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I. SOUTH AFRICAN DEVELOPMENT GOALS

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B. Urban Renewal Programme (URP): Providing a platform for women in dialogue
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D. Women’s Charter Effective Equality(1994)

A. SA CONSTITUTION

Preamble

We, the people of South Africa,
• recognise the injustices of our past;
• honour those who suffered for justice and freedom in our land;
• respect those who have worked to build and develop our country; and
• believe that South Africa belongs to all who live in it, united in our diversity.
We therefore, through our freely elected representatives, adopt this Constitution as the supreme law of the Republic so as to:
• heal the divisions of the past and establish a society based on democratic values,
  social justice and fundamental human rights;
• lay the foundations for a democratic and open society in which government is
  based on the will of the people and every citizen is equally protected by law;
• improve the quality of life of all citizens and free the potential of each person;
  and
• build a united and democratic South Africa able to take its rightful place as a
  sovereign state in the family of nations.

May God protect our people.
Nkosi Sikelel’iAfrika. Morena boloka setjhaba sa heso.
God seën Suid Afrika. God bless South Africa.
Mudzimu fhatutshedza Afurika. Hosi katekisa Afrika.

Chapter 1 – Founding provisions

1. Republic of South Africa
The Republic of South Africa is one sovereign, democratic state founded on the
following values.
   a. Human dignity, the achievement of equality and the advancement of human
      rights and freedoms.
   b. Non-racialism and non-sexism.
   c. Supremacy of the Constitution and the rule of law.
   d. Universal adult suffrage, a national common voters roll, regular elections and a
      multi-party system of democratic government, to ensure accountability,
      responsiveness and openness.
2. Supremacy of the Constitution
This Constitution is the supreme law of the Republic; law or conduct inconsistent with it is invalid, and the obligations imposed by it must be fulfilled.

3. Citizenship
1. There is a common South African citizenship.
2. All citizens are:
   a. equally entitled to the rights, privileges and benefits of citizenship; and
   b. equally subject to the duties and responsibilities of citizenship.
3. National legislation must provide for the acquisition, loss and restoration of citizenship.

4. National anthem
The national anthem of the Republic is determined by the President by proclamation.

5. National flag
The national flag of the Republic is black, gold, green, white, red and blue, as described and sketched in Schedule 1.

6. Languages
1. The official languages of the Republic are Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu.
2. Recognising the historically-diminished use and status of the indigenous languages of our people, the state must take practical and positive measures to elevate the status and advance the use of these languages.
3. a. The national government and provincial governments may use any particular official languages for the purposes of government, taking into account usage, practicality, expense, regional circumstances, and the balance of the needs and preferences of the population as a whole, or in the province concerned, but the national government and each provincial government must use at least two official languages.
   b. Municipalities must take into account the language usage and preferences of their residents.
4. The national government and provincial governments, by legislative and other measures, must regulate and monitor their use of official languages. Without detracting from the provisions of sub-section (2), all official languages must enjoy parity of esteem and must be treated equitably.
5. A Pan South African Language Board established by national legislation must:
   a. promote, and create conditions for, the development and use of:
      i. all official languages;
      ii. the Khoi, Nama and San languages; and
      iii. sign language; and
   b. promote and ensure respect for:
      i. all languages commonly used by communities in South Africa, including German, Greek, Gujarati, Hindi, Portuguese, Tamil, Telegu and Urdu; and
7. Rights
1. This Bill of Rights is a cornerstone of democracy in South Africa. It enshrines the rights of all people in our country and affirms the democratic values of human dignity, equality and freedom.
2. The state must respect, protect, promote and fulfil the rights in the Bill of Rights.
3. The rights in the Bill of Rights are subject to the limitations contained or referred to in section 36, or elsewhere in the Bill.

8. Application
1. The Bill of Rights applies to all law, and binds the legislature, the executive, the judiciary and all organs of state.
2. A provision of the Bill of Rights binds a natural or a juristic person if, and to the extent that, it is applicable, taking into account the nature of the right and the nature of any duty imposed by the right.
3. When applying a provision of the Bill of Rights to a natural or juristic person in terms of sub-section (2), a court:
   a. in order to give effect to a right in the Bill, must apply, or if necessary develop, the common law to the extent that legislation does not give effect to that right; and
   b. may develop rules of the common law to limit the right, provided that the limitation is in accordance with section 36(1).
4. A juristic person is entitled to the rights in the Bill of Rights to the extent required by the nature of the rights and the nature of that juristic person.

9. Equality
1. Everyone is equal before the law and has the right to equal protection and benefit of the law.
2. Equality includes the full and equal enjoyment of all rights and freedoms. To promote the achievement of equality, legislative and other measures designed to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination may be taken.
3. The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.
4. No person may unfairly discriminate directly or indirectly against anyone on one or more grounds in terms of sub-section (3). National legislation must be enacted to prevent or prohibit unfair discrimination.
5. Discrimination on one or more of the grounds listed in sub-section (3) is unfair unless it is established that the discrimination is fair.
10. **Human dignity**
Everyone has inherent dignity and the right to have their dignity respected and protected.

11. **Life**
Everyone has the right to life.

12. **Freedom and security of the person**
1. Everyone has the right to freedom and security of the person, which includes the right:
   a. not to be deprived of freedom arbitrarily or without just cause;
   b. not to be detained without trial;
   c. to be free from all forms of violence from either public or private sources;
   d. not to be tortured in any way; and
   e. not to be treated or punished in a cruel, inhuman or degrading way.
2. Everyone has the right to bodily and psychological integrity, which includes the right:
   a. to make decisions concerning reproduction;
   b. to security in, and control over, their body; and
   c. not to be subjected to medical or scientific experiments without their informed consent.

13. **Slavery, servitude and forced labour**
No one may be subjected to slavery, servitude or forced labour.

14. **Privacy**
Everyone has the right to privacy, which includes the right not to have:
   a. their person or home searched;
   b. their property searched;
   c. their possessions seized; or
   d. the privacy of their communications infringed.

15. **Freedom of religion, belief and opinion**
1. Everyone has the right to freedom of conscience, religion, thought, belief and opinion.
2. Religious observances may be conducted at state or state-aided institutions, provided that:
   a. those observances follow rules made by the appropriate public authorities;
   b. they are conducted on an equitable basis; and
   c. attendance at them is free and voluntary.
3. a. This section does not prevent legislation recognising:
   i. marriages concluded under any tradition, or a system of religious, personal or family law; or
   ii. systems of personal and family law under any tradition, or adhered to by
persons professing a particular religion.
b. Recognition in terms of paragraph (a) must be consistent with this section and the other provisions of the Constitution.

16. Freedom of expression
1. Everyone has the right to freedom of expression, which includes:
a. freedom of the press and other media;
b. freedom to receive or impart information or ideas;
c. freedom of artistic creativity; and
d. academic freedom and freedom of scientific research.
2. The right in sub-section (1) does not extend to:
a. propaganda for war;
b. incitement of imminent violence; or
c. advocacy of hatred that is based on race, ethnicity, gender or religion, and that constitutes incitement to cause harm.

17. Assembly, demonstration, picket and petition
Everyone has the right, peacefully and unarmed, to assemble, to demonstrate, to picket and to present petitions.

18. Freedom of association
Everyone has the right to freedom of association.

19. Political rights
1. Every citizen is free to make political choices, which includes the right:
a. to form a political party;
b. to participate in the activities of, or recruit members for, a political party; and
c. to campaign for a political party or cause.
2. Every citizen has the right to free, fair and regular elections for any legislative body established in terms of the Constitution.
3. Every adult citizen has the right:
a. to vote in elections for any legislative body established in terms of the Constitution, and to do so in secret; and
b. to stand for public office and, if elected, to hold office.

20. Citizenship
No citizen may be deprived of citizenship.

21. Freedom of movement and residence
1. Everyone has the right to freedom of movement.
2. Everyone has the right to leave the Republic.
3. Every citizen has the right to enter, to remain in, and to reside anywhere in the Republic.
4. Every citizen has the right to a passport.
22. Freedom of trade, occupation and profession
Every citizen has the right to choose their trade, occupation or profession freely. The practice of a trade, occupation or profession may be regulated by law.

23. Labour relations
1. Everyone has the right to fair labour practices.
2. Every worker has the right:
   a. to form and join a trade union;
   b. to participate in the activities and programmes of a trade union; and
   c. to strike.
3. Every employer has the right:
   a. to form and join an employers’ organisation; and
   b. to participate in the activities and programmes of an employers’ organisation.
4. Every trade union and every employers’ organisation has the right:
   a. to determine its own administration, programmes and activities;
   b. to organise; and
   c. to form and join a federation.
5. Every trade union, employers’ organisation and employer has the right to engage in collective bargaining. National legislation may be enacted to regulate collective bargaining. To the extent that the legislation may limit a right in this Chapter, the limitation must comply with section 36(1).
6. National legislation may recognise union security arrangements contained in collective agreements. To the extent that the legislation may limit a right in this Chapter, the limitation must comply with section 36(1).

24. Environment
Everyone has the right:
   a. to an environment that is not harmful to their health or well-being; and
   b. to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that:
      i. prevent pollution and ecological degradation;
      ii. promote conservation; and
      iii. secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.

25. Property
1. No one may be deprived of property except in terms of law of general application, and no law may permit arbitrary deprivation of property.
2. Property may be expropriated only in terms of law of general application:
   a. for a public purpose or in the public interest; and
   b. subject to compensation, the amount of which and the time and manner of payment of which have either been agreed to by those affected or decided or approved by a court.
3. The amount of the compensation and the time and manner of payment must be just and equitable, reflecting an equitable balance between the public interest and the interests of those affected, having regard to all relevant circumstances, including:
   a. the current use of the property;
   b. the history of the acquisition and use of the property;
   c. the market value of the property;
   d. the extent of direct state investment and subsidy in the acquisition and beneficial capital improvement of the property; and
   e. the purpose of the expropriation.

4. For the purposes of this section:
   a. the public interest includes the nation’s commitment to land reform, and to reforms to bring about equitable access to all South Africa’s natural resources; and
   b. property is not limited to land.

5. The state must take reasonable legislative and other measures, within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis.

6. A person or community whose tenure of land is legally insecure as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to tenure, which is legally secure, or to comparable redress.

7. A person or community dispossessed of property after 19 June 1913 as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to restitution of that property or to equitable redress.

8. No provision of this section may impede the state from taking legislative and other measures to achieve land, water and related reform, in order to redress the results of past racial discrimination, provided that any departure from the provisions of this section is in accordance with the provisions of section 36(1).

9. Parliament must enact the legislation referred to in sub-section (6).

26. Housing
1. Everyone has the right to have access to adequate housing.
2. The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right.
3. No one may be evicted from their home, or have their home demolished, without an order of court made after considering all the relevant circumstances. No legislation may permit arbitrary evictions.

27. Health care, food, water and social security
1. Everyone has the right to have access to:
   a. health care services, including reproductive health care;
   b. sufficient food and water; and
c. social security, including, if they are unable to support themselves and their dependants, appropriate social assistance.

2. The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of each of these rights.

3. No one may be refused emergency medical treatment.

28. Children
1. Every child has the right:
   a. to a name and a nationality from birth;
   b. to family care or parental care, or to appropriate alternative care when removed from the family environment;
   c. to basic nutrition, shelter, basic health care services and social services;
   d. to be protected from maltreatment, neglect, abuse or degradation;
   e. to be protected from exploitative labour practices;
   f. not to be required or permitted to perform work or provide services that:
      i. are inappropriate for a person of that child’s age; or
      ii. place at risk the child’s well-being, education, physical or mental health or spiritual, moral or social development;
   g. not to be detained except as a measure of last resort, in which case, in addition to the rights a child enjoys under sections 12 and 35, the child may be detained only for the shortest appropriate period of time, and has the right to be:
      i. kept separately from detained persons over the age of 18 years; and
      ii. treated in a manner, and kept in conditions, that take account of the child’s age;
   h. to have a legal practitioner assigned to the child by the state, and at state expense, in civil proceedings affecting the child, if substantial injustice would otherwise result; and
      i. not to be used directly in armed conflict, and to be protected in times of armed conflict.

2. A child’s best interests are of paramount importance in every matter concerning the child.

3. In this section “child” means a person under the age of 18 years.

29. Education
1. Everyone has the right:
   a. to a basic education, including adult basic education; and
   b. to further education, which the state, through reasonable measures, must make progressively available and accessible.

2. Everyone has the right to receive education in the official language or languages of their choice in public educational institutions where that education is reasonably practicable. In order to ensure the effective access to, and implementation of, this right, the state must consider all reasonable
educational alternatives, including single-medium institutions, taking into account:
   a. equity;
   b. practicability; and
   c. the need to redress the results of past racially discriminatory laws and practices.
3. Everyone has the right to establish and maintain, at their own expense, independent educational institutions that:
   a. do not discriminate on the basis of race;
   b. are registered with the state; and
   c. maintain standards that are not inferior to standards at comparable public educational institutions.
4. Sub-section (3) does not preclude state subsidies for independent educational institutions.

30. Language and culture
Everyone has the right to use the language and to participate in the cultural life of their choice, but no one exercising these rights may do so in a manner inconsistent with any provision of the Bill of Rights.

31. Cultural, religious and linguistic communities
1. Persons belonging to a cultural, religious or linguistic community may not be denied the right, with other members of that community:
   a. to enjoy their culture, practise their religion and use their language; and
   b. to form, join and maintain cultural, religious and linguistic associations and other organs of civil society.
2. The rights in sub-section (1) may not be exercised in a manner inconsistent with any provision of the Bill of Rights.

32. Access to information
1. Everyone has the right of access to:
   a. any information held by the state; and
   b. any information that is held by another person and that is required for the exercise or protection of any rights.
2. National legislation must be enacted to give effect to this right, and may provide for reasonable measures to alleviate the administrative and financial burden on the state.

33. Just administrative action
1. Everyone has the right to administrative action that is lawful, reasonable and procedurally fair.
2. Everyone whose rights have been adversely affected by administrative action has the right to be given written reasons.
3. National legislation must be enacted to give effect to these rights, and must:
a. provide for the review of administrative action by a court or, where appropriate, an independent and impartial tribunal; 
b. impose a duty on the state to give effect to the rights in sub-sections (1) and (2); and 
c. promote an efficient administration.

34. Access to courts
Everyone has the right to have any dispute that can be resolved by the application of law decided in a fair public hearing before a court or, where appropriate, another independent and impartial tribunal or forum.

