, such as parliamentary committees often lack the human, financial and technical resources to undertake research and monitoring activities needed to assess the impact of legislation and to inform parliamentary decision-making.

There are **clear opportunities** for ensuring a more comprehensive and effective approach to addressing GBV in the region. A number of regional and international initiatives to strengthen parliamentary responses to GBV already exist. MPs in the region can and should play a leadership and co-ordinating role in moving efforts to address GBV forward, in partnership with other key stakeholders such as civil society, donors and MPs in other countries.

Areas where action should be taken include:

- ✓ Giving greater priority to the issue of GBV in parliaments;
- ✓ Addressing women's under-representation in parliaments, peace-keeping and the justice and security sectors;
- ✓ Training MPs on gender, GBV and the links to peace, security and sustainable development so that GBV becomes a shared agenda, not just a '**women's issue**';
- ✓ Strengthening parliamentary committees that have oversight of gender issues and supporting women MPs to become politically effective once they gain office;
- ✓ Increasing resources for monitoring and evaluating the impact of legislation;
- ✓ Introducing legislation where this does not exist.

1. INTRODUCTION

Gender-based violence (GBV) remains endemic in many forms in all societies today. It is widespread throughout **West Africa**¹ and presents a major obstacle to the establishment of peace, security and sustainable development in the sub-region. Conflicts in a number of countries have further exacerbated widespread, pre-existing GBV that is rooted in **institutionalized gender inequalities** and **unequal power relations** between women and men in society.

Parliamentarians have a key role to play in preventing and tackling gender-based violence by:

- ✓ Passing laws that address GBV;
- ✓ Regulating the justice and security sectors that are key to eliminating gender-based violence;
- ✓ Setting gender-sensitive budgets;
- ✓ Holding the executive to account for its commitments on GBV and gender equality.

This paper explores how parliamentary functions have responded to the challenges of GBV in West Africa, the obstacles they have encountered and lessons learned along the way. It also seeks to identify a series of recommendations for strengthening parliamentary oversight and entry points for action in this area in the future, as part of a wider process of strengthening the role of Parliaments in crisis prevention and recovery in the region.

1.1. Definitions

The terms *gender-based violence (GBV)* and *violence against women (VAW)* are often used interchangeably, but they are not synonymous. A number of people interviewed for this paper voiced concern that definitions of GBV were not always fully understood or correctly used by parliamentarians.

Gender-based violence refers to **violence that is directed at a person on the basis of their gender**. All forms of GBV reflect and reinforce gender inequalities between women and men and seek to perpetuate – intentionally or otherwise - male power and control. The violence can be sexual, physical or psychological, but it can also be structural, as in laws that prevent women from owning or inheriting property.²

Violence against women is one of the most common manifestations of GBV, but it can also include male violence against gay men, for example, or forced conscription of boys in conflict. However, although men and boys can also be the victims of GBV, women are far more likely to experience GBV in all its forms and the men are more likely to constitute the vast majority of perpetrators.

In-keeping with common practice, this paper uses the term GBV throughout, although the primary focus is on GBV as experienced by girls and women.

¹ This paper draws on the **UN** definition of geographic area **West Africa**, which includes **16 countries**. For a full list see: http://www.un.org/unowa/unowa/map_wa.pdf

² **UNDP's** definition of GBV draws on the **UN Convention on the Elimination of Discrimination against Women (CEDAW)**, the **UN Declaration on Violence against Women** and an **ECOSOC paper**: “*Gender-Based Violence and the role of the UN and its member states*”. For details, see <http://www.undp.org/women/docs/Gender-Equality-Strategy-2008-2011.pdf>

1.2. Methodology

The analysis in this paper is based on information collected from a desk review of relevant reports and from interviews with a number of UN agency staff, MPs and civil society organizations (**CSOs**) based in **West Africa** (see *Annex 1* for a complete list of individuals interviewed).

The findings are also partly informed by responses to a detailed questionnaire that was sent to **32 MPs in 8 countries** in the region. While there was a limited response to the questionnaire, the interviews with at least **13 MPs** from the region ensured a range of perspectives from across the region are represented in this paper.

2. GENDER-BASED VIOLENCE IN WEST AFRICA: AN OVERVIEW

One of the most common problems related to GBV in any country is the lack of accurate data about the prevalence and incidence of different forms of violence. The reporting and recording of cases is often ambiguous or non-existent, which makes it very difficult to determine what percentage of women and girls have been subjected to one or more incidents of violence, whether this is **domestic violence** or **conflict-related sexual violence**.

Nevertheless, the gravity of the problem in **West Africa** is reflected in the following sample of **available statistics**:

- It is widely estimated that up to **250,000** women and girls in **Sierra Leone** were victims of GBV during the **ten-year war**. Many of these women experienced multiple and gang rapes;³
- The *World Health Organization (WHO)* estimates that **half of women** in **Guinea-Bissau** have been subjected to *female genital mutilation (FGM)* and the percentage rises from 70 per cent to **80 per cent** in the *Fula* and *Mandigue* communities living in rural regions;⁴
- On **September 28, 2009**, self-proclaimed president Captain *Moussa Dadis Camara's* troops raped and murdered at least **157 political demonstrators** in *Conakry, Guinea*. Observers there noted that the use of gang rapes as a strategy to quell political uprising was new and unusual in this predominantly Muslim nation – but so was the way news of the rapes travelled: via images transmitted through mobile phones;⁵
- According to a **2003 Demographic and Health Survey**, **64.5 per cent** of **Nigerian** women consider it normal to be beaten by their husbands – even for infractions as minor as burning a meal or failing to have dinner ready on time;⁶
- Almost **60%** of the women interviewed for a **reproductive health survey** in **Liberia** in **2007** reported at least one sexually violent incident during the **1999-2003 conflict** and almost **90%** reported at least one physical violation; **61.5%** of the women interviewed had been exposed to intimate partner violence at some point in their lives;⁷
- A **2009 study** conducted in **Guinea** found that **9 out of 10** Guinean women aged between **15 and 64** had been the victim of at least one act of violence;⁸
- A **2006 survey** indicated that over **10,000 Nigerians** engaged in prostitution in **Italy** constituted about **60%** of all prostitutes in the **sex trade** in **Italy**. Most of these Nigerian

³ See **Physicians for Human Rights** (2002): “*War-related sexual violence in Sierra Leone: A population-based assessment*”. Boston: Physicians for Human Rights: 2-4; and also **Truth and Reconciliation Commission** (2005): “*Witness to Truth: Report of the Sierra Leone Truth and Reconciliation Commission*”. Volume 3b. Freetown: Government of Sierra Leone: 108 Vol. 3b.

⁴ Global Gender Index: <http://genderindex.org/country/guinea-bissau>

⁵ <http://www.awid.org/Issues-and-Analysis/Library/Mobile-Phones-Report-Rapes-in-Guinea>

⁶ Global Gender Index: <http://genderindex.org/country/nigeria>

⁷ **Women's Reproductive Health in Liberia**, the *Lofa County Reproductive Health Survey*, January – February 2007:

www.aidsandemergencies.org/cms/documents/20080901_Liberia_RH_survey_report.pdf+Women's+Reproductive+Health+in+Liberia,+The+Lofa+County+Reproductive+Health+Survey&hl=en&gl=uk&pid=bl&srcid=ADGEEsiyLNEWz1WcW2z9-LX6D1xbWNsoYSVnwJ54SFOiBYE7gtflufGza69wliZ-79jywo8XffremzZ3MOynnyGi8_6uOv3e-T6Dx-VfTkCfyXczEIouXs4bjC5YzsEDigZ8DPbMLGcy_&sig=AHIEtbSdzIRZIV64Ozhl_jyWbW0ldaxsWA

⁸ “*National Study on Gender-Based Violence*”, July 2009, *Mohamed Lamine Keita*, Bureau D’Appui Technique d’Etudes et de Recherches (**BATER**).

women and girls were initially **trafficked victims**. **Nigeria**, like other **West African Countries** does not have shelters or reception centers for returnee victims or internally **trafficked victims** increasing the risk of further **human rights violations** and the likelihood that they will be re-trafficked.⁹

2.1. Causes and consequences

Gender-based violence has the same origins, causes and consequences throughout the **West Africa region**: acts of violence are based on gender roles that are marked by the domination of men and the subordination of women. These roles are played out through harmful customary practices and cultural traditions that are deeply **discriminatory against women** and girls, such as *female genital mutilation (FGM)*, the exploitation of widows and early and forced marriage.

They also contribute to attitudes that condone violence towards women and create a **culture of impunity** that discourages women and girls from coming forward to report violence and allows perpetrators to escape justice.¹⁰ Such impunity can encourage further violence against women.

Violence is common throughout the woman's life-cycle, including **rape** and other forms of **sexual abuse, domestic violence** and **legal discrimination**. Women are most at risk of violence within their own household. Of particular concern is the fact that the frequency of rape is not only increasing in the region, but the victims are also getting younger.¹¹

And women who suffer violence are also at higher risk of contracting sexually transmitted infections, such as **HIV/AIDS** – for example, amongst women in **Côte d'Ivoire**, home to the most serious epidemic in **West Africa**, **HIV** prevalence among females (**6.4%**) was more than twice as high as among males (**2.9%**) in 2005.¹²

Deep-seated poverty in the region puts women at further risk from violence because, while GBV occurs in all social and economic classes, women living in poverty are more likely to experience violence: studies show that men in difficult economic circumstances due to lack of education or unemployment, may resort to violence out of frustration and a sense of powerlessness; at the same time, poor women who experience violence may be less likely to escape violence in the home because of a lack of resources.¹³ A **2005 study** by the *World Health Organization (WHO)* found that **low levels of education, financial dependency,**

⁹ Cited in "Brief Overview of the Situational Analysis of Human Trafficking in West Africa", by Bisi Olateru-Olagbegi: <http://unesdoc.unesco.org/images/0014/001478/147844e.pdf>

¹⁰ For example, out of **927 cases** of sexual abuse reported in **Sierra Leone** in 2009, there were *no* convictions. In relation to domestic violence, there were **1543** reported cases, of which **759** were under investigation at the time of this report, **386** were pending and **106** resolved out of court, one case was dismissed and there were *no* convictions. (italics added for emphasis): <http://allafrica.com/stories/201003090538.html>

¹¹ http://www.unifem.org/news_events/story_detail.php?StoryID=993

¹² **UNAIDS**: <http://www.unaids.org/en/CountryResponses/Regions/SubSaharanAfrica.asp>

¹³ See, for example, "Intimate Partner Violence: Causes and Prevention", the Lancet 2002 [http://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(02\)08357-5/abstract](http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(02)08357-5/abstract); also the "World Report on Violence and Health", Geneva, **World Health Organization**, edited by Krug, Dahlberg, Mercy, Zwi and Lozano, 2002: http://whqlibdoc.who.int/publications/2002/9241545615_eng.pdf

previous victimization and low social status are all factors that can put a woman at greater risk of violence. It recommended raising women's legal and socioeconomic status as a key intervention in reducing women's vulnerability to violence.¹⁴

Other factors thought to correlate with sexual violence in adulthood include **alcohol or drug consumption**, and previous experience of sexual abuse.¹⁵ Boys who have experienced or witnessed violence as children are more likely to use violence against women as adults.¹⁶

The risk of violence also increases exponentially in conflict-affected countries – human rights organizations have documented acts of sexual violence of unthinkable cruelty in conflicts in **Sierra Leone, Liberia and Côte d'Ivoire**.¹⁷

Political violence has seen sexual violence used as a tactic to suppress and intimidate the political opposition. In **March 2009**, an attack on the headquarters of **Sierra Leone's** opposition party was allegedly accompanied by the gang-rape of most of the female staffers.¹⁸ Later that year, at least **109 women** were subjected to vicious acts of rape and other sexual violence by Guinean security forces when they attended a pro-democracy rally in a football stadium in *Conakry*.¹⁹

Corruption adds to the culture of **impunity**. Police, court staff and other government officials will often turn a blind eye to violations in return for a bribe. Reporting a crime and bringing a case to court may also entail expenses that many victims cannot afford.

Women who run as candidates in elections or who hold political positions are also likely to experience violence, largely because of widespread **patriarchal views** of women's role as mother and carer and that represent men as superior and more fitted to office.²⁰

While there is some evidence to suggest some harmful practices such as *female genital mutilation (FGM)* may be decreasing in some countries in the region,²¹ most reports point to

¹⁴ "WHO Multi-Country Study on Women's Health and Domestic Violence against Women: Initial Results on Prevalence, Health Outcomes and Women's Responses", 2005, http://www.who.int/gender/violence/who_multicountry_study/en/

¹⁵ See: "WHO World Health Report on Violence and Health", 2002

¹⁶ "Violence against Women: Health Consequences", the **World Health Organization**, 1997: <http://www.who.int/gender/violence/v8.pdf>

¹⁷ See **Human Rights Watch reports**, "My Heart is Cut: Sexual Violence by Rebels and Pro-Government Forces in Côte d'Ivoire", August 2007: <http://www.hrw.org/en/reports/2007/08/01/my-heart-cut>; "We'll Kill You If You Cry: Sexual Violence in the Sierra Leone conflict", January 2003: <http://www.hrw.org/en/reports/2003/01/16/well-kill-you-if-you-cry>; "The Guns are in the Bushes: Continuing Abuses in Liberia", January 2004: <http://www.hrw.org/en/publications/reports?filter0=728&filter1=108>

¹⁸ <http://news.sl/drwebsite/exec/view.cgi?archive=1&num=11536>

¹⁹ See **Human Rights Watch report**, "Bloody Monday: the September 28 Massacre and Rapes by Security Forces in Guinea", December 2009, <http://www.hrw.org/en/reports/2009/12/16/bloody-monday-0>

²⁰ Evidence of this sort of violence in **West Africa** is largely anecdotal, although the issue has been documented and discussed in an e-discussion on **iKNOW politics: the International Knowledge Network of Women in Politics**. See, for example: <http://www.iknowpolitics.org/node/11164>

²¹ Statistics for **Burkina Faso** indicate that the incidence of *female genital mutilation (FGM)* is falling: more than **80 per cent** of women aged over **35 years** had undergone FGM in their younger years; amongst women now aged **15 to 19** years, the figure is **65 per cent**. <http://genderindex.org/search/node/burkina%20faso>

levels of GBV actually increasing, underlining the urgency with which the issue needs to be addressed.²²

2.2. Legislation on GBV

In recent years, there have been a number of measures introduced to address the issue in the region, most notably the **passage of legislation to ban violence against women and girls** in countries such as **Sierra Leone, Liberia and Ghana**.

The passage of these laws is a critical component of efforts to address GBV and they mark significant milestones after years of hard work and lobbying by **gender equality advocates** in each country.

The **table** below shows that around half the countries in the region have adopted some form of legislation to tackle aspects of GBV, such as *female genital mutilation (FGM)* or early and forced marriage; others include a provision to address aspects of GBV in their **Penal Codes**.

TABLE 1: GVB-SENSITIVE LEGISLATION IN WEST AFRICA

Country	GBV Law	Sexual violence	Sexual harassment	FGM Law	Early and force marriage law	Trafficking	Domestic violence	Other measures
Benin	X	X	2006 Law on Sexual Harassment	2003 law on the Repression of the Practice of Female Genital Mutilation	Articles 119-123 of the 2002 Family Code address early and forced marriage	X	X	
Burkina Faso	X	X	2004 Amendment to Labour Code prohibits sexual harassment	Penal Code of November 1996 provides for penalties against any injury of the female genitals	Penal code of November 1996 provides for penalties against forced marriage	X	X	1996 Penal Code also introduces penalties for those practicing bigamy and for payment of a marriage dowry A 2008 baseline assessment of VAW in Burkina Faso
Cape Verde	X	X	X	X	X	X	2004 Penal Code introduces the crime of ill-treatment of a spouse or partner 2005 Code of Criminal Procedure introduced to serve as an	National Plan to Combat Gender-Based Violence (2007-2009)

²² **Mali:** "Violence on the rise": <http://www.irinnews.org/report.aspx?ReportID=80716>; **Ghana:** "Violence against women, an increasing pandemic": <http://allafrica.com/stories/200912100532.html>; "Violence against women in **Mauritania** on the rise": <http://www.freedomhouse.org/uploads/ccr/country-7228-8.pdf>

										instrument for implementing the Penal Code. Includes measures to prevent violent spouses remaining in the home when they are being prosecuted for the ill-treatment of a spouse
Côte d'Ivoire	X	X	1998 law 98-756 prohibits sexual harassment	1998 Law 98-757 Prohibits FGM	1998 Law 98-756 prohibits early and forced marriage	X	X			Inclusion of VAW in the 2009 national strategy to promote gender equality and equal opportunities National committee to address violence against women and children, formed in 2000
Ghana	X	X	X	1998 Criminal Code Amendment Act criminalises FGM and other harmful traditional practices	X	2005 Human Trafficking Act	2007 Domestic Violence Act			National Domestic Violence Policy and National Plan of Action (2009-2019) Domestic Violence Management Board Domestic Violence Victims Support Unit
Guinea	X	1994 Penal Code includes article prohibiting sexual violence	X	2000 Reproductive Health Act includes prohibition of FGM	X	2002 Penal Code regarding trafficking prohibits trafficking for the purposes of sexual exploitation	X			
Guinea-Bissau	X	X	X	X	X	X	X			The Criminal Code includes punitive measures for perpetrators who commit crimes 'against physical integrity' and against 'sexual freedom'
Liberia	X	Rape Amendment Act 2006	X	X	X	Anti-Trafficking Act 2005	X			National Gender-Based Violence Plan of Action (2006-2011)
Mali	X	X	X	X	X	X	X			2002 Ordinance creating a National Programme to Fight the Practice of FGM
Mauritania	X	X	X	2007 Criminal Procedure Code prohibits FGM	X	2003 Law Prohibits the Trafficking in Persons for the purpose of	X			

							exploitatio n			
Niger	X	X	X	2003 Law prohibits FGM	X	X	X	X		
Nigeria	X	X	X	2003 Dehumanising and Harmful Traditional Practices Law (Rivers State)	X	2003 Trafficking in Persons Prohibition Law Enforcement & Administration Act	2005 Domestic Violence Prevention Bill	2004 & 2005 Maltreatment of Widows Prohibition Laws	National Agency for Prohibition of Traffic in Persons & other related matters (NAPTIP)	
Senegal	X	X	X	1999 Amendment to the Penal Code to address FGM (art 299)	X	X	1999 Amendment to the Penal Code to address domestic violence (art 297)			
Sierra Leone	X	X	X	X	2007 Child Rights Act prohibits early and forced marriage	2005 Anti-Human Trafficking Act	2007 Domestic Violence Act			
The Gambia	X	X	X	X	X	X	X		2010 National Policy for the Advancement of Gambian Women & Girls includes a section on Protection from Violence	
Togo	X	X	X	1998 Law Prohibiting FGM	X	X	X			

Source of information: the UN Secretary-General's Database on Violence against Women <http://webapps01.un.org/vawdatabase/home.action>

However, it is a real concern that there are still countries in the region that have not yet criminalized GBV, which is basic to the protection of **human rights**. Where legislation has been adopted, profound concerns remain about the slow pace of implementation: legislative frameworks still include gender-discriminatory provisions and have serious gaps in their protection of women's rights; and some laws provide little or no enforcement measures and include no provisions for redress.²³

It is also notable that no country in the region has adopted a comprehensive legislative approach²⁴ to date; most countries address different aspects of GBV through multiple laws, where such laws are in place.

²³ Legislative reform laws foundation for advancing gender equality and women's rights, speech by Inés Alberdi, Executive Director, UNIFEM, at "Third Meeting of the Africa-Spain Women's Network", 12th May 2008: http://www.unifem.org/news_events/story_detail.php?StoryID=682

²⁴ The UN Division for the Advancement of Women has developed a **Model Framework for Legislation on Violence against Women** which recommends that legislation should encompass not only the criminalization of all forms of violence and the effective prosecution and punishment of perpetrators, but also include provisions on prevention and the empowerment, support and protection of victims/survivors. The framework emphasizes that legislation should acknowledge that violence against women is a form of gender-based discrimination and a violation of the human rights of women. Definitions of all forms of violence against women covered in the law should be broad and in accordance with international human rights standards.

This is in contrast to countries such as **Rwanda** and **Mexico** that have passed wide-ranging gender-based violence laws in recent years that address multiple forms of violence, including spousal abuse, sexual harassment, rape and the sexual assault of children and include comprehensive definitions of *gender-based violence* and a holistic approach to tackling it.

There are thought to be advantages and disadvantages to both approaches. Proponents of the **multi-legislation approach** argue that a single law would over generalize the issues and consequently might not guarantee the necessary standards of protection. On the other hand, an *approach based on multiple laws* may result in a fragmented protection framework and the possibility that groups of vulnerable women may fall through the cracks. While the frequency with which cases of violence still occur everywhere is an indicator that the best approach is yet to be found, it is worth noting that the **UN Special Rapporteur on Violence against Women** has favored a *single comprehensive approach*.²⁵

2.3. Other measures in place

A positive development is that there has been widespread ratification of key **international and regional women's rights instruments** that require governments to address GBV - for example, all **16 countries** have ratified the *UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)* and all but 4 countries²⁶ have ratified the **Protocol to the African Charter on Human & People's Rights on the Rights of Women in Africa**.

Liberia has also become the first *post-conflict* country to have a **National Action Plan on UN Security Council Resolution 1325 (SCR 1325)**, the landmark resolution that calls on states to increase the participation of women in peace processes and recognizes GBV as a weapon of war. **Côte d'Ivoire**²⁷ and, more recently, **Sierra Leone**²⁸ have since developed their own **National Action Plans on 1325** and, in the case of **Sierra Leone**, also on **UN Security Council resolution 1820** (on sexual violence as a tactic of war).

Some of the countries, such as **Cape Verde, Liberia** and **Ghana**, have **national policies** in place to address GBV. Some, including **Ghana** and **Côte d'Ivoire** have also established **bodies or committees** to oversee implementation of actions to address GBV. However, respondents were not aware of any evaluations conducted to assess the impact of these laws or policies to date.

It was also clear from the interviews that there is still a very long way to go before the principles and actions set out in these instruments are fully integrated into national laws and before those laws are translated into concrete changes and improvements in the lives of women – and men – in the region.

http://www.un.org/womenwatch/daw/egm/vaw_legislation_2009/Final%20report%20EGMGPLVAW.pdf

²⁵ See the **Inter-Parliamentary Union report**, "A Parliamentary Response to Violence against Women: Conference of Chairpersons and Members of Parliamentary Committees dealing with Gender Equality", 2-4 December 2008, Geneva, page 56, for a more in-depth discussion of this issue: http://www.ipu.org/PDF/publications/vaw_en.pdf

²⁶ 4 countries have signed, but not ratified the Protocol - **Côte d'Ivoire** and **Niger** signed the Protocol in 2004 and **Sierra Leone** and **Guinea** signed it in 2003.

²⁷ See: http://www.undp.org/cpr/documents/Action_plan_1325.pdf

²⁸ See: http://www.unifem.org/news_events/story_detail.php?StoryID=1100

3. PARLIAMENTARY RESPONSES TO GENDER-BASED VIOLENCE IN WEST AFRICA

There are both pragmatic and ethical reasons why parliamentarians and political parties in **West Africa** need to be involved in addressing the issue of GBV. In *pragmatic terms*, the failure to tackle GBV at all levels leads to a less secure peace, inhibits economic development and prevents opportunities for conflict resolution and prevention from succeeding, both at the country and sub-regional level. In *ethical terms*, their governments have all made commitments to national and international norms that support respect for women's rights and promoting gender equality. They also have a constitutional duty to represent the interests and concerns of their constituents, half of who are women, in parliament.