35. Arrested, detained and accused persons
1. Everyone who is arrested for allegedly committing an offence has the right:
   a. to remain silent;
   b. to be informed promptly;
      i. of the right to remain silent; and
      ii. of the consequences of not remaining silent;
   c. not to be compelled to make any confession or admission that could be used in evidence against that person;
   d. to be brought before a court as soon as reasonably possible, but not later than:
      i. 48 hours after the arrest; or
      ii. the end of the first court day after the expiry of the 48 hours, if the 48 hours expire outside ordinary court hours or on a day which is not an ordinary court day;
   e. at the first court appearance after being arrested, to be charged or to be informed of the reason for the detention to continue, or to be released; and
   f. to be released from detention if the interests of justice permit, subject to reasonable conditions.

2. Everyone who is detained, including every sentenced prisoner, has the right:
   a. to be informed promptly of the reason for being detained;
   b. to choose, and to consult with, a legal practitioner, and to be informed of this right promptly;
   c. to have a legal practitioner assigned to the detained person by the state and at state expense, if substantial injustice would otherwise result, and to be informed of this right promptly;
   d. to challenge the lawfulness of the detention in person before a court and, if the detention is unlawful, to be released;
   e. to conditions of detention that are consistent with human dignity, including at least exercise and the provision, at state expense, of adequate accommodation, nutrition, reading material and medical treatment; and
   f. to communicate with, and be visited by, that person's:
      i. spouse or partner;
3. Every accused person has a right to a fair trial, which includes the right
a. to be informed of the charge with sufficient detail to answer it;
b. to have adequate time and facilities to prepare a defence;
c. to a public trial before an ordinary court;
d. to have their trial begin and conclude without unreasonable delay;
e. to be present when being tried;
f. to choose, and be represented by, a legal practitioner, and to be informed
   of this right promptly;
g. to have a legal practitioner assigned to the accused person by the state
   and at state expense, if substantial injustice would otherwise result, and to
   be informed of this right promptly;
h. to be presumed innocent, to remain silent, and not to testify during the
   proceedings;
i. to adduce and challenge evidence;
j. not to be compelled to give self-incriminating evidence;
k. to be tried in a language that the accused person understands or, if that is
   not practicable, to have the proceedings interpreted in that language;
l. not to be convicted for an act or omission that was not an offence under
   either national or international law at the time it was committed or
   omitted;
m. not to be tried for an offence in respect of an act or omission for which that
   person has previously been either acquitted or convicted;
n. to the benefit of the least severe of the prescribed punishments if the
   prescribed punishment for the offence has been changed between the
   time that the offence was committed and the time of sentencing; and
o. of appeal to, or review by, a higher court.

4. Whenever this section requires information to be given to a person, that
   information must be given in a language that the person understands.

5. Evidence obtained in a manner that violates any right in the Bill of Rights must
   be excluded if the admission of that evidence would render the trial unfair or
   otherwise be detrimental to the administration of justice.

36. Limitation of rights
1. The rights in the Bill of Rights may be limited only in terms of law of general
   application to the extent that the limitation is reasonable and justifiable in an
   open and democratic society based on human dignity, equality and freedom,
   taking into account all relevant factors, including:
   a. the nature of the right;
b. the importance of the purpose of the limitation;
c. the nature and extent of the limitation;
d. the relation between the limitation and its purpose; and
e. less restrictive means to achieve the purpose.

2. Except as provided in sub-section (1) or in any other provision of the Constitution, no law may limit any right entrenched in the Bill of Rights.

37. States of emergency

1. A state of emergency may be declared only in terms of an Act of Parliament, and only when:
   a. the life of the nation is threatened by war, invasion, general insurrection, disorder, natural disaster or other public emergency; and
   b. the declaration is necessary to restore peace and order.

2. A declaration of a state of emergency, and any legislation enacted or other action taken in consequence of that declaration, may be effective only:
   a. prospectively; and
   b. for no more than 21 days from the date of the declaration, unless the National Assembly resolves to extend the declaration. The Assembly may extend a declaration of a state of emergency for no more than three months at a time. The first extension of the state of emergency must be by a resolution adopted with a supporting vote of a majority of the members of the Assembly. Any subsequent extension must be by a resolution adopted with a supporting vote of at least 60 percent of the members of the Assembly. A resolution in terms of this paragraph may be adopted only following a public debate in the Assembly.

3. Any competent court may decide on the validity of:
   a. a declaration of a state of emergency;
   b. any extension of a declaration of a state of emergency; or
   c. any legislation enacted, or other action taken, in consequence of a declaration of a state of emergency.

4. Any legislation enacted in consequence of a declaration of a state of emergency may derogate from the Bill of Rights only to the extent that:
   a. the derogation is strictly required by the emergency; and
   b. the legislation:
      i. is consistent with the Republic’s obligations under international law applicable to states of emergency;
      ii. conforms to sub-section (5); and
      iii. is published in the national Government Gazette as soon as reasonably possible after being enacted.

5. No Act of Parliament that authorises a declaration of a state of emergency, and no legislation enacted or other action taken in consequence of a declaration, may permit or authorise
   a. indemnifying the state, or any person, in respect of any unlawful act;
   b. any derogation from this section; or
   c. any derogation from a section mentioned in column 1 of the Table of Non-Derogable Rights, to the extent indicated opposite that section in column 3 of the Table.
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| 28             | Children                                          | With respect to:                                                                                                     | - subsection (1)(d) and (e);  
|                |                                                   | - the rights in subparagraphs (i) and (ii) of subsection (1)(g); and  
|                |                                                   | - subsection 1(i) in respect of children of 15 years and younger                                                                                                        |
| 35             | Arrested, detained and accused persons            | With respect to:                                                                                                     | - subsections (1)(a), (b) and (c) and (2)(d);  
|                |                                                   | - the rights in paragraphs (a) to (o) of subsection (3), excluding paragraph (d)  
|                |                                                   | - subsection (4); and  
|                |                                                   | - subsection (5) with respect to the exclusion of evidence if the admission of that evidence would render the trial unfair.                                                                 |

6. Whenever anyone is detained without trial in consequence of a derogation of rights resulting from a declaration of a state of emergency, the following conditions must be observed.
   a. An adult family member or friend of the detainee must be contacted as soon as reasonably possible, and informed that the person has been detained.
   b. A notice must be published in the national Government Gazette within five days of the person being detained, stating the detainee’s name and place of detention and referring to the emergency measure in terms of which that person has been detained.
   c. The detainee must be allowed to choose, and be visited at any reasonable time by, a medical practitioner.
   d. The detainee must be allowed to choose, and be visited at any reasonable time by, a legal representative.
   e. A court must review the detention as soon as reasonably possible, but no later than 10 days after the date the person was detained, and the court must release the detainee unless it is necessary to continue the detention to restore peace and order.
   f. A detainee who is not released in terms of a review under paragraph (e), or who is not released in terms of a review under this paragraph, may apply to
a court for a further review of the detention at any time after 10 days have passed since the previous review, and the court must release the detainee unless it is still necessary to continue the detention to restore peace and order.

g. The detainee must be allowed to appear in person before any court considering the detention, to be represented by a legal practitioner at those hearings, and to make representations against continued detention.

h. The state must present written reasons to the court to justify the continued detention of the detainee, and must give a copy of those reasons to the detainee at least two days before the court reviews the detention.

7. If a court releases a detainee, that person may not be detained again on the same grounds unless the state first shows a court good cause for re-detaining that person.

8. Sub-sections (6) and (7) do not apply to persons who are not South African citizens and who are detained in consequence of an international armed conflict. Instead, the state must comply with the standards binding on the Republic under international humanitarian law in respect of the detention of such persons.

38. Enforcement of rights

Anyone listed in this section has the right to approach a competent court, alleging that a right in the Bill of Rights has been infringed or threatened, and the court may grant appropriate relief, including a declaration of rights. The persons who may approach a court are:

a. anyone acting in their own interest;

b. anyone acting on behalf of another person who cannot act in their own name;

c. anyone acting as a member of, or in the interest of, a group or class of persons;

d. anyone acting in the public interest; and

e. an association acting in the interest of its members.

39. Interpretation of Bill of Rights

1. When interpreting the Bill of Rights, a court, tribunal or forum:
   a. must promote the values that underlie an open and democratic society based on human dignity, equality and freedom;
   b. must consider international law; and
   c. may consider foreign law.

2. When interpreting any legislation, and when developing the common law or customary law, every court, tribunal or forum must promote the spirit, purport and objects of the Bill of Rights.

3. The Bill of Rights does not deny the existence of any other rights or freedoms that are recognised or conferred by common law, customary law or legislation, to the extent that they are consistent with the Bill.
URP: Providing a platform for women in dialogue

The national Urban Renewal Programme (URP) seeks to alleviate poverty by focusing on the development of previously excluded areas, and by combining the resources of all three spheres of government in a co-ordinated manner. The cross-sectoral and cross-spherical nature of the programme is designed to ‘break down’ the silos which currently characterise government, and which hinder efficiency and effectiveness. Key to the programme is the need to ensure maximum participation by all sectors in society, such as youth, business, women, the aged, etc.

Building cities, building communities

The URP focuses on the development of exclusion areas; for example, urban areas which, by design, were spatially, socially and economically excluded from the proximate main urban centres. Some were designed as labour reserves and others as dumping grounds for black people who were moved from optimally located land set aside for whites. Flowing from this, the programme places great emphasis on the participation of marginalised groupings, such as women, in initiatives that seek to improve the quality of their lives.

While the primary objective of the URP is poverty alleviation, the manner in which it seeks to do this, as articulated by President Thabo Mbeki in his State of the Nation Address in 2001, is by combining the resources of all three spheres of government in a co-ordinated manner. Added to this is the need to harness the latent social capital in these targeted communities, and focus this on the various government initiatives targeted at poor communities.

The past, helping us shape the future

The current programme is informed by experiences in implementing various development programmes, such as the Reconstruction and Development Programme (RDP) in particular, and spin-offs such as the Special Integrated Presidential Projects (SIPPs) and the Capital Subsidy Scheme.

Experience from these and other programmes demonstrates that poverty (including income, asset and human capital poverty and social exclusion) and under-development need to be tackled in a holistic manner. Government cannot do this on its own, and doing this is not the sole preserve of government. This experience resulted in government adopting a nodal or area approach to development, using the approach that if entire settlements were targeted by all spheres and sectors of government, the private sector, international partners and equally, if not more importantly, beneficiary communities, a real impact could be made in improving the quality of life of the poor.

The current URP approach is thus not totally new. The Special Integrated Presidential Projects (SIPPs) are widely regarded as being the first breed of the South African interpretation of urban renewal. The SIPPs, like the current urban...
renewal nodes, were also exclusion areas, for example, Cato Manor in Durban and Kathorus on the East Rand. One of the principles that ground the current programme is decentralisation of decision-making in an effort to strengthen local government. The importance of a strong local government sphere cannot be over-emphasised as it is this sphere that provides a platform for citizens to dialogue with government. The nodal or area approach serves to bring government closer to the poor where they live.

Why were the current areas targeted?

The current urban renewal nodes are:

- Mdantsane, Buffalo City Municipality in the Eastern Cape;
- Motherwell, Nelson Mandela Metro in the Eastern Cape;
- Khayelitsha, the City of Cape Town in the Western Cape;
- Mitchell’s Plain, the City of Cape Town in the Western Cape;
- Galeshewe, Sol Plaatjie Municipality in the Northern Cape;
- Inanda, eThekwini Metro in KwaZulu-Natal;
- KwaMashu, eThekwini Metro in KwaZulu-Natal;
- Alexandra, Johannesburg Metro in Gauteng.

The underlying rationale for the selection of these as focal areas is that collectively they represent the greatest concentration of urban poverty in the country. The population in these areas (and surrounding urban centres) is growing at an alarming rate. The 1996 figures estimated that some 20 000 people move into Cape Town annually from surrounding rural areas, especially the former Transkei. The majority of these people, many of them unemployed, find their way to places like Khayelitsha. This migration of poor people from rural areas to urban areas, which are not able to offer them any, or only limited, employment opportunities results in the so-called urbanisation of poverty.

The untenable living conditions in these areas contribute to social degeneration manifesting itself in a number of social pathologies, such as violence against women and children. Places like Mitchell’s Plain, which have gained worldwide notoriety as gangster havens and for the proliferation of illegal firearms, bear testimony to the extent and depth of social degeneration. Although Mitchell’s Plain is comparatively well serviced with houses and other social amenities, it struggles with the problem of gangsterism. This question is especially relevant to those areas relentlessly pursuing the delivery of services often to the detriment and/or expense of building a strong social and moral fabric.

The more than 700 000 people living in Khayelitsha and Mitchell’s Plain are exposed to violence on a daily basis. With murder rates of 12/10 000 people and reported violent crime of 193/10 000 (SAPS 1999), one of the major initiatives that drives the regeneration of these areas is a project focusing on safety and security at the neighbourhood level, a partnership between the City, SAPS, donors and the community.

These areas are also characterised by gross spatial distortions. Places like Mdantsane, for example, home to approximately a third of the Buffalo City municipal population, is located some 20
kilometres from the main economic hub of East London, with taxi fare approximately R5.50 per trip. This distortion not only results in physical exclusion, but also contributes to social and economic exclusion. The impacts of this reality are not only economic, but also social and long travelling distances have a negative impact on the formation of strong family bonds. In response to these challenges, key projects currently underway focus on upgrading of the rail and taxi public transport links, the construction of approximately 2 000 houses and a one-stop-shop for local business training and advice.

As a result of years of neglect during apartheid, these areas are in major economic distress. Areas like Galeshewe, an area located on the doorstep of Kimberly, the diamond capital of the country, register unemployment levels in excess of 50%. The irony is that the diamond industry was once the backbone of the country’s economy, yet the people who drove the economy have not benefited from the wealth they helped create, a stark reminder of the South African tragedy. To stimulate economic opportunities and employment creation for local people, projects such as a cultural village and a private sector-driven, commercial development are currently under construction.

The current nodal areas also epitomise the spatial contradictions of the apartheid city, where areas like Sandton and Alexandra co-exist, the former characterised by wealth and the latter characterised by poverty, landlessness, and social and economic exclusion. This would seem to indicate that an over-reliance on market trickle-down strategies is deeply problematic, and the hand of government needs to be a little more ‘visible’ if the objectives of redistribution and poverty alleviation are to be realised. To enhance the quality of life for the inhabitants of this historical area, government is driving projects such as the re-development of the Pan Africa Square, extending the policing services offered by the new police station with an adjoining office development, and the establishment of a people’s centre and a social welfare office to bring government closer to people.