However, it is not always clear how parliamentary functions use their oversight, legislative and representation functions to address this issue in practice or how they see their role in overcoming obstacles to effective parliamentary leadership on this issue.

Responses to this research, while limited, do highlight some examples of parliamentary action on this issue in **West Africa**, although the overall picture they present is one of ad-hoc responses with GBV very low-down the pecking order of parliamentary concerns in the last 12 months. The **lack of knowledge and political will** to tackle GBV amongst primarily male politicians in the region, coupled with the **low representation of women in parliaments**, emerges as a key impediment to advancing this issue up the political agenda.

3.1. Passage of legislation

The basic foundation of any measures to address GBV must be a **legal framework**. Parliamentarians have a key role to play in the development of national legislation that meets the international and Pan-African standards to which they have committed.

Often the impetus and pressure to pass a law comes from civil society, but as the case of **Sierra Leone** shows, parliamentarians, and in particular, women parliamentarians, played an important leadership role in the passage of the **Domestic Violence law** in 2007 that contains useful lessons for the region and beyond.

CASE STUDY 1:

PARLIAMENT'S ROLE IN ENDING IMPUNITY ON SEXUAL AND GENDER-BASED VIOLENCE IN SIERRA LEONE²⁹

The context

Gender-based violence in Sierra Leone is a longstanding problem that is rooted in gender inequalities. This problem was further exacerbated by the eleven years of **civil conflict**. A **report** by the *Truth and Reconciliation Commission (TRC)* that was established in 2002 found that women and girls were specifically targeted during the conflict for acts of sexual violence, including rape and forced sexual slavery. The report further stated that many humanitarian workers exploited the extreme vulnerability of women and violated their rights by compelling them to barter their bodies in order to access aid and survival.³⁰

A number of measures have since been put in place to address *sexual and gender-based violence*, but *domestic and gender-based violence* continues in *post conflict Sierra Leone*, with **devastating consequences**, including:

- High school wastage of girls;
- Poor school performance;
- Increased girl mothers and single parents;
- High incidence of **HIV/AIDS** and sexually-transmitted diseases;
- Stigmatization and rejection of rape victims;
- High illiteracy levels.

Domestic Violence Act

The **Domestic Violence Act** was enacted in June 2007. The law is an important milestone in the struggle to end impunity on sexual and gender-based violence in Sierra Leone. For the first time it introduces the crime of domestic violence between couples, partners, parents and children and other family members. It also seeks to protect victims and potential victims by criminalizing certain acts of violence, providing the court with wider powers to make protection orders to prevent the perpetrator from continuing the violence and seeking to eliminate the culture of silence and impunity in relation to crimes that occur in a domestic relationship.

The ground work

A number of **key steps** mark the lead-up to June 14th 2007, when the **Domestic Violence Bill** was finally laid before parliament:

- A **Parliamentary Committee on Human Rights (PCHR)** was established in 2003;
- In 2004, the **PCHR** held a **meeting** with women's organizations to discuss women's rights concerns – a major outcome of the meeting was the decision to work together to ensure the domestication of international women's rights principles and standards into Sierra Leone's national law;
- The **PCHR** then conducted a **nationwide consultation** on gender issues that involved committee members and its civil society partners talking to women in all

²⁹ This **case study** is based on information provided by *Hon. Bernadette Lahai*, a member of **Sierra Leone's Parliament** representing *Kenema* district.

³⁰ "*Witness to Truth: Report of the Sierra Leone Truth and Reconciliation Commission*", 2004 <http://www.sierra-leone.org/TRCDocuments.html>

12 districts of **Sierra Leone**. As a result, several draft bills were developed to address women's concerns, including a **Domestic Violence Bill** – these were subsequently harmonized through discussions with the **Law Reform Commission**;

- The **draft Bills** were heard in a *pre-legislative Parliamentary Committee* to increase understanding and further strengthen their contents before being placed before Parliament.

Lessons learned

Hon. Bernadette Lahai, one of the Parliamentarians instrumental in the passage of the law, highlights **several lessons** that can be learned from this process:

- Parliament could not have enacted the **Domestic Violence Bill** on its own – it needed the sustained technical input, advocacy pressure, regular consultation and education by civil society organizations, particularly women's rights organizations;
- While the input of every Parliamentarian was required during the pre-legislative and debate stages, the contributions of the **PCHR**, **the Legislative Committee** and the **Parliamentary Committee on Social Welfare, Gender & Children's Affairs** and their co-ordination were crucial to the entire process.

Impact of the Act

Hon. Lahai says the law has had some effect since it came into force – the law provides a very clear deterrent and it has resulted in an increase in reporting of cases - but there is still a long way to go before the impact is fully felt in the lives of women in **Sierra Leone**. One of her concerns is that, while **4000 cases of sexual violence** were reported in 2009 at referral centers (known as *Rainbow Centers*),³¹ **only 17 perpetrators** have been prosecuted to date. **Factors preventing more prosecutions** include:

- The weak capacity of the judiciary to process the cases;
- The reluctance of women to report cases, particularly involving family members;³²
- The fact that many families are unable to afford the cost of transport to the *Rainbow Centers* and to the *Courts*, because they are so poor.

Next steps

The passage of the **Domestic Violence Act** is, of course, just one strategy in ending impunity on *sexual and gender-based violence* in **Sierra Leone**. *Hon. Lahai* suggests a **number of steps** that need to be put in place to move this legislation forward. Specifically, she urges parliamentarians in **Sierra Leone** and in the region to:

- Educate constituents about the content of the Domestic Violence Act – simplify the legislation and make copies readily available in every community and in all public and education institutions;
- Establish committees to monitor and report on the implementation of the Act;
- Allocate adequate resources to ensure basic services, such as legal, medical and

³¹ The **referral centers**, known as *Rainbow Centers*, are run by the **International Rescue Committee** and provide counseling and support to survivors. They work closely with the **FSU (Family Support Units)** within the **Sierra Leone police service** that investigate cases of abuse and bring perpetrators to justice.

³² The reluctance of women and girls to report family members who had physically or sexually abused them was also cited as a reason for lack of reporting in **Liberia**. Family members may also be bread-winners and long sentences for perpetrators provided for in the **Rape Act 2006** may mean that women and girls are financially disadvantaged, so it's important that solutions also look at **restorative justice** that can help to address the emotional and financial needs of the victim.

- psycho-social support are provided to survivors of GBV;
- Build alliances with other parliamentarians and experts at national and international levels to facilitate shared learning and the exchange of data and technical expertise;
- Hold regular **dialogue** with civil society to exchange views and disseminate information on GBV and invite specialist women's organizations to support the oversight role of parliamentarians.

Similar lessons have been learned elsewhere in the region. For instance in **Ghana** the Head of the **Gender & Children's Parliamentary Committee** played a strong leadership role and was very instrumental in negotiating the retention of strong language in the **Domestic Violence Bill** while it was being discussed in Parliament before its passage in 2007.

Women Parliamentarians there also worked very closely with *civil society organizations* to bring pressure to bear on MPs and members of political parties – mainly men, but also some women – who were opposed to the introduction of the law and, in particular, to a clause outlawing marital rape, underlining the importance of increasing women's representation at all levels of decision-making.

Eventually the law was passed, but not before the Parliament succumbed to pressure to remove the provision on marital rape, although a further provision was then added when the law reached *Committee Stage*, which reads that “*the use of violence in the domestic setting is not justified on the basis of consent*”. Women's rights campaigners are of the view that the law will still facilitate successful prosecutions in cases where women have been raped by their spouses, although the language is not as unequivocal as they would have liked.³³

The **Standing-Committee for Women and Children in Guinea-Bissau** has received support from international donors regarding the consultation, drafting and dissemination of draft laws on female genital mutilation (FGM) and domestic violence. However, some MPs fear the government is reluctant to pass the **FGM Law**, because of the culturally sensitive nature of the issue and their concerns that it may jeopardize their chances of getting re-elected.³⁴

A further obstacle to the passage of the law is the weak capacity of the Standing Committee, which plays a key role in pushing for the passage of these laws. In some instances they have had to pay privately for technical assistance, for example in the review of the draft law on *female genital mutilation (FGM)*. This lack of funding limits the capacity and effectiveness of the Committee.³⁵

The Committee collaborated with the **Committee on Social Affairs** regarding a legislative initiative on reproductive health, but apart from this there is no collaboration with other Committees that would result in the review of legislation from a gender perspective.³⁶

Beyond the **West Africa** region, the example of **Rwandan** parliamentarians provides an interesting model for introducing a **wide-ranging bill to combat GBV**, the successful passage

³³ Interview with *Angela Dwamena-Aboagye*: Director of the **Ark Foundation** and a member of the **Domestic Violence Management Committee**.

³⁴ Interview with *Dr. Vesa Gomes Naluak*, MP, and *Hon. Nhima Sisse*, MP, **Guinea-Bissau**.

³⁵ “*UNDP Parliamentary Assessment Report*”, **Guinea-Bissau**, April 2010.

³⁶ *Ibid.*

of which it attributes to the close way in which women and men parliamentarians worked as allies on the issue.

Key ingredients in the process included:

- The involvement of a strong cross-parliamentary, inter-ethnic women's caucus, the **Forum of Women Parliamentarians** (Forum des femmes rwandaises parlementaires) that mitigated the influence of party politics on this issue;
- An emphasis on gender relations rather than on just women, necessitating the involvement of all citizens, not just women, to address GBV;
- A fully consultative process that was also an opportunity to raise public awareness of the provisions of the Bill; the use of inclusive language, protecting boys as well as girls from crimes, that deliberately engaged with men in their role as husbands, sons and fathers;
- Including men as close allies and leaders in the campaign to pass the bill, not just as targets of the legislation. As a result, the bill was co-sponsored by **4 women** and **4 men**.³⁷

It is perhaps unsurprising that criminalizing GBV was a legislative priority, given that **48.8%** of its lower house of the **Rwandan parliament** was female at the time of the Bill's introduction. This is in stark contrast with the much lower figures of women's representation in the **West Africa** region.³⁸

But the Rwandan experience also reflects how crucial it is that male politicians receive training and sensitization on the importance of GBV legislation and gender-equitable policies more broadly if it is to be seen as a shared agenda and an issue of central importance to national security and development. It was clear from the attitudes of many male MPs attending the **UNDP regional seminar** that GBV is not seen as a priority - some expressed surprise that GBV was given such a prominent position on the agenda despite its clear link to conflict prevention, resolution and democratic governance. Unless there is substantial investment in **gender-sensitization** and **awareness-raising on GBV**, these attitudes will continue to prevail. Prominent male leaders are also needed to act as role models to get more men to condemn violence against women.³⁹

3.2. Monitoring implementation of laws

Respondents to the questionnaire all highlighted their concern that monitoring the enforcement and full implementation of legislation once it is passed remains a huge challenge, resulting in a large gap between the legislation adopted and the actual protection and support provided to victims of GBV.

³⁷ A detailed **case study** of the **Rwandan experience** is provided in a report of the **2008 Inter-Parliamentary Union Conference on Violence against Women**: "*A Parliamentary Response to Violence against Women: Conference of Chairpersons and Members of Parliamentary Bodies Dealing with Gender Equality*", IPU, 2-4 December 2008, Geneva
http://www.ipu.org/PDF/publications/vaw_en.pdf

³⁸ **Senegal** has the highest number of women in national parliaments in the region at **22.7%**, ranking **46th in the world**; the **regional average for sub-Saharan Africa** is **18.6%** and even lower for **West Africa** at **12.7%**. <http://www.ipu.org/wmn-e/classif.htm>

³⁹ The **UN Secretary-General** launched a **global network** of male leaders in November 2009 that could provide a model for engaging male leaders at national and local level:
http://www.un.org/en/women/endviolence/pdf/pressmaterials/UNiTE_NetworkMenLeaders.pdf

The **role of parliamentary committees** was particularly highlighted as a mechanism for ensuring implementation and compliance. Most commonly, respondents said this is seen as the role of the **Committee on Gender or Women's Affairs** and is rarely viewed as a cross-cutting issue requiring the oversight of other parliamentary committees, despite GBV having implications for other aspects of government policy, such as public health, the economy, justice and security sector reform.