What do the five core objectives of the URP seek to achieve?

- **Address poverty alleviation and under-development**
  The programme seeks to respond to this objective by streamlining and improving the targeting of the various programmes of government. When the programme was launched in 2001, there was a conscious decision made that it would not be a grant-dispensing programme, but would rely wholly on other grant-making programmes. The key intervention area with respect to poverty alleviation is to integrate the activities of the various service provider programmes in a manner that optimises the impact of government investment. The programme also seeks to lever private sector and donor support for these areas.

- **Achieve equality**
  By virtue of these nodes being exclusion areas, there are major concerns regarding equity. The majority of these areas were designed
as 'backyard' neighbourhoods, and this has not only manifested itself in their disadvantageous physical location, but also in limited access to a wide variety of services, resources (measured, for instance, as a proportion of the City's budget invested in the particular area relative to the proportion of the City's population who reside in the area) and more broadly, the extent to which governance systems, particularly at local level, are geared to engage with and respond to the needs and development priorities of excluded areas.

- **Attain social cohesion**
  Apartheid had a socially divisive impact on communities, and post-1994, a series of liberties, rights and opportunities were introduced in order to restore social order; improve the quality of life of the majority; promote a common nationhood; and consolidate democracy. The main aims here are the creation of viable and safe communities; mutually supportive communities; and a participatory and productive society.

- **Ensure inter-spherical and inter-sectoral integration**
  This objective is in response to government's realisation that the key to efficiency in government investment resides in the ability of various sectors and spheres to co-ordinate and align their planning, budgeting and implementation of interventions targeting poverty.

  The URP was introduced and is being implemented without a blueprint. Although this has, to a large extent, hampered progress, it has also allowed a number of alternative approaches to emerge. The focus of the work currently under way is to synthesise these lessons and, where appropriate, feed them into current policy debates and processes.

- **Enhance local government capacity to deliver**
  Local government is recognised as playing a pivotal role in the government's delivery machinery. The URP explores various approaches to increasing local government capacity. A few of these approaches include strengthening relations with various donors and private sector partners to build skills and competencies which are traditionally weak in local government, such as project management and community resource mobilisation. The URP also seeks to create strategic linkages between local government and sector specialists, such as those dealing with youth development and gender issues.

  Should you wish to participate in this programme, please feel free to contact Mosa Molapo on 012 334 0958.
Preamble

We, the women of South Africa, wives and mothers, working women and housewives, African, Indians, European and Coloured, hereby declare our aim of striving for the removal of all laws, regulations, conventions and customs that discriminate against us as women, and that deprive us in any way of our inherent right to the advantages, responsibilities and opportunities that society offers to any one section of the population.

A single society

We, women, do not form a society separate from men. There is only one society, and it is made up of both women and men. As women, we share the problems and anxieties of our men, and join hands with them to remove social evils and obstacles to progress.

Test of civilisation

The level of civilisation which any society has reached can be measured by the degree of freedom that its members enjoy. The status of women is a test of civilisation. Measured by that standard, South Africa must be considered low in the scale of civilised nations.

Women’s lot

We, women, share with our menfolk the cares and anxieties imposed by poverty and its evils. As wives and mothers, it falls upon us to make small wages stretch a long way. It is we who feel the cries of our children when they are hungry and sick. It is our lot to keep and care for the homes that are too small, broken and dirty to be kept clean.

We know the burden of looking after children and land when our husbands are away in the mines, on the farms, and in the towns earning our daily bread.

We know what it is to keep family life going in pondokkies and shanties, or in over-crowded, one-room apartments. We know the bitterness of children taken to lawless ways, of daughters becoming unmarried mothers whilst still at school, of boys and girls growing up without education, training or jobs at a living wage.

Poor and rich

These are evils that need not exist. They exist because the society in which we live is divided into poor and rich, into non-European and European. They exist because there are privileges for the few, discrimination and harsh treatment for the many. We, women, have stood and will stand shoulder to shoulder with our menfolk in a common struggle against poverty, race and class discrimination, and the evils of the colour-bar.

National liberation

As members of the national liberatory movements and trade unions, in and
through our various organisations, we march forward with our men in the struggle for liberation and the defence of the working people. We pledge ourselves to keep high the banner of equality, fraternity and liberty. As women, there rests upon us also the burden of removing from our society all the social differences developed in past times between men and women, which have the effect of keeping our sex in a position of inferiority and subordination.

**Equality for women**

We resolve to struggle for the removal of laws and customs that deny African women the right to own, inherit or alienate property. We resolve to work for a change in the laws of marriage such as are found amongst our African, Malay and Indian people, which have the effect of placing wives in the position of legal subjection to husbands, and giving husbands the power to dispose of wives’ property and earnings, and dictate to them in all matters affecting them and their children.

We recognise that women are treated as minors by these marriage and property laws because of ancient and revered traditions and customs, which had their origin in the antiquity of the people and no doubt served purposes of great value in bygone times.

There was a time in the African society whenever a woman reaching marriageable stage was assured of a husband, home, land and security.

Then, husbands and wives, with their children, belonged to families and clans that supplied most of their own material needs and were largely self-sufficient. Men and women were partners in a compact and closely integrated family unit.

**Women who labour:** Those conditions have gone. The tribal and kinship society to which they belonged has been destroyed as a result of the loss of tribal land, migration of men away from the tribal home, the growth of towns and industries, and the rise of a great body of wage-earners on the farms and in the urban areas, who depend wholly or mainly on wages for livelihood.

Thousands of African women, like Indians, Coloured and European women, are employed today in factories, homes, offices, shops, on farms, in professions as nurses, teachers and the like. As unmarried women, widows or divorcees, they have to fend for themselves, often without the assistance of a male relative. Many of them are responsible not only for their own livelihood, but also that of their children.

Large numbers of women today are in fact the sole breadwinners and heads of their families.

**Forever minors**

Nevertheless, the laws and practices derived from an earlier and different state of society are still applied to them. They are responsible for their own person and their children. Yet the law seeks to enforce upon them the status of a minor.

Not only are African, Coloured and Indian women denied political rights, but they are also in many parts of the Union denied
the same status as men in such matters as the right to enter into contracts, to own and dispose of property, and to exercise guardianship over their children.

**Obstacle to progress**

The law has lagged behind the development of society; it no longer corresponds to the actual social and economic position of women. The law has become an obstacle to the progress of women, and therefore, a brake on the whole of society.

This intolerable condition would not be allowed to continue were it not for the refusal of a large section of our menfolk to concede to us women the rights and privileges which they demand for themselves.

We shall teach the men that they cannot hope to liberate themselves from the evils of discrimination and prejudice as long as they fail to extend to women complete and unqualified equality in law and in practice.

**Need for education**

We also recognise that large numbers of our womenfolk continue to be bound by traditional practices and conventions, and fail to realise that these have become obsolete and a brake on progress. It is our duty and privilege to enlist all women in our struggle for emancipation and to bring to them all realisation of the intimate relationship that exists between their status of inferiority as women and the inferior status to which their people are subjected by discriminatory laws and colour prejudices.

It is our intention to carry out a nationwide programme of education that will bring home to men and women of all national groups the realisation that freedom cannot be won for any one section or for the people as a whole as long as we women are kept in bondage.

**An appeal**

We women appeal to all progressive organisations, to members of the great National Liberatory movements, to the trade unions and working class organisations, to the churches, educational and welfare organisations, to all progressive men and women who have the interests of the people at heart, to join with us in this great and noble endeavour.

**Our aims**

We declare the following aims:

This organisation is formed for the purpose of uniting women in common action for the removal of all political, legal, economic and social disabilities. We shall strive for women to obtain:

1. the right to vote and to be elected to all State bodies, without restriction or discrimination;
2. the right to full opportunities for employment with equal pay and possibilities of promotion in all spheres of work;
3. equal rights with men in relation to property, marriage and children, and for the removal of all laws and customs that deny women such equal rights;
4. for the development of every child through free compulsory education for all; for the protection of mother
and child through maternity homes, welfare clinics, crêches and nursery schools, in countryside and towns; through proper homes for all, and through the provision of water, light, transport, sanitation, and other amenities of modern civilisation;

5. for the removal of all laws that restrict free movement, that prevent or hinder the right of free association and activity in democratic organisations, and the right to participate in the work of these organisations;

6. to build and strengthen women’s sections in the National Liberatory movements, the organisation of women in trade unions, and through the peoples’ varied organisations;

7. to co-operate with all other organisations that have similar aims in South Africa as well as throughout the world; and

8. to strive for permanent peace throughout the world.
D. THE WOMEN’S CHARTER FOR EFFECTIVE EQUALITY

This is the second draft Charter drawn up through the National Women’s Coalition structures and approved at the national conference on 27 February 1994.

Preamble

As women, citizens of South Africa, we are here to claim our rights. We want recognition and respect for the work we do in the home, in the workplace and in the community. We claim full and equal participation in the creation of a non-sexist, non-racist democratic society.

We cannot march on one leg or clap with one hand. South Africa is poorer politically, economically, and socially for having prevented more than half of its people from fully contributing to its development.

Recognising our shared oppression, women are committed to seizing this historic moment to ensure effective equality in a new South Africa.

For decades, patriarchy, colonialism, racism and apartheid have subordinated and oppressed women within political, economic and social life.

At the heart of women’s marginalisation is the patriarchal order that confines women to the domestic arena and reserves for men the arena where political power and authority reside. Conventionally, democracy and human rights have been defined and interpreted in terms of men’s experiences. Society has been organised and its institutions structured for the primary benefit of men.

Women want to control their lives. We bear important responsibilities, but lack the authority to make decisions in the home and in society.

We want shared responsibility and decision-making in the home and effective equality in politics, the law, and in the economy. For too long, women have been marginalised, ignored and exploited, and are the poorest and most disadvantaged of South Africans.

If democracy and human rights are to be meaningful for women, they must address our historic subordination and oppression. Women must participate in, and shape the nature and form of our democracy.

As women, we have come together in a coalition of organisations and engaged in a campaign that has enabled women to draw on their experience and define what changes are needed within the new political, legal, economic and social system.

The development of the potential of all our people, women and men, will enrich and benefit the whole of society.

We set out here a programme for equality in all spheres of our lives, including the law, the economy, education, development and infrastructure, political and civic life, family life and partnerships, custom, culture and religion, health and the media.

Article 1: Equality

Equality underlies all our claims in this
Charter. We recognise that the achievement of social, economic, political and legal equality is indivisible. Our struggle for equality involves the recognition of the disadvantage that women suffer in all spheres of our lives.

As a result, similar treatment of women and men may not result in true equality. Therefore, the promotion of true equality will sometimes require distinctions to be made. No distinction, however, should be made that will disadvantage women. Within this context, programmes of affirmative action may be a means of achieving equality.

We demand that equality applies to every aspect of our lives, including the family, the workplace and the state. The right to equality shall not be limited to our relationship with the state.

- The principle of equality shall be embodied at all levels in legislation and government policy. Specific legislation shall be introduced to ensure the practical realisation of equality.
- The state shall establish appropriate institutions to ensure the effective protection and promotion of equality for women. These institutions shall be accessible to all women in South Africa.

Article 2: Law and the administration of justice

Women demand equality in the development, application, adjudication, interpretation and enforcement of the law. This can only be achieved if the social, economic and political position of women is taken into account in deciding policy, determining legislative priorities, and in formulating, applying, interpreting, adjudicating and enforcing all laws.

- At all times, the law and its application, interpretation, adjudication and enforcement, shall promote and ensure the practical realisation of equality for women.
- There shall be equality in the treatment of women in all legal and quasi-legal proceedings.
- Women shall have equal legal status and capacity in civil law, including, amongst others, full contractual rights, the right to acquire and hold rights in property, the right to equal inheritance and the right to secure credit.
- All public and private institutions shall enable women to exercise their legal capacity.
- Positive and practical measures shall be taken to ensure equality for women complainants in the criminal justice system.
- There shall be equality for women offenders.
- There shall be equality for women in the legal profession.
- Women shall be equally represented on, and participate in, the selection of the Constitutional Court, the judiciary, the magistracy, all tribunals and commissions, including the Human Rights Commission, and in the Department of Justice.
- There shall be educational programmes to address gender bias and stereotypes, and to promote equality for women in the legal system.
- Women shall have equal representation on, and participation in, all traditional courts, alternative dispute resolution
mechanisms and local community courts.
• There shall be accessible and affordable legal services for women. In particular, the position of paralegals in assisting women to claim their rights shall be recognised.

Article 3: Economy

Conventional definitions of the economy do not include a major proportion of the work performed by women. The key sectors of the South African economy are occupied and dominated by men. Women face social, economic and ideological barriers to full and equal participation in the economy.

Women are perceived in terms of their domestic and reproductive role. Women participate in large numbers in sectors of the economy which are characterised by low wages and poor working conditions. Low remuneration is worsened by discrimination against women in the receipt of social benefits. As a result, many women are forced to make a living outside the formal economy.

• Gender stereotyping and the categorisation of jobs on the basis of sex and gender must be eliminated.
• Equal benefits must be provided, including housing, pensions and medical aid, amongst others.
• There should be no discriminatory taxation. All dependents supported by women breadwinners should be recognised for tax deductions for women.
• Legal mechanisms are needed to protect women against unfair, monopolistic and other exploitative business practices that affect women’s participation in the informal economy.
• Safe and healthy facilities must be provided for women in the informal sector.
• Women must be protected from sexual harassment and violence in all the places where women are working.
• Group benefits are needed for women outside formal employment, such as accident and disability insurance, group housing schemes, sick leave and maternity benefits.
• Women need access to credit which is not based on the need for collateral or linked to their marital status.
• Health and safety for commercial sex workers and their clients are needed. Prostitution should be decriminalised.
• Economic policy must secure a central place for women in the economy.
• The full participation of women in economic decision-making should be facilitated.
• The definition of what constitutes economic activity must include all women’s work.
• Unpaid labour should be recognised as contributing to the creation of national wealth and should be included in the national accounts.
• Gender stereotyping of work in the home needs to be combated.