Where these committees exist, they are often under-funded or lack the capacity to follow-up legislation. For example, in **Sierra Leone** the **Committee on Social Welfare, Gender & Children's Affairs** has not followed-up on many GBV violations in the country, because it is said to lack effective leadership. The **Women's Parliamentary Caucus** has been more active – in 2009 it led an independent investigation into an incident of political violence – the alleged rape of opposition women in *Kono* district – and submitted its findings to the Vice President of **Sierra Leone** who promised to pass on the findings to the President, but the women have yet to receive a response.⁴⁰

In **Ghana**, the **Domestic Violence Law** passed in 2007 provided for the creation of a **Domestic Violence Management Committee** with a mandate to ensure the Domestic Violence Act and Plan of Action were implemented in full and to create a fund to provide for survivors of *domestic violence*. While the Committee is not a parliamentary body (its membership is made up of NGOs, representatives of several government ministries and the police force), it would benefit from closer parliamentary scrutiny, according to one respondent.⁴¹ She says the Committee has yet to set up a system of indicators to monitor and evaluate progress of the law or to establish a fund for survivors and attributes this in part to the loss of momentum arising from national elections in 2008 and changing membership of the Committee.

The political upheaval of elections is a concern shared by *Rasheed Draman*, Director of Africa programmes at the **Parliamentary centre**, based in **Ghana**, which provides gender training for MPs throughout West Africa. Elections resulting in the loss of a large majority of incumbent parliamentarians can mean they have to start their training almost from scratch when large numbers of new MPs, many of whom will have little or no awareness about how to address GBV and other gender issues, gain political office.⁴² Conversely, if more women or GBV-conscious men were to gain political office at election time this would support efforts to tackle GBV in the long-term.

Where these committees do not exist, parliamentarians say they need to be created and given the means to hold the executive to account. For example, MPs from **Côte d'Ivoire** stated they would like to see the creation of a **gender focal point** in their *National Assembly* to follow up agreements on GBV, but they require the infrastructure and resources to run this effectively.⁴³ Without these resources and the right degree of authority, power and leadership in decision-making on gender issues in the parliament, there is a danger that the use of *gender focal points* will entirely devolve responsibility for addressing the issue of gender-based violence to one or two individuals and reinforce the notion that it is a '**women's issue**', rather than making it a **cross-cutting issue** that this is the responsibility of all. A *gender focal point* should rather play the role of a *catalyst* and an *advisor*.

⁴⁰ Interview with: *Hon. Bernadette Lahai*, MP, **Sierra Leone**.

⁴¹ Interview with *Angela Dwamena-Aboagye*: Director of the **Ark Foundation** and a member of the **Domestic Violence Management Committee**.

⁴² Interview with *Dr. Rasheed Draman*, Director-Africa programmes, the **Parliamentary Centre, Ghana**.

⁴³ Responses from: *Hon. Mamy Diomande*, MP, and *Hon. Emilienne Assa Boby*, MP, **Côte d'Ivoire**.

3.3. Indicators and data collection

A **2008 Inter-Parliamentary Conference** on *violence against women* underlined the importance of **indicators for violence** that could serve to inspire the political will to take action, while noting that measuring violence and ensuring that data systems were regularly updated were still major **challenges**.⁴⁴

One of the **obstacles** frequently mentioned in interviews was the lack of parliamentary capacity in the region to undertake research and collect accurate and reliable data on the prevalence and incidence of GBV. MPs pointed to large *'information gaps'* making it almost impossible to assess the impact of legislation or to make informed decisions about policies to address GBV or indeed to convince naysayers of the scale of the problem and of the linkages between GBV and other areas of policy-making.

This is clearly an area where MPs in the region need more support. **International indicators** on GBV exist⁴⁵ and parliamentarians could play a role in promoting their use, but this requires training and support to ensure the indicators are adapted to the country context effectively. Participants at the **IPU conference** called on parliamentarians to lobby for the capacity of national statistical offices to be strengthened and to ensure that the *Ministries of Justice and Health* are involved in co-ordination on this issue.⁴⁶ Equally important is the quality and availability of reports and information via **parliamentary research centers** and enabling **NGOs** to share their reports with research and parliamentary libraries.

3.4. Scrutiny of budgets: ensuring adequate funding to tackle GBV

While legislation is the foundation of efforts to address GBV, ensuring that **adequate funding** is available for effective implementation of its provisions is essential. Poverty is still widespread in **West Africa** and this is often used as a justification for not investing in measures to address GBV, but this argument makes little economic sense since every study shows that early prevention of GBV costs far less than later intervention.

Responses from MPs suggest that there is little effective oversight of the Government and Public Expenditure by *parliaments* in the region on gender issues generally and on GBV more specifically. Experience of using **gender-sensitive budgeting**⁴⁷ is also limited, although there are some exceptions.

In **Ghana**, there has been a concerted effort to introduce **gender-budgeting** into government Ministries. In 2008 pilot work began with **4 Ministries** - the *Ministries of Health, Education, Agriculture and Women & Children* - with the aim of eliminating gender inequality in the

⁴⁴ "A Parliamentary Response to Violence against Women", 2008, page 98.

⁴⁵ See in particular indicators developed by the **UN Special Rapporteur** on Violence against Women: <http://www2.ohchr.org/english/issues/women/rapporteur/annual.htm> and **UN Statistical Commission** and **Commission on the Status of Women**: http://www.un.org/womenwatch/daw/egm/IndicatorsVAW/IndicatorsVAW_EGM_report.pdf

⁴⁶ Ibid

⁴⁷ **Gender-sensitive budgeting** involves identifying and introducing necessary interventions to address gender gaps in sector and local government policies, plans and budgets. It also aims to promote analysis of the gender-differentiated impact of revenue-raising policies and the allocation of domestic resources and official Development Assistance. See: www.gender-budgets.org

provision of and access to economic and social services. The government established a **Steering Committee** to support this initiative made up of representatives from key Ministries, including the *Ministry for Women and Children's Affairs* and the *Ministry of Finance and Economic Planning*. Key officials from the Ministries were then given training on gender-sensitive budget analysis and how to develop gender-responsive budgets.

As a result, the Director of the *Department for Women* at the *Ministry of Women and Children's Affairs* says there is now a much greater understanding within political institutions of the need for **gender mainstreaming and budgeting** and it has become a part of government policy discussion within the budget support programme. But the lack of sex-disaggregated data and understandings of basic gender concepts has proved an obstacle and highlights the need for more tool-kits and training to support staff in this initiative.⁴⁸

In 2009 the initiative was expanded to include 14 government Ministries. Ghanaian MPs on key committees such as the *Women's Caucus*, the *Finance & Public Accounts Committee* and the *Women and Children's Committee* have since received training on gender-responsive budgeting to support their oversight of the process and they have in turn supported various awareness-raising activities to educate the public about the need for gender-responsive budgets.

However, in terms of scrutinizing spending on the specific issue of GBV, a number of challenges remain. One MP said it was still difficult to determine the exact allocation of spending on GBV for this financial year. She highlighted the need for trained technical support staff to enable MPs to conduct a deeper analysis of the budgets of departments such as the *Social Welfare Ministry* that would ordinarily be required to fund support to survivors of GBV.⁴⁹

The *Gender Ministry* in **Sierra Leone** has established a **gender-budgeting unit**, but it has not yet been able to determine the exact allocation of funding to tackle GBV at national level.

The **Benin National Assembly** has been active in the **budget review and approval** and has been engaged with CSOs on these matters. The *Finance Committee* organizes public consultations and public hearings during its budget review to hear the concerns of experts and citizens including women's groups.⁵⁰ However, it is not clear whether GBV has been raised as an issue through such consultative processes here and elsewhere in the region.

Other MPs said that action plans to address discrimination against women were being introduced that are not matched by adequate resources, effectively rendering them virtually meaningless:

***"We have introduced a wonderful National Action Plan on 1325, but we simply don't have the resources to implement it. We need donor support for implementing these commitments."**⁵¹*

⁴⁸ See a presentation by *Francesca Pobe Hayford*, Director of *Department of Women* at **MOWAC** at the **OECD-DAC GenderNet**, Paris, June 2009 <http://www.oecd.org/dataoecd/1/32/43332630.pdf>

⁴⁹ Interview with: *Hon. Frema Osei-Opare*, MP, **Ghana**.

⁵⁰ According to a report of a Workshop on "*Parliaments and Gender Budgeting*" Cotonou, **Benin** – October 4-6 2005, run by the **Parliamentary Centre**: <http://www.parlcent.ca/africa/Gender/docs/Report%20for%20Benin%20Gender%20Budget%20Workshop%202005.pdf>

⁵¹ *Hon. Mamy Diamonde*, MP, **Côte d'Ivoire**.

3.5. Addressing GBV through peace-building and security- sector reform

SCR 1325 on women, peace and security, specifically refers to GBV and its link to aspects of peace, security and development. It requires governments to address GBV in their national contexts as part of building and consolidating a sustainable peace.

A key way of doing this is to ensure that gender and responses to GBV are incorporated into broader peace-building and development processes, particularly reform of the *justice and security sector*.

CASE STUDY 2:

PARLIAMENTARY SUPPORT FOR ADDRESSING GENDER-BASED VIOLENCE THROUGH PEACE-BUILDING PROCESSES: LESSONS LEARNED FROM DEVELOPING THE UN STRATEGIC FRAMEWORK FOR PEACE-BUILDING IN GUINEA-BISSAU ⁵²

As in other countries in the sub-region, *gender-based violence* and traditional harmful practices, such as *female genital mutilation* and early and forced marriages are widespread in **Guinea-Bissau**. The poor socio-economic situation of many families also contributes to high levels of domestic violence, as well as *sexual and gender-based violence*.

In 2008, the inclusion of **Guinea-Bissau** in the **United Nation's Peace-building Commission's** agenda presented an important opportunity to incorporate gender perspectives in all aspects of the issues and priorities identified by the **Peace-building Commission** and the government of **Guinea-Bissau**, including measures to address *gender-based violence*.

The process of engendering the *Strategic Framework for Peace-building (SFPB)* in **Guinea-Bissau** highlights ways in which parliamentarians could strengthen their engagement on gender issues more broadly and on tackling gender-based violence specifically through peace-building processes. It also suggests ways in which the **UN** and other key stakeholders might support Parliamentarians in this role.

The process

Guinea-Bissau has experienced regular political turmoil, often turning to violence, in recent decades. The purpose of the engagement of the **Peace-building Commission** with **Guinea-Bissau** was to help the country strengthen and consolidate peace in order to avoid a relapse into conflict.

The representatives of *women's organizations* of **Guinea-Bissau** felt that the integration of a gender perspective in the SFPB would draw much-needed national and international attention to the unequal situation of women and men in Guinea-Bissau

⁵² This case study is based on information gathered from an **interview** with *Sara Negrao*, Gender Advisor, **UN Peace-building Support Office** in **Guinea-Bissau** and from two recent **reports**: "*Engendering the United Nations Strategic Framework for Peace-building in Guinea-Bissau: Experiences from the Field*", Sara Negrao & Janet Murdock, forthcoming 2010, and "*the Guinea-Bissau Parliamentary Assessment Report*", **UNDP**, forthcoming 2010.

and ensure that the government recognized the importance of and furthered women's economic, social and political contributions, including the recognition of sexual and gender-based violence as a security issue.

The process that was undertaken comprised **three phases**:

1. The first phase consisted of awareness-raising and mobilization of influential women, including some women MPs, to engage in the process;
2. The second phase involved outreach and sensitization of other women's organizations and NGOs, lobbying of government officials and the UN;
3. The third phase involved regional and national consultations and the inclusion of the recommendations in the drafting of the SFPB.