Article 4: Education and training

Education and training in South Africa has historically focused on schooling, higher education and vocational training in the workplace. It has been male-orientated, inaccessible, inappropriate and racially discriminatory. It has ignored women’s needs and experience.
Education and training is a continuous lifelong process. Education includes educare, adult basic and continuing education, primary, secondary and tertiary education and vocational training for the formal and informal economy. Education and training must meet the economic, social, cultural and political needs of women in South Africa.

- Every woman shall have the right to education and training at any stage of her life in order to realise her full potential.
- Every person has the right to equality within education irrespective of sex, gender, pregnancy, race, sexual orientation, age, disability, urban or rural location, domestic and child care responsibilities and financial status.
- Accessible and appropriate institutions shall be established to provide education to enable active participation by women, particularly rural women, single mothers and disabled women.
- There shall be no negative gender stereotyping in both curriculum development and educational practice.
- Women shall be represented at all levels of the policy-making, management and administration of education and training.
- Women shall have special access to funds for education and training.
- Childcare facilities shall be provided at all education and training institutions.
- Human rights education to develop awareness of women's status, to build women's self confidence, and enable them to claim their constitutional and legal rights should be implemented.
- Girls and women in educational institutions must be protected against sexual harassment and abuse.
- Sex education shall be provided for boys and girls at all levels of schooling.

**Article 5: Development, infrastructure and the environment**

Women are primarily responsible for maintaining the household and the community. The majority of South Africans have been denied access to the full range of basic development resources and services necessary to sustain a healthy and productive life. Rural women and informal settlement residents in particular have been denied vital resources.

The gradual destruction of the natural environment, soil erosion, deforestation and air pollution increases women's household, agricultural and community work responsibilities.

Women should participate in designing and implementing development programmes to meet their needs.

- Employment generated from development and infrastructure programmes should benefit women.
- Adequate, accessible and safe water supplies and sanitation should be made available to all communities, including those in rural areas and informal settlements.
- Services such as communications and electricity or other appropriate sources of energy must be extended to all communities as a matter of priority.
- Women need safe transport networks.
• Women need affordable and secure housing with non-discriminatory subsidies and loans.
• Women must have equal access to land and security of tenure, including women living under customary law.
• Accessible health care, recreational, educational and social welfare facilities should be provided to women.
• There shall be protection of natural resources to benefit women.

Article 6: Social services

• Social services should be a right and not a privilege. Inadequate social services place the burden for providing these on women, since women are primarily responsible for maintaining the household and the community.
• Social welfare services should be provided by both the state and the private sector in accordance with the principles of social justice, equality, appropriateness and accessibility.
• Social services should apply to all areas of women’s lives, in particular in the home, the workplace, health and education.
• The system of social services should pay special attention to the needs of rural and disabled women.
• State pensions should be provided to all women on an equal basis.
• Accessible and affordable social services should be provided to women.

Article 7: Political and civic life

Women have traditionally been excluded from participation and decision-making in political, civic and community life. Democracy requires that the political playing field between men and women be leveled by acknowledging women’s right to participate equally in all political activities.

• Women shall have equal opportunity and access to leadership and decision-making positions at all levels of government.
• Rural women have the right to be part of decision-making structures in traditional communities.
• Women shall have equal access to, and representation on, public bodies.
• Traditional institutions shall be restructured in accordance with the principles of equality and democracy.
• There shall be adequate and appropriate support services to facilitate the full political participation of women.
• Women shall have the right to acquire, change or retain their nationality and to pass it on to their children.
• Women shall be free from political intimidation and threat to her person.

Article 8: Family life and partnerships

There are many different types of families which have not enjoyed the same rights, duties and benefits. Women bear an unequal burden in maintaining the family and yet have little power to make decisions.

• All family types shall be recognised and treated equally.
• Women shall have equality within the family and within marriages and intimate relationships.
• Women shall have the right to choose
the partner of their choice.

- Women shall have equal rights during, and at the dissolution of, a marriage.
- Women married under customary law shall have the right to inherit from their husbands.
- Women must have the right to decide on the nature and frequency of sexual contact within marriage and intimate relationships.
- Partners and all members of the household should endeavour to share domestic responsibilities.
- Women should have equal access to the financial resources of the household.
- Women should have equal decision-making powers and access to information with regard to the economic management of the household.
- The integrity of the partnership has to be maintained without external and familial interference, except where physical, sexual and emotional abuse occurs.
- Women shall have guardianship over their children.
- Women shall have adequate, effective and enforceable maintenance and/or social welfare benefits for themselves and their children.

Article 9: Custom, culture and religion

Customary, cultural and religious practice frequently subordinates women. Roles that are defined for women are both stereotypical and restrictive. Women are often excluded from full participation, leadership and decision-making in religious and cultural practice.

- Custom, culture and religion shall be subject to the equality clause in the Bill of Rights.
- All women shall have the freedom to practise their own religion, culture or beliefs without fear.

Article 10: Violence against women

Violence in all its forms is endemic to South African society. Both sexual and domestic violence are pervasive and all women live under the threat of, or experience, violence. Women experience secondary victimisation at all stages of the criminal justice system.

- Women shall be entitled to security and integrity of the person, which shall include the right to be free from all forms of violence in the home, in communities, in the workplace and in public spaces.
- The state should be responsible for public education about the dignity and integrity of the person.
- There shall be legal protection for all women against sexual and racial harassment, abuse and assault.
- Facilities staffed by trained personnel where women can report cases of rape, battery and sexual assault, undergo medical examination and receive appropriate treatment and counselling shall be provided.
- Appropriate education and training for police, prosecutors, magistrates, judges, district surgeons and other persons involved in dealing with cases of rape, battery, sexual assault and incest must be provided.
- There shall be accessible and affordable shelters and counselling services for survivors of rape, battery and sexual assault.
Article 11: Health

Health services in South Africa have traditionally been unequal, inaccessible and inappropriate. Women in particular are unaware of their rights in relation to health services. Health Services have not been appropriately orientated to meet women's health needs and priorities. The lack of basic life-sustaining services, such as water and sanitation, has denied the majority of South Africans access to the resources necessary to ensure good health.

- Equal, affordable and accessible health care services, which meet women's specific health needs, shall be provided.
- Women have the right to control over their bodies, which includes the right to reproductive decisions.
- Access to information and knowledge to enable women to make informed choices about their bodies and about health care should be provided.
- Education about family planning and family planning services should be provided free of charge to both men and women.
- Every person shall have access to adequate nutrition.
- Appropriate and accessible mental health care services must be provided to women.

Article 12: Media

In South Africa, women do not enjoy equal access to, or coverage in, the film, print and electronic media. Very few women own or control media institutions or occupy executive or editorial decision-making positions. Women are marginalised and trivialised in the media. The principles of freedom of speech and the press should not justify the portrayal of women in a manner that is degrading and humiliating or promotes violence against them.

- Women must have equal access to all media and media institutions.
- The contribution of women in all areas of public and private life must be reflected in the media.
- The promotion of equality, including affirmative action, in employment must redress current imbalances in the status of women in the media.
- There is a need to monitor the representation of women in the media.
- Negative or injurious stereotypes of women must be eliminated.

This Charter gives expression to the common experiences, visions and aspirations of South African women. We are breaking our silence. We call for respect and recognition of our human dignity and for a genuine change in our status and material conditions in a future South Africa.
II. CONTINENTAL DEVELOPMENT GOALS

A. Constitutive Act of the African Union
B. New Partnership for Africa’s Development (NEPAD)
C. AU elects five women commissioners
D. PAWO Constitution
E. PAWO Internal Regulations
F. PAWO Programme of Action

A. CONSTITUTIVE ACT OF THE AFRICAN UNION

We, Heads of State and Government of the Member States of the Organisation of African Unity (OAU)...

- The President of the People’s Democratic Republic of Algeria
- The President of the Republic of Angola
- The President of the Republic of Benin
- The President of the Republic of Botswana
- The President of Burkina Faso
- The President of the Republic of Burundi
- The President of the Republic of Cameroon
- The President of the Republic of Cape Verde
- The President of the Central African Republic
- The President of the Republic of Chad
- The President of the Islamic Federal Republic of the Comoros
- The President of the Republic of the Congo
- The President of the Republic of Côte d’Ivoire
- The President of the Democratic Republic of Congo
- The President of the Republic of Djibouti
- The President of the Arab Republic of Egypt
- The President of the State of Eritrea
- The Prime Minister of the Federal Democratic Republic of Ethiopia
- The President of the Republic of Equatorial Guinea
- The President of the Gabonese Republic
- The President of the Republic of Gambia
- The President of the Republic of Ghana
- The President of the Republic of Guinea
- The President of the Republic of Guinea Bissau
- The President of the Republic of Kenya
- The Prime Minister of Lesotho
- The President of the Republic of Liberia
- The Leader of the First of September Revolution of the Great Socialist People’s Libyan Arab Jamahiriya
- The President of the Republic of Madagascar
- The President of the Republic of Malawi
- The President of the Republic of Mali
- The President of the Islamic Republic of Mauritania
- The Prime Minister of the Republic of Mauritius
- The President of the Republic of Mozambique
- The President of the Republic of Namibia
- The President of the Republic of Niger
- The President of the Federal Republic of Nigeria
- The President of the Republic of Rwanda
INSPIRED by the noble ideals which guided the founding fathers of our continental organisation and generations of Pan-Africanists in their determination to promote unity, solidarity, cohesion and co-operation among the peoples of Africa and African States;

CONSIDERING the principles and objectives stated in the Charter of the Organisation of African Unity and the Treaty establishing the African Economic Community;

RECALLING the heroic struggles waged by our peoples and our countries for political independence, human dignity and economic emancipation;

CONSIDERING that since its inception, the Organisation of African Unity has played a determining and invaluable role in the liberation of the continent, the affirmation of a common identity and the process of attainment of the unity of our Continent, and has provided a unique framework for our collective action in Africa and in our relations with the rest of the world;

DETERMINED to take up the multi-faceted challenges that confront our continent and peoples in the light of the social, economic and political changes taking place in the world;

CONVINCED of the need to accelerate the process of implementing the Treaty, establishing the African Economic Community in order to promote the socio-economic development of Africa and to face more effectively the challenges posed by globalisation;

GUIDED by our common vision of a united and strong Africa and by the need to build a partnership between governments and all segments of civil society, in particular women, youth and the private sector in order to strengthen solidarity and cohesion among our peoples;

CONSCIOUS of the fact that the scourge of conflicts in Africa constitutes a major impediment to the socio-economic development of the continent and of the need to promote peace, security and stability as a prerequisite for the implementation of our development and integration agenda;

DETERMINED to promote and protect
human and peoples’ rights, consolidate democratic institutions and culture, and to ensure good governance and the rule of law;

FURTHER DETERMINED to take all necessary measures to strengthen our common institutions and provide them with the necessary powers and resources to enable them to discharge their respective mandates effectively;

RECALLING the Declaration which we adopted at the Fourth Extraordinary Session of our Assembly in Sirte, the Great Socialist People’s Libyan Arab Jamahiriya, on 9 September 1999, in which we decided to establish an African Union in conformity with the ultimate objectives of the Charter of our continental organisation and the Treaty establishing the African Economic Community...

...have agreed as follows:

Article 1: Definitions

In this Constitutive Act:
• “Act” means the present Constitutive Act;
• “AEC” means the African Economic Community;
• “Assembly” means the Assembly of Heads of State and Government of the Union;
• “Charter” means the Charter of the OAU;
• “Committee” means a Specialised Technical Committee of the Union;
• “Council” means the Economic, Social and Cultural Council of the Union;
• “Court ” means the Court of Justice of the Union;
• “Executive Council” means the Executive Council of Ministers of the Union;
• ”Member State” means a Member State of the Union;
• ”OAU” means the Organisation of African Unity;
• “Parliament” means the Pan-African Parliament of the Union;
• ”Union” means the African Union established by the present Constitutive Act.

Article 2: Establishment

The African Union is hereby established in accordance with the provisions of this Act.

Article 3: Objectives

The objectives of the Union shall be to:
(a) achieve greater unity and solidarity between the African countries and the peoples of Africa;
(b) defend the sovereignty, territorial integrity and independence of its Member States;
(c) accelerate the political and socio-economic integration of the continent;
(d) promote and defend African common positions on issues of interest to the continent and its peoples;
(e) encourage international cooperation, taking due account of the Charter of the United Nations and the Universal Declaration of Human Rights;
(f) promote peace, security, and stability on the continent;
(g) promote democratic principles and institutions, popular participation and good governance;
(h) promote and protect human and peoples’ rights in accordance with the African Charter on Human and Peoples’ Rights and other relevant human rights instruments;
(i) establish the necessary conditions which enable the continent to play its rightful role in the global economy and in international negotiations;
(j) promote sustainable development at the economic, social and cultural levels as well as the integration of African economies;
(k) promote co-operation in all fields of human activity to raise the living standards of African peoples;
(l) co-ordinate and harmonise policies between existing and future Regional Economic Communities for the gradual attainment of the objectives of the Union;
(m) advance the development of the continent by promoting research in all fields, in particular, in science and technology;
(n) work with relevant international partners in the eradication of preventable diseases and the promotion of good health on the continent.

**Article 4: Principles**

The Union shall function in accordance with the following principles:
(a) sovereign equality and interdependence among Member States of the Union;
(b) respect of borders existing on achievement of independence;
(c) participation of the African peoples in the activities of the Union;
(d) establishment of a common defence policy for the African Continent;
(e) peaceful resolution of conflicts among Member States of the Union through such appropriate means as may be decided upon by the Assembly;
(f) prohibition of the use of force or threat to use force among Member States of the Union;
(g) non-interference by any Member State in the internal affairs of another;
(h) the right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely war crimes, genocide and crimes against humanity;
(i) peaceful co-existence of Member States and their right to live in peace and security;
(j) the right of Member States to request intervention from the Union in order to restore peace and security;
(k) promotion of self-reliance within the framework of the Union;
(l) promotion of gender equality;
(m) respect for democratic principles, human rights, the rule of law and good governance;
(n) promotion of social justice to ensure balanced economic development;
(o) respect for the sanctity of human life, condemnation and rejection of impunity and political assassination, acts of terrorism and subversive activities;
(p) condemnation and rejection of unconstitutional changes of governments.

**Article 5: Organs of the Union**

1. The organs of the Union shall be the:
   (a) Assembly of the Union;
(b) Executive Council;
(c) Pan-African Parliament;
(d) Court of Justice;
(e) Commission;
(f) Permanent Representatives Committee;
(g) Specialised Technical Committees;
(h) Economic, Social and Cultural Council;
(i) Financial Institutions
2. Other organs that the Assembly may decide to establish.