Initially, gender concerns were integrated into all sections of the framework document, including specific language calling for the adoption of effective measures to eliminate *sexual and gender-based violence* and traditional harmful practices. The **Women's Groups** involved consider the inclusion of such language a major achievement since up to that moment the government of **Guinea-Bissau** had mostly been reluctant to defend the eradication of female genital mutilation.

However, the majority of the gender components were considerably watered down when the **SFPB** was finalized by the **UN Peace-building Team in New York**, much to the disappointment of those who had been closely involved in this process.⁵³

Lessons learned

Sarah Negrao, Gender Advisor for the **UN Peace-building Support Office** in **Guinea-Bissau**, worked with women's organizations, MPs and other allies to promote the inclusion of a gender perspective. She highlights a number of **lessons learned** from this process:

- The process of national consultations was key to promoting **national ownership** and involving both women and men in the process – it was particularly significant that it was mainly male members of the *Technical Committee* responsible for producing an initial draft of the **SFPB** in **Guinea-Bissau** who advocated for and defended gender within the framework because they had been closely involved in national consultations;
- The process was driven largely by women in civil society, together with the UN gender staff. A few women MPs were supportive, but there was little or no support from other women MPs and no male MPs got involved, which has prompted some reflection on how MPs could support these sort of processes more effectively in future (*see below*);
- Erasing the statement on harmful traditional practices and the removal of other gender language by drafters in **New York** meant that a major opportunity was lost to have a thoroughly gender-sensitive peace-building framework and to ensure the participation of women in national peace-building processes – in future more

⁵³ According to individuals interviewed for the forthcoming **report**: “*Engendering the United Nations Strategic Framework for Peace-building in Guinea-Bissau: Experiences from the Field*”, Sara Negrao & Janet Murdock, 2010.

work is needed to sensitize the **Peace Building Commission** teams in **New York** to these concerns.⁵⁴

Looking ahead

A recent **report** assessing the institutional and technical capacities of **Guinea-Bissau's** parliament recommends **a number of measures** that would help strengthen gender mainstreaming in Parliament and improve the responses of parliamentarians to similar opportunities in the future.⁵⁵

- Increase the financial and technical resources available to parliamentary bodies who have oversight of gender issues – the *Specialized Committee on Women and Children* is well-organized and demonstrates initiative, but it has very limited financial resources and has little or no capacity to provide gender analysis and prepare effective evidence-based arguments to advocate for gender concerns in different areas and functions of parliament work;
- Provide training for all MPs to support mainstreaming gender into all domains of parliament work – gender is generally understood as the domain of women and solely the concern of the *Committee for Women and Children*;
- Strengthen the link between women MPs and their constituencies – there is not much communication between CSOs and women MPs on issues such as *gender-based violence*, largely due to the lack of funding for field visits;
- Increase women's representation in Parliament – currently most of the female MPs are from the majority party, **PAIGC**. The **PAIGC** has a policy in place for introducing **30%** of women in eligible positions in party lists, but no other political party has a similar policy in place, despite the efforts made by the women's movement to sensitize political parties.

Again, in this example, the key to promoting the inclusion of gender language and measures to address GBV was **men and women working together** and a **commitment to carrying out wide-ranging consultations** to promote understanding of the key issues, even if the involvement of parliamentarians was seen as disappointing.

An MP from **Sierra Leone** was able to provide a positive example of parliamentary engagement on **SSR**: a few MPs have worked closely with the NGO, *the Women's Peace & Security Network Africa (WIPSEN)* to ensure parliamentarians in key committees, such as the *Defense Committee*, receive training on gender and the security sector. As a result they have been able to increase the number of women represented on the *Defense Committee* from **1 out of 15 to 3 out of 15**, although the MP says it's too early to say whether this will change the way the Committees perform their oversight roles.⁵⁶

MPs in **Sierra Leone** were also instrumental in the introduction of a **National Action Plan on 1325** in June 2010. They were members of the **Task Force** responsible for drafting the plan and took part in consultations held around the country to ask constituents for their input into the action plan – one of the thematic areas discussed was how to tackle GBV. MPs will also be

⁵⁴ According to individuals interviewed for the forthcoming **report**: "*Engendering the United Nations Strategic Framework for Peace-building in Guinea-Bissau: Experiences from the Field*", Sara Negrao & Janet Murdock, 2010.

⁵⁵ See "*Guinea-Bissau Parliamentary Assessment Report*", **UNDP**, forthcoming 2010.

⁵⁶ Interview with: *Hon. Bernadette Lahaj*, MP, **Sierra Leone**.

represented on the **Task Force** when it transforms into a **National Steering Committee** responsible for overseeing implementation of the NAP.⁵⁷

In **Liberia**, MPs championed the introduction of a **fast-track court** to process rape cases. Rape has been on the rise in Liberia, despite the introduction of the **2006 Rape Amendment Act**. As a result, **Criminal Court D** was set up in December 2008 imposing stricter penalties (seven years to life) for the most serious offences, while denying bail to accused rapists. Crucially this initiative also had the support of *Ellen Johnson-Sirleaf*, Africa's first female President, who has also spear-headed the introduction of a **Sexual and Gender-Based Violence Crimes Unit**. Nevertheless, MPs say further measures need to be introduced to revamp the judicial sector so that the police, courts and prison system run more effectively and are more responsive to the needs of survivors of GBV.⁵⁸

Other MPs also expressed concerns about the lack of gender mainstreaming in the justice and security sectors in their countries. For instance, a **Sierra Leone** MP said there is inadequate support for the **Family Support Units** of the **Police Force** that are responsible for investigating cases of GBV, there are capacity issues in the judiciary preventing the timely and satisfactory processing of GBV cases and there is also inadequate training for the security services on GBV issues.⁵⁹

Another MP⁶⁰ from **Côte d'Ivoire** highlighted **corruption** amongst police officials as a factor deterring women from reporting cases:

"The police in Côte d'Ivoire can be easily bribed or 'persuaded' not to pursue complaints made by women who have experienced violence. MPs can intervene in these situations because they are in a position of authority, but the problem is the lack of evidence in these cases and it is often the woman's word against the man's".

3.6. Engaging political parties

For the most part respondents were able to provide little evidence of initiatives to address GBV led by political parties.

In **Sierra Leone**, one political party has openly supported measures to address GBV - the **Sierra Leone People's Party (SLPP)** has developed a policy on GBV, largely because it says its supporters have been targeted for acts of politically-motivated GBV by the ruling **APC** party. It is the only political party to have introduced this policy, although there is no information provided about how it is ensuring this policy is implemented.

A **Memorandum of Understanding** has been signed by all 3 political parties in the parliament on this issue, but the interviewee from **Sierra Leone** said the ruling party was not respecting the agreements contained in this document. **She called for:**

⁵⁷ Ibid

⁵⁸ Interview with: *Hon. Alomiza M. Ennos* MP, **Liberia**.

⁵⁹ Interview with: *Hon. Bernadette Lahai*, MP, **Sierra Leone**.

⁶⁰ Interview with: *Hon. Emilienne Bobi Née Assa*, MP, **Côte d'Ivoire**.

- More government support to fund political party mechanisms for addressing GBV;
- Political parties to adopt free registration for women and young people to encourage their increased representation in the membership of political parties;
- The introduction of penalties for political parties that use any form of violence for political gain;
- Increased cross-party initiatives to address GBV.⁶¹

3.7. Women's representation & GBV

*“The presence of women in political parties is visible, but it's not representative and, where they are present, **women tend to occupy the posts associated with their traditional roles as women**, such as roles concerning social affairs and the promotion of women's rights - **they are rarely seen in leadership roles**. Women are more likely to **exercise their right to elect than their right to be elected**, despite the recognition of women's political rights in constitutions and in international legal instruments”.*

Hon. Jacqueline Solange Moundzalo, Republic of Congo

The issues of GBV and particularly *violence against women* and **women's participation in political and civil life** are closely linked. *Violence against women* acts as a barrier to women's participation in decision-making, whether it's in the home or in the community. For example, **domestic violence** may affect the mental health of women and cause low self-esteem, anxiety and fear, which hamper their ability to travel outside the home and to get involved in public life. Conversely, women's isolation from public and community life is known to contribute to increased violence, whereas increasing their participation in community groups and social networks has been shown to decrease their vulnerability to violence by helping them find support and solutions to the problem, such as legal protection, counseling and advice.

The one issue consistently raised by respondents was the **lack of women's representation**, both in Parliaments but also in the security sector and peace-keeping operations, and the urgent need to address this. In terms of political representation, **Senegal** currently has the highest number of women in national parliaments in the region at **22.7%**, ranking **46th** in the world; the regional average for **sub-Saharan Africa** is **18.6%** and it is even lower for **West Africa** at **12.7%**.⁶² An IPU survey showed that:

- Of **97** parliaments, only **3%** had a woman chairing their defense committee;
- Women represented only **1.3%** of all ministers in charge of defense/security issues and **3.9%** of all vice-ministers and other ministerial officials in that area⁶³.

Measures are slowly being introduced to address **women's under-representation** in the region. For example, **Senegal** passed a **law** on 7th June 2010 requiring gender parity in

⁶¹ Ibid

⁶² <http://www.ipu.org/wmn-e/classif.htm>

⁶³ IPU: “Parliamentary Oversight of the Security Sector: Principles, Mechanisms and practices”, Geneva, 2003, page 44; <http://www.dcaf.ch/oversight/>

electoral lists that was approved by a large majority⁶⁴ and the **Women's Act** introduced in **The Gambia** in April 2010 calls for all political parties to ensure at least one third of candidates fielded for election are women. **Mauritania** and **Niger** also have **quota laws** in place – set at **20% of seats** for women and **10%** respectively – and in **Liberia**, some MPs are currently championing the introduction of a **Gender Equality Bill** with the aim of increasing women's representation in all aspects of decision-making. But in all cases there need to be checks in place to ensure such laws are enforced, rather than voluntary, if they are to have any impact on the slow pace of change.

The first all-female *Formed Police Unit (FPU)* deployed in **Liberia** in 2007 is said to have made a substantial difference to the women victimized in rampant sexual violence during the country's civil war⁶⁵. However, the presence of women in police forces, the army, private security firms and peacekeeping operations remains the exception rather than rule, even though women's increasing involvement in the armed forces and **UN** peace-keeping operations may in turn contribute to the shift from traditional defense to human security, including emphasis on the need to address gender-based violence.⁶⁶ For instance, community members in **Liberia** have said that the presence of female police officers and peacekeepers in **UNMIL**, the *UN's peacekeeping force*, has led to enhanced physical safety and security.⁶⁷

All respondents were keen to see parliamentarians advocating more vociferously in favor of women's participation in all levels of political decision-making and in *post-conflict* reconstruction, as well as the wider introduction of special measures, such as **gender quotas**. The **Sierra Leone** MP called for **reform of the electoral system** in her country and elsewhere in favor of proportional representation to enable women and minorities to increase their likelihood of getting elected. She also highlighted the need to address concerns around the **personal safety of women MPs** who commonly encounter intimidation, threats and actual violence when they run for political office:

“One of the women Parliamentary Chiefs has been threatened and cannot go back to her community. More security needs to be sent. In 2008, women candidates were beaten in the political campaign and they dropped out as contestants. My own personal security and that of my family has also been threatened”.

Hon. Bernadette Lahai, MP, Sierra Leone

⁶⁴ See <http://www.ipsnews.net/news.asp?idnews=51739> for more information about the **Senegal law** and <http://thepoint.gm/africa/gambia/article/womens-act-2010> for more details about the **Gambian law**.