Article 6: The Assembly

1. The Assembly shall be composed of Heads of States and Government or their duly accredited representatives.
2. The Assembly shall be the supreme organ of the Union.
3. The Assembly shall meet at least once a year in ordinary session. At the request of any Member State and on approval by a two-thirds majority of the Member States of the Union, the Assembly shall meet in extraordinary session.
4. The office of the chairperson of the Assembly shall be held for a period of one year by a Head of State or Government elected after consultations among the Member States.

Article 7: Decisions of the Assembly

1. The Assembly shall take its decisions by consensus or, failing which, by a two-thirds majority of the Member States of the Union. However, procedural matters, including the question of whether a matter is one of procedure or not, shall be decided by a simple majority.
2. Two-thirds of the total membership of the Union shall form a quorum at any meeting of the Assembly.

Article 8: Rules of Procedure of the Assembly

The Assembly shall adopt its own Rules of Procedure.

Article 9: Powers and functions of the Assembly

1. The functions of the Assembly shall be to:
(a) determine the common policies of the Union;
(b) receive, consider and take decisions on reports and recommendations from the other organs of the Union;
(c) consider requests for Membership of the Union;
(d) establish any organ of the Union;
(e) monitor the implementation of policies and decisions of the Union as well as ensure compliance by all Member States;
(f) adopt the budget of the Union;
(g) give directives to the Executive Council on the management of conflicts, war and other emergency situations and the restoration of peace;
(h) appoint and terminate the appointment of the judges of the Court of Justice;
(i) appoint the chairman of the commission and his or her deputy or deputies and Commissioners of the Commission and determine their functions and terms of office.
2. The Assembly may delegate any of its powers and functions to any organ of the Union.
Article 10: The Executive Council

1. The Executive Council shall be composed of the Ministers of Foreign Affairs or such other Ministers or Authorities as are designated by the Governments of Member States.
2. Council shall meet at least twice a year in ordinary session. It shall also meet in an extra-ordinary session at the request of any Member State and upon approval by two-thirds of all Member States.

Article 11: Decisions of the Executive Council

1. The Executive Council shall take its decisions by consensus or, failing which, by a two-thirds majority of the Member States. However, procedural matters, including the question of whether a matter is one of procedure or not, shall be decided by a simple majority.
2. Two-thirds of the total membership of the Union shall form a quorum at any meeting of the Executive Council.

Article 12: Rules of Procedure of the Executive Council

The Executive Council shall adopt its own Rules of Procedure.

Article 13: Functions of the Executive Council

1. The Executive Council shall co-ordinate and take decisions on policies in areas of common interest to the Member States, including the following:
   (a) foreign trade;
   (b) energy, industry and mineral resources;
   (c) food, agricultural and animal resources, livestock production and forestry;
   (d) water resources and irrigation;
   (e) environmental protection, humanitarian action and disaster response and relief;
   (f) transport and communications;
   (g) insurance;
   (h) education, culture, health and human resources development;
   (i) science and technology;
   (j) nationality, residency and immigration matters;
   (k) social security, including the formulation of mother-and-child-care policies, as well as policies relating to the disabled and the handicapped;
   (l) establishment of a system of African awards, medals and prizes.
2. The Executive Council shall be responsible to the Assembly. It shall consider issues referred to it and monitor the implementation of policies formulated by the Assembly.
3. The Executive Council may delegate any of its powers and functions mentioned in paragraph 1 of this Article to the Specialised Technical Committees established under Article 14 of this Act.

Article 14: The Specialised Technical Committees Establishment and Composition

1. There is hereby established the following Specialised Technical Committees, which shall be responsible to the Executive Council:
   (a) the Committee on Rural Economy and Agricultural Matters;
Continental Development Goals

(b) the Committee on Monetary and Financial Affairs;
(c) the Committee on Trade, Customs and Immigration Matters;
(d) the Committee on Industry, Science and Technology, Energy, Natural Resources and Environment;
(e) the Committee on Transport, Communications and Tourism;
(f) the Committee on Health, Labour and Social Affairs; and
(g) the Committee on Education, Culture and Human Resources.

2. The Assembly shall, whenever it deems appropriate, restructure the existing committees or establish other committees.

3. The Specialised Technical Committees shall be composed of Ministers or senior officials responsible for sectors falling within their respective areas of competence.

Article 15: Functions of the Specialised Technical Committees

Each committee shall, within its field of competence:
(a) prepare projects and programmes of the Union and submit into the Executive Council;
(b) ensure the supervision, follow-up and the evaluation of the implementation of decisions taken by the organs of the Union;
(c) ensure the co-ordination and harmonisation of projects and programmes of the Union;
(d) submit to the Executive Council, either on its own initiative or at the request of the Executive Council, reports and recommendations on the implementation of the provision of this Act; and
(e) carry out any other functions assigned to it for the purpose of ensuring the implementation of the provisions of this Act.

Article 16: Meetings

1. Subject to any directives given by the Executive Council, each committee shall meet as often as necessary and shall prepare its rules of procedure and submit them to the Executive Council for approval.

Article 17: The Pan-African Parliament

1. In order to ensure the full participation of African peoples in the development and economic integration of the continent, a Pan-African Parliament shall be established.

2. The composition, powers, functions and organisation of the Pan-African Parliament shall be defined in a protocol relating thereto.

Article 18: The Court of Justice

1. A Court of Justice of the Union shall be established.

2. The statute, composition and functions of the Court of Justice shall be defined in a protocol relating thereto.

Article 19: The Financial Institutions

The Union shall have the following financial institutions, whose rules and regulations shall be defined in protocols relating thereto:
(a) the African Central Bank;
(b) the African Monetary Fund;
(c) the African Investment Bank.
Article 20: The Commission

1. There shall be established a Commission of the Union, which shall be the Secretariat of the Union.

2. The Commission shall be composed of the chairperson, his or her deputy or deputies and the commissioners. They shall be assisted by the necessary staff for the smooth functioning of the Commission.

3. The structure, functions and regulations of the Commission shall be determined by the Assembly.

Article 21: The Permanent Representatives Committee

1. There shall be established a Permanent Representatives Committee. It shall be composed of Permanent Representatives to the Union and other Plenipotentiaries of Member States.

2. The Permanent Representatives Committee shall be charged with the responsibility of preparing the work of the Executive Council and acting on the Executive Council's instructions. It may set up such sub-committees or working groups as it may deem necessary.

Article 22: The Economic, Social and Cultural Council

1. The Economic, Social and Cultural Council shall be an advisory organ composed of different social and professional groups of the Member States of the Union.

2. The functions, powers, composition and organisation of the Economic, Social and Cultural Council shall be determined by the Assembly.

Article 23: Imposition of Sanctions

1. The Assembly shall determine the appropriate sanctions to be imposed on any Member State that defaults in the payment of its contributions to the budget of the Union in the following manner: denial of the right to speak at meetings, to vote, to present candidates for any position or post within the Union, or to benefit from any activity or commitments therefrom.

2. Furthermore, any Member State that fails to comply with the decisions and policies of the Union may be subjected to other sanctions, such as the denial of transport and communications links with other Member States, and other measures of a political and economic nature to be determined by the Assembly.

Article 24: The Headquarters of the Union

1. The headquarters of the Union shall be in Addis Ababa in the Federal Democratic Republic of Ethiopia.

2. There may be established such other offices of the Union as the Assembly may, on the recommendation of the Executive Council, determine.

Article 25: Working Languages

The working languages of the Union and all its institutions shall be, if possible, African languages, Arabic, English, French and Portuguese.

Article 26: Interpretation

The Court shall be seized with matters of interpretation arising from the application
or implementation of this Act. Pending its establishment, such matters shall be submitted to the Assembly of the Union, which shall decide by a two-thirds majority.

**Article 27: Signature, Ratification and Accession**

1. This Act shall be open to signature, ratification and accession by the Member States of the OAU in accordance with their respective constitutional procedures.
2. The instruments of ratification shall be deposited with the Secretary-General of the OAU.
3. Any Member State of the OAU acceding to this Act after its entry into force shall deposit the instrument of accession with the Chairpeson of the Commission.

**Article 28: Entry into Force**

This Act shall enter into force thirty (30) days after the deposit of the instruments of ratification by two-thirds of the Member States of the OAU.

**Article 29: Admission to Membership**

1. Any African State may, at any time after the entry into force of this Act, notify the chairperson of the Commission of its intention to accede to this Act and to be admitted as a member of the Union.
2. The chairperson of the Commission shall, upon receipt of such notification, transmit copies thereof to all Member States. Admission shall be decided by a simple majority of the Member States. The decision of each Member State shall be transmitted to the chairperson of the Commission who shall, upon receipt of the required number of votes, communicate the decision to the State concerned.

**Article 30: Suspension**

Governments which shall come to power through unconstitutional means shall not be allowed to participate in the activities of the Union.

**Article 31: Cessation of Membership**

1. Any State which desires to renounce its membership shall forward a written notification to the chairperson of the Commission, who shall inform Member States thereof. At the end of one year from the date of such notification, if not withdrawn, the Act shall cease to apply with respect to the renouncing State, which shall thereby cease to belong to the Union.
2. During the period of one year referred to in paragraph 1 of this Article, any Member State wishing to withdraw from the Union shall comply with the provisions of this Act and shall be bound to discharge its obligations under this Act up to the date of its withdrawal.

**Article 32: Amendment and Revision**

1. Any Member State may submit proposals for the amendment or revision of this Act.
2. Proposals for amendment or revision shall be submitted to the chairperson of the Commission who shall transmit same to Member States within thirty (30) days of receipt thereof.
3. The Assembly, upon the advice of the Executive Council, shall examine these proposals within a period of one year following notification of Member States, in accordance with the provisions of paragraph 2 of this Article.

4. Amendments or revisions shall be adopted by the Assembly by consensus or, failing which, by a two-thirds majority and submitted for ratification by all Member States in accordance with their respective constitutional procedures. They shall enter into force thirty (30) days after the deposit of the instruments of ratification with the chairperson of the Commission by a two-thirds majority of the Member States.

**Article 33: Transitional Arrangements and Final Provisions**

1. This Act shall replace the Charter of the Organisation of African Unity. However, the Charter shall remain operative for a transitional period of one year or such further period as may be determined by the Assembly, following the entry into force of the Act, for the purpose of enabling the OAU/AEC to undertake the necessary measures regarding the devolution of its assets and liabilities to the Union and all matters relating thereto.

2. The provisions of this Act shall take precedence over, and supersede, any inconsistent or contrary provisions of the Treaty establishing the African Economic Community.

3. Upon the entry into force of this Act, all necessary measures shall be undertaken to implement its provisions and to ensure the establishment of the organs provided for under the Act in accordance with any directives or decisions which may be adopted in this regard by the Parties thereto within the transitional period stipulated above.

4. Pending the establishment of the Commission, the OAU General Secretariat shall be the interim Secretariat of the Union.

5. This Act, drawn up in four (4) original texts in the Arabic, English, French and Portuguese languages, all four (4) being equally authentic, shall be deposited with the secretary-general of the OAU and, after its entry into force, with the chairperson of the Commission who shall transmit a certified true copy of the Act to the government of each signatory state. The Secretary-General of the OAU and the chairperson of the Commission shall notify all signatory states of the dates of the deposit of the instruments of ratification or accession and shall, upon entry into force of this Act, register the same with the Secretariat of the United Nations.

IN WITNESS WHEREOF, WE have adopted this Act.

Done at Lomé, Togo, this 11th day of July, 2000.
I. INTRODUCTION

1. This New Partnership for Africa’s Development (NEPAD) is a pledge by African leaders, based on a common vision and a firm and shared conviction that they have a pressing duty to eradicate poverty and to place their countries, both individually and collectively, on a path of sustainable growth and development, and at the same time to participate actively in the world economy and body politic. The programme is anchored on the determination of Africans to extricate themselves and the continent from the malaise of under-development and exclusion in a globalising world.

2. The poverty and backwardness of Africa stand in stark contrast to the prosperity of the developed world. The continued marginalisation of Africa from the globalisation process and the social exclusion of the vast majority of its peoples constitute a serious threat to global stability.

3. Historically, accession to the institutions of the international community, the credit and aid binomial has underlined the logic of African development. Credit has led to the debt deadlock, which, from instalments to rescheduling, still exists and hinders the growth of African countries. The limits of this option have been reached. Concerning the other element of the binomial – aid – we can also note the reduction of private aid and the upper limit of public aid, which is below the target set in the 1970s.

4. In Africa, 340 million people, or half the population, live on less than US$1 per day. The mortality rate of children
under five years of age is 140 per 1000, and life expectancy at birth is only 54 years. Only 58 percent of the population has access to safe water. The rate of illiteracy for people over 15 is 41 percent. There are only 18 mainline telephones per 1000 people in Africa, compared with 146 for the world as a whole and 567 for high-income countries.

5. The New Partnership for Africa’s Development calls for the reversal of this abnormal situation by changing the relationship that underpins it. Africans are appealing neither for the further entrenchment of dependency through aid, nor for marginal concessions.

6. We are convinced that an historic opportunity presents itself to end the scourge of under-development that afflicts Africa. The resources, including capital, technology and human skills that are required to launch a global war on poverty and under-development exist in abundance, and are within our reach. What is required to mobilise these resources and to use them properly is bold and imaginative leadership that is genuinely committed to a sustained human development effort and poverty eradication, as well as a new global partnership based on shared responsibility and mutual interest.

7. Across the continent, Africans declare that we will no longer allow ourselves to be conditioned by circumstance. We will determine our own destiny and call on the rest of the world to complement our efforts. There are already signs of progress and hope. Democratic regimes that are committed to the protection of human rights, people-centred development and market-orientated economies are on the increase. African peoples have begun to demonstrate their refusal to accept poor economic and political leadership. These developments are, however, uneven and inadequate and need to be further expedited.

8. The New Partnership for Africa’s Development is about consolidating and accelerating these gains. It is a call for a new relationship of partnership between Africa and the international community, especially the highly industrialised countries, to overcome the development chasm that has widened over centuries of unequal relations.

II. AFRICA IN TODAY’S WORLD: BETWEEN POVERTY AND PROSPERITY

9. Africa’s place in the global community is defined by the fact that the continent is an indispensable resource base that has served all humanity for so many centuries.