⁶⁵ **UNMIL** currently has 6 female military experts, 244 female troops, 63 female police, and 134 female members of formed police units deployed as part of **UNMIL**, according to the department of peacekeeping operations. These are significant figures considering that from **1957 to 1989**, only **20 women** served as peacekeepers around in the world. Currently women make up **6 percent** of UN peacekeepers internationally. See: <http://allafrica.com/stories/201003190477.html>

⁶⁶ Ibid

⁶⁷ See : <http://allafrica.com/stories/201003190477.html>

In addition, MPs from **Sierra Leone, Liberia** and the **Republic of Congo** underlined the need to increase women’s participation in Committees that are traditionally dominated by men:

“In Liberia, women tend to have oversight of social issues and men of economic issues. A diversity of perspectives is needed in both and we will not address this without increasing women’s representation more broadly in politics”.

Hon. Alomiza M. Ennos, MP, Liberia

However, while increasing the numbers of women elected is important, it does not necessarily guarantee they have the skills to become politically effective and to speak out in favor of more **gender-equitable policies**. Support to women in public office to build their skills and influence is important, as is mentoring and support from experienced female politicians and leaders, and investing in cross-party caucuses and political spaces for women to interact and build alliances.

The women MPs interviewed spoke of the need for more investment in this area. There are numerous examples of where *women’s civil society organizations* have played a key role in providing women with the skills to enter politics and where their support has been crucial in supporting women MPs to push through legislative change on GBV and other gender-equitable policies.

3.8. Other parliamentary responses

Most respondents said they felt the responses of parliamentarians and political parties in the last 12 months have been very ad-hoc and attributed this to a lack of political will and resources, but also to a lack of understanding about the root causes and consequences of GBV amongst mostly men MPs, but also some women.⁶⁸

There were very few examples of **parliamentary questions, parliamentary hearings, political party support for measures to tackle GBV** or other mechanisms being used to discuss or address the issue of GBV, although they felt that these, and the **scrutiny of budgets**, were probably the tools most likely to have an impact on the effective monitoring of the executive’s implementation of GBV laws and policies.

In **Sierra Leone** MPs passed a motion in 2009 to allow for a parliamentary debate regarding the alleged rape of opposition women in political party offices. The debate was attended by women from all over the country who wore black in a powerful symbolic gesture of their mourning for all rape victims, and to condemn ongoing rape and sexual abuse in the country.

In addition, the **Women’s Parliamentary Caucus** took part in the annual **16 Days of Activism against Gender-based Violence**,⁶⁹ which it does on an annual basis, and set aside a day for consultation with other parliamentarians on the issue of GBV. In the last year, they have also visited a rape survivor in hospital and provided her with financial support.

⁶⁸ For example, MPs from **Sierra Leone** and **Nigeria** cited ignorance amongst many male MPs and some female MPs as a contributory factor in lack of progress on addressing GBV – in **Sierra Leone** some male MPs have blamed women for inviting rape by ‘*dressing indecently*’.

⁶⁹ <http://www.cwgl.rutgers.edu/16days/home.html>

In **Mali**, there had been **several initiatives to try to move GBV up the parliamentary agenda**. The *National Assembly* held a joint meeting with the **Inter-Parliamentary Union** on 3rd-4th June 2010 on the issue of the role of parliamentarians in ending violence against women and specifically on the need to legislate against FGM, which affects around **85% of the women in Mali**. This meeting, involving members of *civil society, MPs and international experts*, resulted in plans for the *Parliament of Mali* to organize parliamentary missions in various parts of the country where the practice of FGM is prevalent to sensitize religious and traditional leaders and community members on a **draft anti-FGM law** and the need to abandon the practice of FGM.⁷⁰

The *National Assembly of Mali* has also recently been discussing a **draft bill** establishing the **Code of Persons and the Family** that will seek to extend protection of a significant number of women's rights, including the prohibition of early and forced marriage.⁷¹

The **Human Rights Committee** of the *Togolese National Assembly* has launched a project under which a seminar was held for women parliamentarians from six **African** countries – **Benin, Burkina Faso, Côte d'Ivoire, Mali, Senegal and Togo**. Women parliamentarians intended to set up a women's caucus for human rights. There was no information available about the impact of this group, but this could provide further useful learning on the role of **networks and cross-regional learning** on ways to address GBV.⁷²

At the *international level* MPs have also become involved in and helped shape an **International Campaign for a United Nations General Assembly to Ban FGM worldwide**. This has included: a meeting of Parliamentarians and activists from 25 of the African countries in which FGM is practiced, including countries in **West Africa**, to call upon their governments to take the lead in working towards a **Resolution in 2010**; and MPs have also engaged directly with their Ministries, including their *Ministries of Foreign Affairs* as well as their *Missions to the UN*.⁷³

Otherwise, parliamentary responses were, for the most part, largely reactive to specific events, rather than proactive. For example, when a female National Youth Service Corps member, *Grace Ushang Adie*, was raped and murdered in a remote village in *Maiduguri, Nigeria* in late 2009, a rally was organized by the organization *Women's Right Advancement and Protection Alternative (WRAPA)* to show women's disgust at this horrific case of GBV. This prompted a heated debate on GBV on the floor of the House. A committee was then set up to critically investigate the matter and make recommendations to avoid future occurrence – the Committee has yet to issue its recommendations.

In **Guinea**, there is no evidence that members of the **Transitional Council** have taken any action to address the GBV that took place as part of wider political violence on September 2009. MPs from **Guinea** attribute this to the limited mandate of the **Transitional Council** and its current pre-occupation with the practicalities of shifting the country from military to civilian rule Presidential mandate, including ensuring the smooth-running of the first democratic Presidential election since 1958 in June 2010.⁷⁴ The **UN** has conducted training of police and security officials on human rights issues, including GBV, in advance of the elections, but it's clear there's a **need for further urgent reforms of the security forces and measures** to ensure the perpetrators of last year's violence are brought to justice.⁷⁵

⁷⁰ Interview with *Brigitte Fillion*, Programme Officer, **Inter-Parliamentary Union**

⁷¹ *Hon. Haidara Aichata Cisse*, MP, **Mali**

⁷² **IPU**: "A Parliamentary Response to Violence against Women", page 136

⁷³ Interview with *Alvilda Jablonko*, FGM (Female Genital Mutilation Programme), **No Peace Without Justice**

⁷⁴ Interview with *Hon. Hadja Taibou Diallo*, MP, **Guinea**, and *Hon. Abdoulaye Toure*, MP, **Guinea**

⁷⁵ Interview with *Simona Pari*, Rule of Law/Gender-Based Violence Expert, **UNDP**

4. ENTRY POINTS FOR MOVING FORWARD

The **UNDP regional seminar** in *Accra* held at the end of **June** enabled MPs to share learning about which interventions are most effective, how to address the issues of limited resources and lack of capacity and how to sustain and coordinate parliamentary responses in the region more effectively. The outcomes of this meeting, combined with the findings of this research, point to a number of possible **entry points at the national and regional level to address GBV** more effectively.

4.1. Global/regional level entry points

ECOWAS Parliament

The **ECOWAS Gender Committee** is currently drafting a **gender strategy** for the region, with support from the **Parliamentary Centre**, although it is not clear at this stage what measures this will include to address GBV. This could be one way of developing and agreeing regional priorities and indicators on addressing GBV.

GBV is not centre-stage in the strategy but there is opportunity now for the **Parliamentary Centre** to work with **UNDP** and others to find ways of **incorporating GBV into the strategy** before it is finalized. It is, however, worth noting that the current mandate of **ECOWAS** prevents it from enforcing member states to act on recommendations in the strategy.

The example of the *Southern Africa Development Community (SADC) Protocol on Gender and Development* that has prepared the ground for gender mainstreaming throughout all of **SADC's** operations, could provide a useful **point of comparison**. It includes clear benchmarks and indicators to measure progress on tackling GBV in the region, provides for the creation of a Committee to oversee implementation of its provisions and calls on governments to launch public awareness campaigns and report twice yearly on its progress.⁷⁶

The *ECOWAS Regional Parliamentarians Association (ECOFEPA)* launched in March 2010 also offers an opportunity for female parliamentarians from across the region to strengthen their networks, strategize collectively and co-ordinate their work to bring about change on women's rights issues, including GBV.⁷⁷

Pan-African initiatives

On 3rd-4th May 2010, a group of parliamentarians from all over **Africa** came together in *Dakar, Senegal* to push for a **continent-wide ban on FGM** and are calling on the **UN** to pass a **General Assembly resolution** on this issue.

This may offer a model of working that leads to the establishment of some sort of **network** at the *sub-regional* or *Pan-African* level to mobilize MPs on other GBV issues.

The **African Parliamentary-Union** and the **Pan-African Parliament** do not have powers to issue legally binding resolutions and legislation, but could both provide platforms for policy exchange and learning on this issue amongst, on the one hand, African Parliamentarians and,

⁷⁶ <http://www.sadc.int/index/browse/page/465>

⁷⁷ <http://allafrica.com/stories/201007020093.html>

on the other, between African Parliamentarians and Parliamentarians of other continents. The **APU** has previously held a thematic conference on issue of FGM, which resulted in a set of clear recommendations, although the impact of these outcomes is not clear.⁷⁸

The **Pan-African Parliament** provides for two committees with a focus on gender and women's rights issues - the **Committee on Gender, Youth and Disabilities** and the **Pan-African Women's Caucus**. The latter recently facilitated a study visit for MPs to **Ethiopia** to look at ways to address FGM in member's countries. An MP from **Mali** has since been pushing economic alternatives for circumcisers at parliamentary level drawing on a model she learned about in **Ethiopia**, highlighting the usefulness of learning exchanges.⁷⁹

If the **African Union** starts to enforce the provisions of the **African Protocol on Women's Rights (Maputo Protocol)**, this will also add weight to parliamentary efforts to address the issue of FGM and other forms of GBV in the sub-region and beyond.

The Inter-Parliamentary Union

In 2006, the **IPU** issued a **resolution** outlining how parliaments can promote effective ways of combating violence.⁸⁰ The **IPU** subsequently developed a **campaign and programme of work** to support parliaments in their efforts to end VAW. Over **200 parliamentarians** from about **70 countries** signed up to the campaign and pledged to make combating violence against women a national and international priority.⁸¹

An **IPU-led meeting** of 34 parliamentarians and GBV experts from around the world in *Geneva* in 2008 led to the creation of a set of **6 priority actions** that parliaments can implement at *national level*:

- Build a legal framework and adopt laws that work;
- Make sure laws are implemented;
- Educate and sensitize;
- Build partnerships;
- Show strong political will;
- Establish a sound institutional framework and national bodies that have the power and capacity to take action.

It is clear that if all these actions were implemented in full, it would make a huge contribution to tackling GBV in the sub-region. This research involved sending questionnaires to those MPs who were part of the **2008 IPU conference** to establish what, if anything, has been done to put these recommendations into action, but has yet to receive a response.

The United Nations

UNIFEM launched its "*Say No to Violence against Women*" campaign in 2009.⁸² The campaign is designed to support the **UN Secretary-General's UNITE to End Violence against Women**

⁷⁸ <http://www.african-pu.org/activities.php>

⁷⁹ Interview with *Frank Kayitare*, Programme Officer, **AWEPA**

⁸⁰ **Inter-Parliamentary Union**: "*How parliaments can and must promote effective ways of combating violence against women in all fields*", Nairobi 12th May 2006, <http://www.ipu.org/conf-e/114/114-3.htm>

⁸¹ See here for further details: <http://www.ipu.org/wmn-e/vaw/campaign.htm>

⁸² <http://www.saynotoviolence.org/>

campaign⁸³ through a massive global mobilization. The **Secretary-General's campaign** was launched in **West Africa** on 26th November, as part of the *16 Days of Activism against Gender Violence* in **Senegal**.

The **UNIFEM campaign** includes **specific suggestions** on how parliamentarians can take action on the issue of GBV, many of which echo the **IPU's priority actions**,⁸⁴ including:

- Reviewing and implementing legislation on preventing and ending GBV;
- Initiating awareness-raising and community prevention efforts to prevent GBV;
- Ensuring emergency frontline services are available and accessible to survivors; and supporting training of police, military and civilian peacekeepers to prevent sexual violence and protect women and girls.

UNIFEM's campaign has received the full support of the **Inter-Parliamentary Union**. All the members of the **IPU's Coordinating Committee of Women Parliamentarians** have lent their support and have agreed to be **IPU** spokespersons for the issue in their respective parliaments and among the public at large.

Furthermore, the **2006 UNDP publication**, "*Parliaments, Crisis Prevention and Recovery: Guidelines for the International Community*",⁸⁵ outlines ways in which the international community can support parliamentarians to play a transformative role on peace-building and democratic reform. These are consistent with the **recommendations** made by respondents in this research and include:

- Active support for women's political participation;
- Support for parliament's efforts regarding the implementation of international conventions on gender equality;
- Supporting gender analysis in the security sector reform.

4.2. Recommendations for action at national level

While the findings of this research point to limited parliamentary activity to address GBV in the last 12 months (at least in the countries that responded), those interviewed were very clear on what they believe needs to be done to strengthen parliamentary responses.

They underlined the need for parliamentary action on this issue across the core functions of the legislature – **institution-building, legislation, oversight and representation**. Specifically, they highlighted the **following actions** to be adopted by Parliamentarians, with the support of the international community:

- ***Adopt laws on GBV where these are not in place & enforce existing laws***

At least **5 countries** in **West Africa** still do not have any form of legislation on GBV. Where multiple laws on GBV exist such as in **Sierra Leone** and **Ghana**, these need to be enforced and harmonized to ensure that the needs of all survivors are being addressed comprehensively. The **ECOWAS Parliament** and/or **ECOWAS Commission** could play a role in providing a

⁸³ <http://www.un.org/en/women/endviolence/>

⁸⁴ <http://www.saynotoviolence.org/join-say-no/start-action/action-ideas#govt>

⁸⁵ http://www.undp.org/cpr/documents/prevention/build_national/Guidelines_on_the_Role_of_Parliaments_in_Conflict_and_Post-Conflict_Situations.pdf

regional harmonized framework, similar to the model that exists for the **ECOWAS Convention on Small Arms**.

- **Invest in gender training and sensitization of MPs**

The issue of *gender-based violence* is commonly seen by parliamentarians as a '**women's issue**'. This research points to an urgent need to address the **lack of knowledge** and/or **absence of political will**, particularly amongst many of the male MPs, but also some female MPs, on this issue. There needs to be an investment in training and the dissemination of tool-kits that will provide conceptual clarity as well as a practical understanding of gender, GBV and the links to peace, security and sustainable development - GBV needs to become a shared agenda and to be seen as a priority issue. Parliamentarians also need training on the contents of legislation once it is passed so they can share this information with their constituents. Male MPs should be urged to show leadership in the struggle to end GBV.

Any training needs to be provided on a rolling-basis to take account of the **high turnover of MPs** after elections; where possible ex-parliamentarians should be invited to participate in training with new MPs to pass on relevant skills and experience. There should also be a focus on strengthening the institutions, so that the high attrition rate of MPs at election time does not impact on positive initiatives underway to promote gender equality and tackle GBV.

- **Strengthen parliamentary committees that have oversight of gender issues**

Once legislation has been passed, there can still be serious gaps and gender-discriminatory provisions in legislative frameworks, which need to be scrutinized by Committees of MPs with specialist knowledge and skills. MPs expressed concern that they lacked even the most **basic infrastructure** to carry out their legislative functions, such as computers, overhead projectors and handbooks on GBV. **Specialist committees** also need to strengthen their capacity to undertake rights-based analysis of existing laws, not only GBV laws, so they can develop legislative agendas that lead to effective law reform and implementation. **This includes:**

- ✓ Having access to comprehensive, sex-disaggregated data;
- ✓ Using clear indicators to monitor the impact of laws;
- ✓ Ensuring that data is available at parliamentary research centers/ libraries;
- ✓ Increasing parliamentary research capacity on GBV.

If GBV is to be seen as a *cross-cutting issue*, support should also be provided for the establishment and running of **cross-parliamentary committees** to address this issue that have the authority to advocate and lobby the executive for resources to implement GBV laws fully and to co-ordinate responses effectively.

- **Increase women's representation in politics, peace-building processes and reform of the security and justice sectors & enhance their political effectiveness as advocates for gender equality**

Sensitization of male Parliamentarians needs to go hand-in-hand with **strengthening women's representation and effective participation** at all levels of decision-making. The example of **Rwanda** cited earlier illustrates how high levels of women's representation provide an important context for legislative efforts to address GBV. It is vital for ensuring women's concerns are highlighted in peace-building processes and SSR. There is also anecdotal evidence to suggest that women in positions of power who are sensitized about

gender issues can play an important leadership role in ensuring action is taken to address GBV.⁸⁶

Measures to increase women's participation, such as **quotas** and **reserved seats** for women MPs on *parliamentary committees* traditionally dominated by men, such as *Defense Committees*, need to be introduced and actively monitored to ensure that they address the current levels of under-representation across the region effectively. A number of MPs specifically called for women MPs to be provided with leadership training and to be given the **technical and financial resources** required to run for political office and compete on a level playing field with men. They also underlined the need to **safeguard women's personal security** so that they are not deterred from entering or continuing in politics because of threats to themselves and their families.

- **Work in partnership with men, civil society, other parliamentarians, the international community and survivors of GBV**

Given that most responses to GBV tend to be ad-hoc and uncoordinated, respondents were clear that there is great value in **working in partnership** more closely with *donors, civil society*, etc. to enhance responses to this issue.

Women and men in parliament must work together to combat GBV. One respondent⁸⁷ felt this was the single most important action that could be taken to eradicate GBV:

“Male Parliamentarians should come to the aid of their female colleagues in a strong fight against GBV. If there is improved male participation, more awareness will be created and by so doing, GBV will be reduced to a great extent if not completely eradicated.”

Another⁸⁸ added:

“Male parliamentarians need to buy into the benefits of reducing GBV – to them, their families, and their communities. We really want men to be strong advocates, as people are more likely to listen to them and they need to be convinced this does not threaten them.”

Exposure to different contexts and strategies can sometimes help to bring about change domestically. A few respondents felt that MPs would benefit from **travel and exposure to other countries and regions** to learn about what MPs elsewhere are doing to address GBV.

Several MPs underlined the need to work closely with traditional and religious leaders and involve them in actions to address GBV given their influential role and the cultural roots of many aspects of GBV. Respondents also mentioned the need to **educate constituents** about the causes and consequences of GBV and suggested that MPs should educate themselves and

⁸⁶ For example, *Madhumita Sarkar*, of the **UN Joint Programme on SGBV in Liberia**, says that having a woman President, *Ellen Johnson-Sirleaf*, in **Liberia** who has championed gender mainstreaming and SGBV in policy discussions and the public arena has raised awareness of the issue across government and amongst the electorate.

⁸⁷ *Hon. Nnenna Elendu Ukeje*, MP, **Nigeria**

⁸⁸ Interview with *Hon. Bernadette Lahai*, MP, **Sierra Leone**

others on this issue in an informed way given their position of responsibility and authority in communities. According to one interviewee⁸⁹:

“We need to have a dialogue on cultural experiences. While it’s important that we respect culture, we also have a responsibility to help vulnerable people. It’s important that we work with members of civil society and the electorate to change traditional attitudes that perpetuate GBV.”

The interviewee⁹⁰ added that there was a need to **increase donor support** for more effective **cross-party alliances** to engage on this and other gender issues:

“As it stands now, most donors do not want to deal with political parties because they claim they do not to be drawn into partisan politics but politicians and decision makers are the products of political parties.”

The interviewee⁹¹ finally emphasized the need to:

“Find ways of getting members of the Executive engaged in this issue – beyond the Minister for Women. This is particularly necessary when it comes to the allocation of resources and enforcement of the law.”

Finally, a number of MPs also highlighted the need to **involve survivors in formulating responses to GBV**. Of particular concern to survivors is the need to urgently **address the culture of impunity** which deters people from reporting cases of GBV and prevents perpetrators from being brought to justice.

⁸⁹ Dr. Rasheed Draman, the **Parliamentary Centre, Ghana**

⁹⁰ Ibid

⁹¹ Ibid

5. CONCLUSION

As the findings of this research demonstrate, GBV is a key issue in **West Africa** that needs to be addressed as a matter of urgency. It constitutes a major human rights violation, but also a serious obstacle to the effective implementation of measures to prevent and resolve conflicts in the region.

Parliamentarians are well-placed and have a responsibility to play a **key role** in, amongst other things:

- ✓ Oversight of the passage and implementation of relevant legislation;
- ✓ Scrutiny of spending on measures to tackle the problem;
- ✓ Monitoring and evaluation of policy and providing leadership and effective co-ordination on this issue at national and regional level.

It is important to recognize the **progress** that has been made, particularly by women parliamentarians working with women's civil society organizations to steer through the **passage of legislation on GBV** in this region, but it's clear that many obstacles must be overcome before these laws translate into actions on the ground and women can live lives free from *gender-based violence* - and the fear of GBV.

It is not simply a lack of resources that prevents progress on tackling GBV. One of the biggest **challenges** is to change the attitudes of male MPs, many of whom do not understand or chose to ignore the long-term harmful consequences and costs to society, as well as individuals, of failing to address GBV. **Other obstacles** include:

- ✓ The under-representation of women in parliaments, peace-building and security sectors;
- ✓ The lack of skills and technical and human resources available to MPs, and particularly specialist parliamentary committees, to scrutinize the effectiveness of measures to address GBV, to collect data on prevalence and to oversee budgets;
- ✓ A lack of political leadership on this issue in most countries.

As the entry points outlined above demonstrate, there is no shortage of frameworks, guidelines, initiatives and recommendations on which to build. What is urgently needed is the **political will, leadership, resources and coordinated responses** by parliamentarians, working together with the *international community* and *civil society*, to implement existing commitments and overcome these obstacles.

Annexes

Annex A: List of people interviewed/questionnaires completed

Int - Interview

Q - Questionnaire

Int/Q	Respondent	Country
Int	Alvilda Jablonko, FGM (Female Genital Mutilation Programme), No Peace Without Justice	(Belgium)
Int & Q	Hon. Jacqueline Solange Moundzalo, MP	Republic of Congo
Int & Q	Hon. Mamy Diomande, MP	Cote d'Ivoire
Int & Q	Hon. Emilienne Bobi, MP	Cote d'Ivoire
Int	Dr. Rasheed Draman, Director, Africa Programmes, the Parliamentary Centre	Ghana
Int	Ms. Angela Dwamena-Aboagye, Director, the Ark Foundation	Ghana
Int	Hon. Frema Osei-Opare, MP	Ghana
Int	Hon. Hadja Taibou Diallo, MP	Guinea
Int	Ms. Simona Pari, Rule of Law/Gender-Based Violence Expert, UNDP	Guinea
Int	Hon. Abdoulaye Toure, MP	Guinea
Int & Q	Hon. Dr. Vesa Gomes Naluak, MP	Guinea-Bissau
Int	Ms. Sara Negrao, Gender Advisor, UN Peace-building Support Office	Guinea-Bissau
Int	Hon. Nhima Sisse, MP	Guinea-Bissau
Int	Mr. Frank Kayitare, AWEPA (Association of European Parliamentarians with Africa)	(Kenya)
Int	Hon. Alomiza M. Ennos, MP	Liberia
Int	Ms. Madhumita Sarkar, Programme Adviser, UN Government Joint Programme, Ministry of Gender and Development	Liberia
Q	Hon. Haidara Aichata Cisse, MP	Mali
Int	Hon. Mahamane-Ibrahim Toure, MP	Mali
Q	Hon. Nnenna Elendu Ukeje, MP	Nigeria
Int & Q	Hon. Bernadette Lahai, MP	Sierra Leone
Int	Brigitte Filion, Programme Officer, Inter-Parliamentary Union	(Switzerland)

Annex B: Questionnaire (English)

Parliaments as Peace-Building Institutions: Responding to the Challenges of Gender-Based Violence (GBV) in West Africa

A. GBV country/regional context

- 1) In your view, can you say briefly what you think are the root causes of gender-based violence in your country and in the West Africa region? (Please include some reflections on GBV related to political violence e.g around elections, political demonstrations etc).
- 2) What percentage of parliamentarians do you think would agree with the premise that tackling gender-based violence should be a priority in your country and/or at regional level? (Please estimate. Is it a majority or minority of parliamentarians?).
- 3) What particular aspects of GBV pose the biggest challenge in your country and at regional level and why?
- 4) Does your country have a law or laws prohibiting violence against women? If yes, when was it passed, was the law drafted by parliament or led by the executive? If there is no comprehensive law on GBV, are there laws which prohibit certain forms of violence against women, such as female genital mutilation or early and forced marriage? Again, please state when these were passed.
- 5) What impact do you feel this law or laws have had on the lives of women in your country? Please score on a scale of 0-5, with 0 being no impact and 5 being very effective.
- 6) What could be done to make this law/these laws more effective in your view?
- 7) Has GBV been on the agenda of Committees or plenary in your country during the last year? Please provide details of what and when.
- 8) Are there other frameworks, policies or remedies in place to address the needs of survivors of GBV? For example, counseling, shelters, access to legal advice, informal justice systems, cultural approaches to addressing the issue? If so, how effective do you think these are? Please provide details.