10. These resources can be broken down into the following components:
- the rich complex of mineral, oil and gas deposits, its flora and fauna, and its wide unspoiled natural habitat, which provide the basis for mining, agriculture, tourism and industrial development (Component I);
- the ecological lung provided by the continent’s rain forests, and the minimal presence of emissions and effluents that are harmful to the environment – a global public good that benefits all humankind (Component II);
• the paleontological and archaeological sites containing evidence of the evolution of the earth, life and the human species. The natural habitats containing a wide variety of flora and fauna, unique animal species and the open uninhabited spaces that are a feature of the continent (Component III);
• the richness of Africa’s culture and its contribution to the variety of the cultures of the global community (Component IV).

11. The first of these, Component I, is the one with which the world is most familiar. The second, Component II, has only come to the fore recently, as humanity came to understand the critical importance of the issue of the environment. The third, Component III, is also now coming into its own, emerging as a matter of concern not only to a narrow field of science or of interest only to museums and their curators. The fourth of these, Component IV, represents the creativity of African people, which in many important ways remains under-exploited and under-developed.

12. Africa has a very important role to play with regard to the critical issue of the protection of the environment. African resources include rain forests, the virtually carbon dioxide-free atmosphere above the continent, and the minimal presence of toxic effluents in the rivers and soils that interact with the Atlantic and Indian Oceans and the Mediterranean and Red Seas. The New Partnership for Africa’s Development will contain a strategy for nurturing these resources and using them for the development of the African continent, while at the same time preserving them for all humanity.

13. It is obvious that, unless the communities in the vicinity of the tropical forests are given alternative means of earning a living, they will co-operate in the destruction of the forests. As the preservation of these environmental assets is in the interests of humanity, it is imperative that Africa be placed on a development path that does not put them in danger.

14. Modern science recognises Africa as the cradle of humankind. As part of the process of reconstructing the identity and self-confidence of the peoples of Africa, it is necessary that this contribution to human existence be understood and valued by Africans themselves. Africa’s status as the birthplace of humanity should be cherished by the whole world as the origin of all its peoples. Accordingly, the New Partnership for Africa’s Development must preserve this common heritage and use it to build a universal understanding of the historic need to end the under-development and marginalisation of the continent.

15. Africa also has a major role to play in maintaining the strong link between human beings and the natural world. Technological developments tend to emphasise the role of human beings as a factor of production, competing for their place in the production process with their contemporary or future tools. The open, uninhabited spaces, the flora and fauna, and the diverse
animal species that are unique to Africa offer an opportunity for humanity to maintain its link with nature.

16. Africa has already made a significant contribution to world culture through literature, music, visual arts and other cultural forms, but her real potential remains untapped because of her limited integration into the global economy. The New Partnership for Africa’s Development will enable Africa to increase her contribution to science, culture and technology.

17. In this new millennium, when humanity is searching for a new way to build a better world, it is critical that we bring to bear the combination of these attributes and the forces of human will to place the continent on a pedestal of equal partnership in advancing human civilisation.

The historical impoverishment of a continent

18. The impoverishment of the African continent was accentuated primarily by the legacy of colonialism, the Cold War, the workings of the international economic system and the inadequacies of, and shortcomings in, the policies pursued by many countries in the post-independence era.

19. For centuries, Africa has been integrated into the world economy mainly as a supplier of cheap labour and raw materials. Of necessity, this has meant the draining of Africa’s resources rather than their use for the continent’s development. The drive in that period to use the minerals and raw materials to develop manufacturing industries and a highly skilled labour force to sustain growth and development was lost. Thus, Africa remains the poorest continent despite being one of the most richly endowed regions of the world.

20. In other countries and on other continents, the reverse was the case. There was an infusion of wealth in the form of investments, which created larger volumes of wealth through the export of value-added products. It is time that African resources are harnessed to create wealth for the well-being of her peoples.

21. Colonialism subverted hitherto traditional structures, institutions and values, or made them subservient to the economic and political needs of the imperial powers. It also retarded the development of an entrepreneurial class, as well as a middle class with skills and managerial capacity.

22. At independence, virtually all the new states were characterised by a shortage of skilled professionals and a weak capitalist class, resulting in a weakening of the accumulation process. Post-colonial Africa inherited weak states and dysfunctional economies that were further aggravated by poor leadership, corruption and bad governance in many countries. These two factors, together with the divisions caused by the Cold War, hampered the development of accountable governments across the continent.

23. Many African governments did not empower their peoples to embark on development initiatives to realise their creative potential. Today, the
weak state remains a major constraint to sustainable development in a number of countries. Indeed, one of Africa’s major challenges is to strengthen the capacity to govern and to develop long-term policies. At the same time, there is also the urgent need to implement far-reaching reforms and programmes in many African states.

24. The structural adjustment programmes of the 1980s provided only a partial solution. They promoted reforms that tended to remove serious price distortions, but gave inadequate attention to the provision of social services. As a consequence, only a few countries managed to achieve sustainable higher growth under these programmes.

25. Indeed, Africa’s experience shows that the rate of accumulation in the post-colonial period has not been sufficient to rebuild societies in the wake of colonial under-development, or to sustain improvement in the standard of living. This has had deleterious consequences on the political process and led to sustained patronage and corruption.

26. The net effect of these processes has been the entrenchment of a vicious cycle, in which economic decline, reduced capacity and poor governance reinforce each other, thus confirming Africa’s peripheral and diminishing role in the world economy. Thus, over the centuries, Africa has become the marginalised continent.

27. The New Partnership for Africa’s Development seeks to build on and celebrate the achievements of the past, as well as reflect on the lessons learned through painful experience, so as to establish a partnership that is both credible and capable of implementation. In doing so, the challenge is for the peoples and governments of Africa to understand that development is a process of empowerment and self-reliance. Accordingly, Africans must not be wards of benevolent guardians; rather they must be the architects of their own sustained upliftment.

**Africa and the global revolution**

28. The world has entered the new millennium in the midst of an economic revolution. This revolution could provide both the context and the means for Africa’s rejuvenation. While globalisation has increased the cost of Africa’s ability to compete, we hold that the advantages of an effectively managed integration present the best prospects for future economic prosperity and poverty reduction.

29. The current economic revolution has, in part, been made possible by advances in information and communications technology (ICT), which have reduced the cost and increased the speed of communications across the globe, abolishing pre-existing barriers of time and space, and affecting all areas of social and economic life. It has made possible the integration of national systems of production and finance, and is reflected in an exponential growth in the scale of cross-border flows of goods, services and capital.

30. The integration of national systems of production has made it possible to
"slice up the value chain” in many manufacturing- and service-sector production processes. At the same time, the enhanced mobility of capital means that borrowers, whether governments or private entities, must compete with each other for capital in global rather than national markets. Both these processes have increased the costs to those countries that are unable to compete effectively. To a large extent, these costs have been borne disproportionately by Africa.

31. While no corner of the world has escaped the effects of globalisation, the contributions of the various regions and nations have differed markedly. The locomotive for these major advances is the highly industrialised nations. Outside this domain, only a few countries in the developing world play a substantial role in the global economy. Many developing countries, especially in Africa, contribute passively, and mainly on the basis of their environmental and resource endowments.

32. It is in the distribution of benefits that the global imbalance is most glaring. On the one hand, opportunities have increased to create or expand wealth, acquire knowledge and skills, and improve access to goods and services – in brief, to improve the quality of life. In some parts of the world, the pursuit of greater openness of the global economy has created opportunities for lifting millions of people out of poverty.

33. On the other hand, greater integration has also led to the further marginalisation of those countries that are unable to compete effectively. In the absence of fair and just global rules, globalisation has increased the ability of the strong to advance their interests to the detriment of the weak, especially in the areas of trade, finance and technology. It has limited the space for developing countries to control their own development, as the system has no provision for compensating the weak. The conditions of those marginalised in this process have worsened in real terms. A fissure between inclusion and exclusion has emerged within and among nations.

34. In part, Africa’s inability to harness the process of globalisation is a result of structural impediments to growth and development in the form of resource outflows and unfavourable terms of trade. At the same time, we recognise that failures of political and economic leadership in many African countries impede the effective mobilisation and utilisation of scarce resources into productive areas of activity in order to attract and facilitate domestic and foreign investment.

35. The low level of economic activity means that the instruments necessary for the real injection of private funds and risk-taking are not available, and the result is a further decline. In this self-perpetuating cycle, Africa’s capacity to participate in the globalisation process is severely weakened, leading to further marginalisation. The increasing polarisation of wealth and poverty is one of a number of processes that have accompanied globalisation, and which threaten its sustainability.

36. The closing years of the last century saw a major financial collapse in
much of the developing world, which not only threatened the stability of the global financial system, but also the global economy as a whole. One of the immediate effects of the financial crisis was the exacerbation of existing levels of deep, structural poverty in which about half of the world’s population lives on less than US$2 per day, and a fifth on less than US$1 per day.

37. There also exist other factors that pose serious longer-term risks. These include the rapid increase in the numbers of the socially excluded in different parts of the world, contributing to political instability, civil war and military conflict on the one hand, and a new pattern of mass migration on the other. The expansion of industrial production and the growth in poverty contribute to environmental degradation of our oceans, atmosphere and natural vegetation. If not addressed, these will set in motion processes that will increasingly slip beyond the control of governments, both in developed and developing countries.

38. The means to reverse this gloomy scenario are not yet beyond our reach. Improvements in the living standards of the marginalised offer massive potential for growth in the entire international economy, through the creation of new markets and by harnessing increased economic capacity. This will bring with it greater stability on a global scale, accompanied by a sense of economic and social well-being.

39. The imperative of development, therefore, not only poses a challenge to moral conscience; it is in fact fundamental to the sustainability of the globalisation process. We readily admit that globalisation is a product of scientific and technological advances, many of which have been market-driven. Yet, governments – particularly those in the developed world – have, in partnership with the private sector, played an important role in shaping its form, content and course.

40. The case for the role of national authorities and private institutions in guiding the globalisation agenda along a sustainable path and, therefore, one in which its benefits are more equally spread, remains strong. Experience shows that, despite the unparalleled opportunities that globalisation has offered to some previously poor countries, there is nothing inherent in the process that automatically reduces poverty and inequality.

41. What is needed is a commitment on the part of governments, the private sector and other institutions of civil society to the genuine integration of all nations into the global economy and body politic. This requires the recognition of global interdependence in respect of production and demand, the environmental base that sustains the planet, cross-border migration, a global financial architecture that rewards good socio-economic management, and global governance that recognises partnership among all peoples. We hold that it is within the capacity of the international community to create fair and just conditions in which Africa can participate effectively in the global economy and body politic.
III. THE NEW POLITICAL WILL OF AFRICAN LEADERS

42. The New Partnership for Africa’s Development recognises that there have been attempts in the past to set out continent-wide development programmes. For a variety of reasons, both internal and external, including questionable leadership and ownership by Africans themselves, these have been less than successful. However, there is today a new set of circumstances, which lend themselves to integrated practical implementation.

43. The new phase of globalisation coincided with the reshaping of international relations in the aftermath of the Cold War. This is associated with the emergence of new concepts of security and self-interest, which encompass the right to development and the eradication of poverty. Democracy and state legitimacy have been redefined to include accountable government, a culture of human rights and popular participation as central elements.

44. Significantly, the numbers of democratically-elected leaders are on the increase. Through their actions, they have declared that the hopes of Africa’s peoples for a better life can no longer rest on the magnanimity of others.

45. Across the continent, democracy is spreading, backed by the African Union (AU), which has shown a new resolve to deal with conflicts and censure deviation from the norm. These efforts are reinforced by voices in civil society, including associations of women, youth and the independent media. In addition, African governments are much more resolute about regional and continental goals of economic co-operation and integration. This serves both to consolidate the gains of the economic turn-around and to reinforce the advantages of mutual inter-dependence.

46. The changed conditions in Africa have already been recognised by governments across the world. The United Nations Millennium Declaration, adopted in September 2000, confirms the global community’s readiness to support Africa’s efforts to address the continent’s under-development and marginalisation. The Declaration emphasises support for the prevention of conflict and the establishment of conditions of stability and democracy on the continent, as well as for the key challenges of eradicating poverty and disease. The Declaration further points to the global community’s commitment to enhance resource flows to Africa, by improving aid, trade and debt relationships between Africa and the rest of the world, and by increasing private capital flows to the continent. It is now important to translate these commitments into reality.

47. The New Partnership for Africa’s Development centres around African ownership and management. Through this programme, African leaders are setting an agenda for the renewal of the continent. The agenda is based on national and regional priorities and development plans that must be prepared through participatory processes involving the people. We believe that while African leaders derive their mandates from
their people, it is their role to articulate these plans as well as lead the processes of implementation on behalf of their people.

48. The programme is a new framework of interaction with the rest of the world, including the industrialised countries and multi-lateral organisations. It is based on the agenda set by African peoples through their own initiatives and of their own volition, to shape their own destiny.

49. To achieve these objectives, African leaders will take joint responsibility for the following:

• strengthening mechanisms for conflict prevention, management and resolution at the regional and continental levels, and to ensure that these mechanisms are used to restore and maintain peace;

• promoting and protecting democracy and human rights in their respective countries and regions, by developing clear standards of accountability, transparency and participatory governance at the national and sub-national levels;

• restoring and maintaining macro-economic stability, especially by developing appropriate standards and targets for fiscal and monetary policies, and introducing appropriate institutional frameworks to achieve these standards;

• instituting transparent legal and regulatory frameworks for financial markets and auditing of private companies and the public sector;

• revitalising and extending the provision of education, technical training and health services, with high priority given to tackling HIV/AIDS, malaria and other communicable diseases;

• promoting the role of women in social and economic development by reinforcing their capacity in the domains of education and training; by the development of revenue-generating activities through facilitating access to credit; and by assuring their participation in the political and economic life of African countries;

• building the capacity of the states in Africa to set and enforce the legal framework, as well as maintaining law and order;

• promoting the development of infrastructure, agriculture and its diversification into agro-industries and manufacturing to serve both domestic and export markets.

IV. APPEAL TO THE PEOPLES OF AFRICA

50. The African Renaissance project, which should allow our continent, plundered for centuries, to take its rightful place in the world, depends on the building of a strong and competitive economy as the world moves towards greater liberalisation and competition.

51. The New Partnership for Africa’s Development will be successful only if it is owned by the African peoples united in their diversity.