B. Parliamentary functions

- 1) Can you provide details of how parliamentary functions have responded to the challenges of GBV in your country? *Please provide dates of activities, details of who was involved and the outcomes of and impact of initiatives, where possible – please focus on those that have the most clear and measurable impact on women’s lives.* The impact of each activity should be scored from 0-5, with 0 representing ‘no impact’ and 5 representing activities that were ‘very effective’:
 - Passage and implementation of laws
 - Parliamentary hearings
 - Interactions with women’s organizations/civil society

- Questions raised in the parliament
 - Response to constituency level concerns being raised on GBV
 - Review of state budget in terms of allocation of financial means (across ministries and agencies) in combating GBV and accommodating / assisting victims of GBV and their families
 - Political party support for measures to tackle GBV e.g. platforms and policies on GBV
 - Training for parliamentarians on gender analysis & human rights
 - Enacting gender-responsive transitional justice mechanisms
 - Gender-sensitive reform of the security sector to combat GBV
 - Gender-sensitive budget allocation
 - Support for gender research and data collection in work of parliamentary committees
 - Co-operation with other governments in a formal or organized way to bring perpetrators of GBV to justice (if so, what instruments are in place to promote justice co-operation?)
 - Other
- 2) How is Parliament currently monitoring and assessing the impact of these activities? And how effective are these monitoring and evaluation mechanisms? Again, *please score the effectiveness of these M&E tools on a scale of 0-5, with 0 being least effective and 5 most effective*:
- Committee work
 - Cross-party legislation
 - Questions during plenary
 - Reviewing budgets
 - Parliamentary hearings
 - Others
- 3) How else could parliamentary functions use their oversight powers to monitor progress in addressing GBV?
- 4) What do you see as the main challenges and opportunities for parliamentarians to address GBV in your country/the region?
- 5) What further role do you think parliaments/political parties can/should play in overcoming these obstacles at country level and at regional level?
- 6) What support do you/they need to address these obstacles?
- 7) Which of the following women's rights instruments is most relevant in the West African context, in your view, and why? What impact, if any, have these instruments had in your country and/or region? (please score again out of 5):
- UN Security Council Resolutions 1325 (women, peace and security)
 - UN Security Council Resolution 1820 (sexual violence and conflict)
 - Un Convention for the Elimination of Discrimination against Women (CEDAW)
 - Beijing Platform for Action
 - The African Union and its Protocol on the Rights of Women of the African Charter on Human & People's Rights

- Inter-Parliamentary Union policies, such as the 2006 Resolution on Combating Violence against Women
- ECOWAS Parliament
- Others

C. Political agency

- 1) What role have women parliamentarians played in peace-building processes and institutions in your country/at regional level?
- 2) What impact have they had on peace-building processes, in your view? Please score on a scale of 0-5, as above.
- 3) What strategies are in place to promote women's access to and representation in peace building activities and decision-making bodies at country/regional level?
- 4) What more could be done to increase women's access to and representation in peace-building activities and decision-making bodies at country/regional level, in your view?
- 5) Please share any examples of good practice where policy-makers in your country – either women or men (please distinguish) – have shown leadership and influenced peace-building processes to ensure GBV is addressed.
- 6) How could the participation of both men and women from all political parties be encouraged further?
- 7) What support do parliamentary functions need at country/regional level to ensure GBV is at the heart of conflict resolution and peace-building?

Annex C: Questionnaire (French)

Les Parlements comme institutions de construction de la paix : Relèvement des défis liés à la violence sexuelle (GBV) en Afrique de l'Ouest

A. Contexte national/régional de la violence sexuelle

- 1) Selon vous, quelles sont les causes premières de la violence sexuelle dans votre pays et dans la région de l'Afrique de l'Ouest ? (Veuillez évoquer le rapport entre la violence sexuelle et la violence politique comme par exemple les élections, les manifestations politiques, etc.).
- 2) Selon vous, quel est le pourcentage de parlementaires qui serait d'accord avec la proposition selon laquelle la question de la violence sexuelle doit être traitée en priorité dans votre pays et/ou au niveau régional ? (Veuillez donner une estimation du pourcentage des parlementaires. S'agit-il d'une majorité ou d'une minorité de parlementaires ?).
- 3) Quels sont les aspects de la violence sexuelle qui représentent les plus grands défis dans votre pays et au niveau régional, et pourquoi?
- 4) Existe-il une ou des lois interdisant la violence contre les femmes dans votre pays? Si oui, quand est-ce qu'elle a été votée ? Le parlement a-t-il rédigé la loi ou a-t-elle été mise en œuvre par l'exécutif ? S'il n'ya pas de lois générales sur la violence sexuelle, existe-il des lois interdisant certaines formes de violence contre les femmes, telles que la mutilation génitale féminine ou le mariage précoce ou forcé ? Veuillez préciser quand elles ont été votées.
- 5) Selon vous, quels effets cette loi / ces lois ont-elles eu sur la vie des femmes dans votre pays? Veuillez mesurer le degré d'efficacité sur une échelle de 0 à 5, où 0 correspond à « aucune efficacité » et 5, « très grande efficacité ».
- 6) Selon vous, qu'est ce qui pourrait être fait pour rendre cette loi / ces lois plus efficaces?
- 7) La violence sexuelle a-t-elle été incluse dans l'agenda des Commissions ou des séances plénières dans votre pays cette année ? Veuillez préciser quand et de quoi il s'agissait exactement.
- 8) Existe-il d'autres cadres, politiques ou recours pour répondre aux besoins des victimes de la violence sexuelle? Par exemple: le soutien psychologique, les abris, l'accès à des conseils juridiques, les systèmes de justice informels, les approches culturelles pour gérer ce problème ? Si oui, quel est leur degré d'efficacité ? Veuillez préciser.

B. Fonctions parlementaires

- 1) Veuillez préciser de quelle(s) façon(s) les fonctions parlementaires ont permis de relever les défis liés à la violence sexuelle dans votre pays? Veuillez préciser si possible les dates des activités, les personnes impliquées, les résultats et les effets des initiatives – veuillez

mentionner les activités dont les effets sur la vie des femmes sont les plus clairs et mesurables. L'effet de chaque activité doit être mesuré sur une échelle de 0 à 5, où 0 correspond à « aucun effet » et 5, « très efficace ».

- Vote et mise en œuvre des lois
- Audiences parlementaires
- Interactions avec des organisations de femmes / société civile
- Questions soulevées dans le Parlement
- Réponses aux soucis des électeurs par rapport à la violence sexuelle
- Révision du budget de l'Etat et des allocations des ressources (aux ministères et aux agences) pour lutter contre la violence sexuelle et loger / venir en aide aux victimes de la violence sexuelle et leurs familles
- Appui aux partis politiques – les encourager à prendre des mesures pour gérer la violence sexuelle, par exemple: les plateformes et les politiques de lutte contre la violence sexuelle
- Formations pour les parlementaires sur l'analyse du genre et les droits humains
- Mettre en œuvre des mécanismes de justice transitionnelle sensibles au genre
- Réforme du secteur de sécurité sensible au genre pour lutter contre la violence sexuelle
- Affectation budgétaire sensible au genre
- Appui aux recherches sur le genre et le recueil d'informations dans le travail des commissions parlementaires
- Coopération avec d'autres gouvernements d'une façon formelle ou organisée pour amener les criminels de violences sexuelles devant la justice (si oui, quels sont les outils disponibles pour promouvoir la justice coopérative ?).
- Autres

2) Comment le Parlement assure-t-il actuellement le suivi et l'évaluation des effets de ces activités? Quel est le degré d'efficacité de ces mécanismes de suivi et d'évaluation? Veuillez mesurer l'efficacité de ces outils de suivi et d'évaluation sur une échelle de 0 à 5, où 0 correspond à « aucune efficacité » et 5, « très efficace » :

- Travail des Commissions
- La législation interpartis
- Questions soulevées lors des séances plénières
- Révisions des budgets
- Audiences parlementaires
- Autres

3) De quelle (s) autre (s) façon (s) les fonctions parlementaires peuvent-elles utiliser leur pouvoir de contrôle pour suivre les progrès en matière de lutte contre la violence sexuelle ?

4) Selon vous, quels sont les plus grands défis et les plus grandes opportunités pour les parlementaires en matière de lutte contre la violence sexuelle dans votre pays / dans la région?

5) Quels sont les autres rôles que les parlements / partis politiques peuvent/doivent-ils jouer pour surmonter ces obstacles aux niveaux national et régional?

6) Quel genre de soutien avez-vous / ont-ils besoin pour surmonter ces obstacles?

7) Selon vous, et en vous fondant sur la liste suivante, quels sont les outils liés aux droits des femmes les plus appropriés au contexte de l'Afrique de l'Ouest et pourquoi? Quels effets, le cas échéant, ces outils ont-ils eu dans votre pays et / ou dans la région? (Veuillez mesurer sur une échelle de 0 à 5) :

- La résolution 1325 du Conseil de sécurité des Nations Unies (femmes, paix et sécurité)
- La résolution 1820 du Conseil de sécurité des Nations Unies (violence sexuelle et conflits)
- La Convention sur l'élimination de toutes les formes de discrimination à l'égard des femmes (CEDAW)
- La Plate-forme d'Action de Beijing
- Le Protocole à la Charte Africaine des Droits de l'Homme et des Peuples de l'Union africaine relatif aux droits des femmes
- Les politiques de l'Union interparlementaire telles que la résolution de 2006 sur la lutte contre la violence à l'encontre des femmes
- Le Parlement de la CEDEAO
- Autres

C. L'action politique

- 1) Quel rôle les femmes parlementaires ont-elles joué dans les processus et institutions de construction de la paix dans votre pays / au niveau régional?
- 2) Selon vous, quels effets ont-elles eu sur les processus de construction de la paix? Veuillez mesurer sur une échelle de 0 à 5.
- 3) Quelles sont les stratégies mises en œuvre pour promouvoir la représentation et l'accès des femmes aux activités de construction de la paix et aux organes de décision aux niveaux national et régional?
- 4) Selon vous, que peut-on faire encore pour renforcer la représentation et l'accès des femmes aux activités de construction de la paix et aux organes de décision aux niveaux national et régional?
- 5) Veuillez partager des exemples de bonnes pratiques où les décideurs politiques – femmes ou hommes (veuillez préciser) – ont démontré du leadership et influencé les processus de construction de la paix afin d'assurer que la question de la violence sexuelle soit traitée correctement.
- 6) Comment renforcer d'avantage la participation des femmes et hommes de tous les partis politiques?
- 7) Quel type de soutien les fonctions parlementaires ont-elles besoin aux niveaux national et régional pour assurer que la question de la violence sexuelle soit au cœur des résolutions des conflits et de la construction de la paix ?