52. Africa, impoverished by slavery, corruption and economic mismanagement, is taking off in a
difficult situation. However, if her enormous natural and human resources are properly harnessed and utilised, it could lead to equitable and sustainable growth of the continent as well as enhance its rapid integration into the world economy.

53. This is why our peoples, in spite of the present difficulties, must regain confidence in their genius and their capacity to face obstacles and be involved in the building of the new Africa. The present initiative is an expression of the commitment of Africa’s leaders to translate the deep popular will into action.

54. But the struggle they would be waging will be successful only if our peoples are the masters of their own destiny.

55. This is why the political leaders of the continent appeal to all the peoples of Africa, in all their diversity, to become aware of the seriousness of the situation and the need to mobilise themselves in order to put an end to further marginalisation of the continent and ensure its development by bridging the gap with the developed countries.

56. We are, therefore, asking the African peoples to take up the challenge of mobilising in support of the implementation of this initiative by setting up, at all levels, structures for organisation, mobilisation and action.

57. The leaders of the continent are aware of the fact that the true genius of a people is measured by its capacity for bold and imaginative thinking, and determination in support of their development.

58. We must not relent in implementing this ambitious programme of building sound and resilient economies, and democratic societies. In this respect, the African leaders are convinced that Africa, a continent whose development process has been marked by false starts and failures will succeed with this initiative.

V. PROGRAMME OF ACTION: THE STRATEGY FOR ACHIEVING SUSTAINABLE DEVELOPMENT IN THE 21ST CENTURY

59. The New Partnership for Africa’s Development differs in its approach and strategy from all previous plans and initiatives in support of Africa’s development, although the problems to be addressed remain largely the same.

60. The New Partnership for Africa’s Development is envisaged as a long-term vision of an African-owned and African-led development programme.

61. The Action Programme includes the top priorities structured in the same way as the strategy outlined, and these priorities may be revised from time to time by the Heads of State Implementation Committee. The programme covers what needs to be done in the short-term, despite the wide scope of the actions to be taken.

62. Although long-term funding is envisaged under the initiative, the projects can, however, be expedited to help eradicate poverty in Africa and place African countries, both individually and collectively, on a path of sustainable growth and development, and thus halt the
marginalisation of Africa in the globalisation process.

63. Although, there are other urgent priorities, those selected here would have a catalytic effect for intervention in other priority areas in the future.

64. While growth rates are important, they are not by themselves sufficient to enable African countries to achieve the goal of poverty reduction. The challenge for Africa, therefore, is to develop the capacity to sustain growth at levels required to achieve poverty reduction and sustainable development. This, in turn, depends on other factors such as infrastructure, capital accumulation, human capital, institutions, structural diversification, competitiveness, health and good stewardship of the environment.

65. The objective of the New Partnership for Africa’s Development is to provide an impetus to Africa’s development by bridging existing gaps in priority sectors to enable the continent to catch up with developed parts of the world.

66. The new long-term vision will require massive and heavy investment to bridge existing gaps. The challenge ahead for Africa is to be able to raise the required funding under the best conditions possible. We therefore call on our development partners to assist in this endeavour.

67. Long-term objectives
   • To eradicate poverty in Africa and to place African countries, both individually and collectively, on a path of sustainable growth and development and thus halt the marginalisation of Africa in the globalisation process;
   • To promote the role of women in all activities.

68. Goals
   • To achieve and sustain an average gross domestic product (GDP) growth rate of above seven percent per annum for the next 15 years.
   • To ensure that the continent achieves the agreed International Development Goals (IDGs), which are to:
     • reduce the proportion of people living in extreme poverty by half between 1990 and 2015;
     • enrol all children of school age in primary schools by 2015;
     • make progress towards gender equality and empowering women by eliminating gender disparities in the enrolment in primary and secondary education by 2005;
     • reduce infant and child mortality ratios by two-thirds between 1990 and 2015;
     • reduce maternal mortality ratios by three-quarters between 1990 and 2015;
     • provide access for all who need reproductive health services by 2015;
     • implement national strategies for sustainable development by 2005, so as to reverse the loss of environmental resources by 2015.

69. The strategy has the following expected outcomes:
   • economic growth and development and increased
employment;
• reduction in poverty and inequality;
• diversification of productive activities, enhanced international competitiveness and increased exports;
• increased African integration.

70. Realising that unless something new and radical is done, Africa will not achieve the IDGs and the seven percent annual GDP growth rate, the African Heads of State propose the programme described below. The programme is anchored on key themes and is supported by detailed programmes of action.

A. CONDITIONS FOR SUSTAINABLE DEVELOPMENT


71. African leaders have learnt from their own experiences that peace, security, democracy, good governance, human rights and sound economic management are conditions for sustainable development. They are making a pledge to work, both individually and collectively, to promote these principles in their countries, sub-regions and the continent.

(i) Peace and Security Initiative

72. The Peace and Security Initiative consists of three elements as follows:
• promoting long-term conditions for development and security;
• building the capacity of African institutions for early warning, as well as enhancing African institutions’ capacity to prevent, manage and resolve conflicts;
• institutionalising commitment to the core values of the New Partnership for Africa’s Development through the leadership.

73. Long-term conditions for ensuring peace and security in Africa require policy measures to address the political and social vulnerabilities on which conflict is premised. These are dealt with by the Political and Economic Governance Initiatives, the Capital Flows and Market Access Initiatives and the Human Development Initiative.

74. Efforts to build Africa’s capacity to manage all aspects of conflict must focus on the means necessary to strengthen existing regional and sub-regional institutions, especially in four key areas:
• prevention, management and resolution of conflict;
• peace-making, peace-keeping and peace enforcement;
• post-conflict reconciliation, rehabilitation and reconstruction;
• combating the illicit proliferation of small arms, light weapons and landmines.

75. The leadership of the New Partnership for Africa’s Development will consider, within six months of its establishment, setting out detailed and costed measures required in each of the four areas above. The exercise will also include actions required of partners, and the nature and sources of financing such activities.

76. The envisaged Heads of State forum will serve as a platform for the New
Partnership for Africa’s Development leadership to seek to enhance the capacity of African institutions to promote peace and security on the continent, to share experience and to mobilise collective action. The forum will ensure that the principles and commitments implicit in the initiative are fulfilled.

77. Aware of that requirement, Africans must make all efforts to find a lasting solution to existing conflicts, strengthen their internal security, and promote peace among the countries.

78. At the Lusaka Summit, the African Union decided to take drastic measures in reviving the organs responsible for conflict prevention and resolution.

(ii) Democracy and Political Governance Initiative

79. It is now generally acknowledged that development is impossible in the absence of true democracy, respect for human rights, peace and good governance. With the New Partnership for Africa’s Development, Africa undertakes to respect the global standards of democracy, which core components include political pluralism, allowing for the existence of several political parties and workers’ unions, fair, open, free and democratic elections periodically organised to enable the populace to choose their leaders freely.

80. The purpose of the Democracy and Governance Initiative is to contribute to strengthening the political and administrative framework of participating countries, in line with the principles of democracy, transparency, accountability, integrity, respect for human rights and promotion of the rule of law. It is strengthened by and supports the Economic Governance Initiative, with which it shares key features, and taken together will contribute to harnessing the energies of the continent towards development and poverty eradication.

81. The initiative consists of the following elements.

- A series of commitments by participating countries to create or consolidate basic governance processes and practices.
- An undertaking by participating countries to take the lead in supporting initiatives that foster good governance.
- The institutionalisation of commitments through the New Partnership for Africa’s Development leadership to ensure that the core values of the initiative are abided by.

82. The states involved in the New Partnership for Africa’s Development will also undertake a series of commitments towards meeting basic standards of good governance and democratic behaviour while, at the same time, giving support to each other. Participating states will be supported in undertaking such desired institutional reforms where required. Within six months of its institutionalisation, the New Partnership for Africa’s Development leadership will identify recommendations on appropriate diagnostic and assessment tools in support of compliance with the shared goals of good governance.
as well as to identify institutional weaknesses and to seek resources and expertise for addressing these weaknesses.

83. In order to strengthen political governance and build capacity to meet these commitments, the New Partnership for Africa’s Development leadership will undertake a process of targeted capacity-building initiatives. These institutional reforms will focus on:

- administrative and civil services;
- strengthening parliamentary oversight;
- promoting participatory decision-making;
- adopting effective measures to combat corruption and embezzlement;
- undertaking judicial reforms.

84. Countries participating in the initiative will take the lead in supporting and building institutions and initiatives that protect these commitments. They will dedicate their efforts towards creating and strengthening national, sub-regional and continental structures that support good governance.

85. The Heads of State forum on the New Partnership for Africa’s Development will serve as a mechanism through which the leadership of the New Partnership for Africa’s Development will periodically monitor and assess the progress made by African countries in meeting their commitment towards achieving good governance and social reforms. The forum will also provide a platform for countries to share experiences with a view to fostering good governance and democratic practices.

A2. The Economic and Corporate Governance Initiative

86. State capacity-building is a critical aspect of creating conditions for development. The State has a major role to play in promoting economic growth and development, and in the implementation of poverty reduction programmes. However, the reality is that many governments lack the capacity to fulfil this role. As a consequence, many countries lack the necessary policy and regulatory frameworks for private sector-led growth. They also lack the capacity to implement programmes even when funding is available.

87. It is for this reason that targeted capacity-building should be given a high priority. Programmes in every area must be preceded by an assessment of capacity, followed by the provision of appropriate support.

88. Objective

To promote throughout the participating countries a set of concrete and time-bound programmes aimed at enhancing the quality of economic and public financial management as well as corporate governance.

89. Actions

- A task force from Ministries of Finance and Central Banks will be commissioned to review economic and corporate governance practices in the various countries and regions, and make recommendations on appropriate standards and codes of
good practice for consideration by the Heads of State Implementation Committee within six months.

- The Implementation Committee will refer its recommendations to African states for implementation.
- The Implementation Committee will give high priority to public financial management. Countries will develop a programme for improving public financial management and targets, and assessment mechanisms will also be set.
- The Heads of State Implementation Committee will mobilise resources for capacity-building to enable all countries to comply with the mutually-agreed minimum standards and codes of conduct.

Sub-regional and regional approaches to development

90. Most African countries are small, both in terms of population and per capita incomes. As a consequence of limited markets, they do not offer attractive returns to potential investors, while progress in diversifying production and exports is retarded. This limits investment in essential infrastructure that depends on economies of scale for viability.

91. These economic conditions point to the need for African countries to pool their resources and enhance regional development and economic integration on the continent in order to improve international competitiveness. The five sub-regional economic groupings of the continent must, therefore, be strengthened.

92. The New Partnership for Africa’s Development focuses on the provision of essential regional public goods (such as transport, energy, water, ICT, disease eradication, environmental preservation, and provision of regional research capacity), as well as the promotion of intra-African trade and investments. The focus will be on rationalising the institutional framework for economic integration by identifying common projects compatible with integrated country and regional development programmes, and on the harmonisation of economic and investment policies and practices. There needs to be co-ordination of national sector policies and effective monitoring of regional decisions.

93. The New Partnership for Africa’s Development will give priority to the capacity building in order to enhance the effectiveness of existing regional structures and the rationalisation of existing regional organisations. The African Development Bank must play a leading role in financing regional studies, programmes and projects.

94. The sectors covered by the current programme include the following priority areas:

- infrastructure, especially information and communications technology (ICT) and energy;
- human resources, including education, skills development, and reversing the brain drain;
- health;
- agriculture; and
- access to the markets of developed countries for African exports.

95. For each sector, however, the objective is to bridge existing gaps between Africa and the developed countries so as to improve the continent’s inter-
national competitiveness and to enable her to participate in the globalisation process. The special circumstances of African island and land-locked states will also be addressed in this context.

B. SECTORAL PRIORITIES

B1. Bridging the infrastructure gap

(i) All infrastructure sectors

96. The infrastructures considered include roads, highways, airports, seaports, railways, waterways, and telecommunication facilities. However, only sub-regional or continental infrastructures will be the focus of the plan.

97. Infrastructure is one of the major parameters of economic growth, and solutions should be found to permit Africa to rise to the level of developed countries in terms of the accumulation of material and human capital.

98. If Africa had the same basic infrastructure as developed countries, it would be in a more favourable position to focus on production and improving productivity for international competition. The structural gap in infrastructure constitutes a very serious handicap to economic growth and poverty reduction. Improved infrastructure, including the cost and reliability of services, would benefit both Africa and the international community, which would be able to obtain African goods and services more cheaply.

99. In many African countries, the colonial powers built the infrastructure to foster exportation of African raw materials and importation of industrial goods into Africa.

100. We also recognise that if infrastructure is to improve in Africa, private foreign finance is essential to complement the two major funding methods, namely credit and aid.

101. The Infrastructure Initiative comprises elements that are common to all the infrastructure sectors. It also includes elements that are sector-specific.

102. Objectives

- To improve access to, and affordability and reliability of, infrastructure services for both firms and households.
- To enhance regional co-operation and trade through expanded cross-border development of infrastructure.
- To increase financial investments in infrastructure by lowering risks facing private investors, especially in the area of policy and regulatory frameworks.
- To build adequate knowledge and skills in technology and engineering with a view to installing, operating and maintaining "hard" infrastructure networks in Africa.

103. Actions

- With the assistance of sector-specialised agencies, put in place policy and legislative frameworks to encourage competition. At the same time, introduce new
regulatory frameworks as well as build capacity for regulators, so as to promote policy and regulatory harmonisation in order to facilitate cross-border interaction and market enlargement.

- Increase investment in infrastructure, especially refurbishment, and improve system maintenance practices that will sustain infrastructure.
- Initiate the development of training institutions and networks, which can develop and produce high-skill technicians and engineers in all infrastructure sectors.
- Promote community- and user-involvement in infrastructure construction, maintenance and management, especially in poor urban and rural areas, in collaboration with the New Partnership for Africa’s Development Governance Initiatives.
- Work with the African Development Bank and other development finance institutions on the continent to mobilise sustainable financing, especially through multi-lateral processes, institutions and donor governments, with a view to securing grant and concessional finance to mitigate medium term risks.
- Promote PPPs as a promising vehicle for attracting private investors, and focus public funding on the pressing needs of the poor by building capacity to implement and monitor such agreements.
- In addition to these common issues, the following are sector-specific strategies for the different types of infrastructure.

(ii) Bridging the digital divide: Investing in information and communication technologies

104. Information and communication technologies (ICTs), driven by the convergence of computers, telecommunications and traditional media, are crucial for the knowledge-based economy of the future. Rapid advances in technology and the diminishing cost of acquiring the new ICT tools have opened new windows of opportunity for African countries to accelerate economic growth and development. The goals of achieving a Common Market and an African Union can benefit immensely from the revolution in information technology. In addition to fostering intra-regional trade, the use of ICTs could also accelerate Africa’s integration into the global economy.

105. Intensive use of ICTs can bring unprecedented comparative advantages to the continent.

- It can provide an impetus to the democratisation process and good governance.
- It can facilitate the integration of Africa into the new information society, using its cultural diversity as a leverage.
- ICTs can be helpful tools for a wide range of applications, such as remote sensing and environmental, agricultural and infrastructural planning.
- The existing complementarities can be better utilised to provide training that would allow for the production of a critical
mass of professionals on the use of ICTs.

- In the research sector, we can establish African programmes as well as technological exchange programmes capable of meeting the continent’s specific needs, with particular regard to the fight against illiteracy.
- ICTs can be used to identify and exploit opportunities for trade, investment and finance.
- ICTs can be used to establish regional distance learning and health education programmes to improve the situation in the health and education sectors.
- In conflict management and control of pandemic diseases, ICTs will help towards the organisation of an efficient early warning mechanism by providing the tools for constant monitoring of tension spots.

106. In Africa, poor ICT infrastructure, combined with weak policy and regulatory frameworks and limited human resources, has resulted in inadequate access to affordable telephones, broadcasting, computers and the Internet. African teledensity remains below one line per 100 people. Service costs are also high: the connection cost in Africa averages 20 per cent of GDP per capita, compared with the world average of 9 per cent, and 1 per cent for high-income countries. Africa has been unable to capitalise on ICT as a tool in enhancing livelihoods and creating new business opportunities, and cross-border linkages within the continent and with global markets have been constrained. Though many countries in Africa have started ICT policy reforms, service penetration, quality or tariffs have not yet improved.

107. Objectives

- To double tele-density to two lines per 100 people by 2005, with an adequate level of access for households.
- To lower the cost and improve reliability of service.
- To achieve e-readiness for all countries in Africa.
- To develop and produce a pool of ICT-proficient youth and students from which Africa can draw trainee ICT engineers, programmers and software developers.
- To develop local content software, based especially on Africa’s cultural legacy.

108. Actions

- Work with regional agencies such as the African Telecommunications Union and Africa Connection to design model policy and legislation for tele-communications reform, and protocols and templates for e-readiness assessments.
- Work with the regional agencies to build regulatory capacity.
- Establish a network of training and research institutions to build high-level manpower.
- Promote and accelerate existing projects to connect schools and youth centres.
- Work with development finance institutions in Africa, multi-lateral
initiatives (G-8 DotForce, UN Task Force) and bilateral donors to establish financial mechanisms to mitigate and reduce sector risks.

(iii) Energy

109. Objectives

- Energy plays a critical role in the development process, first as a domestic necessity, but also as a factor of production whose cost directly affects prices of other goods and services, and the competitiveness of enterprises. Given the uneven distribution of these resources on the continent, it is recommended that the search for abundant and cheap energy to focus on rationalising the territorial distribution of existing, but unevenly allocated energy resources. Furthermore, Africa should strive to develop its solar energy resources, which are abundantly available.
- To increase from 10 percent to 35 percent or more, access to reliable and affordable commercial energy supply by Africa’s population in 20 years.
- To improve the reliability as well as lower the cost of energy supply to productive activities in order to enable economic growth of six percent per annum.
- To reverse environmental degradation that is associated with the use of traditional fuels in rural areas.
- To exploit and develop the hydropower potential of river basins of Africa.
- To integrate transmission grids and gas pipelines so as to facilitate cross-border energy flows.
- To reform and harmonise petroleum regulations and legislation in the continent.

110. Actions

- Establish an African Forum for Utility Regulation and establish regional regulatory associations.
- Establish a task force to recommend priorities and implementation strategies for regional projects, including hydropower generation, transmission grids and gas pipelines.
- Establish a task team to accelerate the development of energy supply to low-income housing.
- Broaden the scope of the programme for biomass energy conservation from the Southern African Development Community (SADC) to the rest of the continent.

(iv) Transport

111. Objectives

- To reduce delays in cross-border movement of people, goods and services.
- To reduce waiting-time in ports.
- To promote economic activity and cross-border trade through improved land transport linkages.
- To increase air passenger and freight linkages across Africa’s sub-regions.

112. Actions

- Establish customs and immigration
Continental Development Goals

(v) Water and sanitation

113. Objectives

- To ensure sustainable access to safe and adequate clean water supply and sanitation, especially for the poor.
- To plan and manage water resources to become a basis for national and regional co-operation and development.
- To systematically address and sustain ecosystems, bio-diversity and wildlife.
- To co-operate on shared rivers among member states.
- To effectively address the threat of climate change.
- To ensure enhanced irrigation and rain-fed agriculture to improve agricultural production and food security.

114. Actions

- Accelerate work on multipurpose water resource projects; for example, the SADC Water Secretariat's investigation of the utilisation of the Congo River, and the Nile Basin Initiative.
- Establish a task team to make plans for mitigating the negative impact of climate change in Africa.
- Collaborate with the Global Environmental Sanitation Initiative (GESI) in promoting sanitary waste disposal methods and projects.
- Support the UN Habitat programme on Water Conservation in African Cities.

B2. Human Resource Development Initiative including reversing the brain drain

(i) Poverty reduction

115. Objectives

- To provide focused leadership by prioritising poverty reduction in all the programmes and priorities of the New Partnership for Africa’s Development as well as national macro-economic and sectoral policies.
- To give special attention to the reduction of poverty among women.
- To ensure empowerment of the poor in poverty reduction strategies.
- To support existing poverty reduction initiatives at the multi-lateral level, such as the Comprehensive Development
Framework of the World Bank and the Poverty Reduction Strategy approach linked to the HIPC debt relief initiative.

116. Actions

- Require that country plans prepared for initiatives in this Programme of Action assess their poverty reduction impact, both before and after implementation.
- Work with the World Bank, the International Monetary Fund (IMF), the ADB, and the United Nations (UN) agencies to accelerate implementation and adoption of the Comprehensive Development Framework, the Poverty Reduction Strategy and related approaches.
- Establish a gender task team to ensure that the specific issues faced by poor women are addressed in the poverty reduction strategies, of the New Partnership for Africa’s Development.
- Establish a task team to accelerate the adoption of participatory and decentralised processes for the provision of infrastructural and social services.

118. Actions

- Review current initiatives jointly with the United Nations Educational, Scientific and Cultural Organisation (UNESCO) and other major international donors.
- Review levels of expenditure on education by African countries, and lead the process of developing norms and standards for government expenditure on education.
- Set up a task force to accelerate the introduction of ICT in primary schools.
- Set up a task force to review and put forward proposals for the research capacity needed in each region of the continent.

119. The key problems in education in Africa are the poor facilities and inadequate systems under which the vast majority of Africans receive their training. Africans who have had the opportunity of obtaining training elsewhere in the world have demonstrated their ability to compete successfully.

120. The plan supports the immediate strengthening of the university system across Africa, including the creation of specialised universities where needed, building on available African teaching staff. The need to establish and
Continental Development Goals

(iii) Reversing the brain drain

121. Objectives

- To reverse the brain drain and turn it into a "brain gain" for Africa.
- To build and retain within the continent critical human capacities for Africa’s development.
- To develop strategies for utilising the scientific and technological know-how and skills of Africans in the diaspora for the development of Africa.

122. Actions

- Create the necessary political, social and economic conditions in Africa that would serve as incentives to curb the brain drain and attract much-needed investment.
- Establish a reliable database on the brain drain both to determine the magnitude of the problem, and to promote networking and collaboration between experts in the country of origin and those in the diaspora.
- Develop scientific and technical networks to channel the repatriation of scientific knowledge to the home country, and establish co-operation between those abroad and at home.
- Ensure that the expertise of Africans living in the developed countries is utilised in the execution of some of the projects envisaged under the New Partnership for Africa’s Development.

(iv) Health

123. Objectives

- To strengthen programmes for containing communicable diseases, so that they do not fall short of the scale required in order to reduce the burden of disease.
- To have a secure health system that meets needs and supports disease control effectively.
- To ensure the necessary support capacity for the sustainable development of an effective health care delivery system.
- To empower the people of Africa to act to improve their own health and to achieve health literacy.
- To successfully reduce the burden of disease on the poorest people in Africa.
- To encourage co-operation between medical doctors and traditional practitioners.

124. Actions

- Strengthen Africa’s participation in processes aimed at procuring affordable drugs, including those involving the international pharmaceutical companies and the international civil society, and explore the use of alternative delivery systems for essential drugs and supplies.
- Mobilise the resources required to build effective disease interventions and secure health systems.
- Lead the campaign for increased international financial support for the struggle against HIV/AIDS and other communicable diseases.
• Join forces with other international agencies such as the WHO and donors to ensure support for the continent is increased by at least US$10 billion per annum.
• Encourage African countries to give higher priority to health in their own budgets and to phase such increases in expenditure to a level to be mutually determined.
• Jointly mobilise resources for capacity-building in order to enable all African countries to improve their health infrastructures and management.

125. Africa is home to major endemic diseases. Bacteria and parasites carried by insects, the movement of people and other carriers thrive, favoured as they are by weak environmental policies and poor living conditions. One of the major impediments facing African development efforts is the widespread incidence of communicable diseases, in particular HIV/AIDS, tuberculosis and malaria. Unless these epidemics are brought under control, real gains in human development will remain a pipe dream.

126. In the health sector, Africa compares very poorly with the rest of the world. In 1997, child and juvenile death rates were 105 and 169 per 1000, as against six and seven per 1000 respectively in developed countries. Life expectancy is 48.9 years, as against 77.7 years in developed countries. Only 16 doctors are available per 100 000 inhabitants against 253 in industrialised countries. Poverty, reflected in very low per capita incomes, is one of the major factors limiting the populations' capacity to address their health problems.

127. Nutrition is an important ingredient of good health. The average daily intake of calories varies from 2384 in low-income countries to 2846 in middle-income countries to 3390 in the Organisation for Economic Co-operation and Development (OECD) countries.

128. Health, defined by the World Health Organisation (WHO) as a state of complete physical and mental well-being, contributes to increase in productivity and consequently to economic growth. The most obvious effects of health improvement on the working population are the reduction in lost working days due to sick leave, the increase in productivity, and the chance to get better paid jobs. Eventually, improvement in health and nutrition directly contributes to improved well-being as the spread of diseases is controlled, infant mortality rates are reduced, and life expectancy is higher. The link with poverty reduction is clearly established.

B3. Agriculture

129. The majority of Africa's people live in rural areas. However, the agrarian systems are generally weak and unproductive. Coupled with external setbacks such as climatic uncertainty, biases in economic policy and instability in world commodity prices, these systems have held back agricultural supply and incomes in the rural areas.
leading to poverty.

130. The urgent need to achieve food security in African countries requires that the problem of inadequate agricultural systems be addressed, so that food production can be increased and nutritional standards raised.

131. Improvement in agricultural performance is a prerequisite of economic development on the continent. The resulting increase in rural people's purchasing power will also lead to higher effective demand for African industrial goods. The induced dynamics would constitute a significant source of economic growth.

132. Productivity improvement in agriculture rests on the removal of a number of structural constraints affecting the sector. A key constraint is climatic uncertainty, which raises the risk factor facing intensive agriculture based on the significant inflow of private investment. Consequently, governments must support the provision of irrigation equipments and develop arable lands when private agents are unwilling to do so. The improvement of other rural infrastructure (roads, rural electrification, etc.) is also essential.

133. The institutional environment for agriculture also significantly affects the sector's productivity and performance. Institutional support in the form of research centres and institutes, the provision of extension and support services, and agricultural trade fairs will further boost the production of marketable surpluses. The regulatory framework for agriculture must also be taken into account, including the encouragement of local community leadership in rural areas, and the involvement of these communities in policy and the provision of services.

134. Too little attention has been paid by bilateral donors and multi-lateral institutions to the agriculture sector and rural development, where more than 70 percent of the poor people in Africa reside. For example, in the World Bank lending portfolio, credits to agriculture amounted to 39 percent in 1978, but dropped to 12 percent in 1996 and even further to seven percent in 2000. The entire donor community must reverse such negative trends.

B4. The Environment Initiative

135. It has been recognised that a healthy and productive environment is a prerequisite for the New Partnership for Africa's Development. It is further recognised that the range of issues necessary to nurture this environmental base is vast and complex, and that a systematic combination of initiatives is necessary in order to develop a coherent environmental programme. This will necessitate that choices be made, and particular issues be prioritised for initial interventions.

136. It is also recognised that a core objective of the Environment Initiative must be to combat poverty and contribute to socio-economic development in Africa. It has been
demonstrated in other parts of the world that measures taken to achieve a healthy environmental base can contribute greatly to employment, social and economic empowerment, and reduction of poverty.

137. It should be mentioned here that Africa will host the World Summit on Sustainable Development in September 2002, and that environmental management forms the basis of the Summit. In this regard, we propose that the event put particular emphasis on the deliberations on this theme in the New Partnership for Africa’s Development.

138. The Environment Initiative has targeted eight sub-themes for priority interventions:

- **Combating desertification.** Initial interventions are envisaged to rehabilitate degraded land and to address the factors that led to such degradation. Many of these steps will need to be labour intensive, along the lines of “public works programmes”, thereby contributing to the social development needs of the continent. The initial interventions will serve as best practices or prototypes for future interventions in this area;

- **Wetland conservation.** This involves implementation of African best practices on wetland conservation, where social and ecological benefits are derived from private sector investment in this area;

- **Invasive alien species.** Partnerships are sought to prevent and control invasive alien species. These partnerships are critical for both the preservation of the eco-systems and economic well-being. Major labour-intensive initiatives are possible;

- **Coastal management.** In protecting and utilising coastal resources to optimal effect, best practices are again suggested from which a broader programme can be drawn up;

- **Global warming.** The initial focus will be on monitoring and regulating the impact of climate change. Labour-intensive work is essential and critical to integrated fire management projects;

- **Cross-border conservation areas.** This sub-theme seeks to build on the emerging initiatives, seeking partnerships across countries to boost conservation and tourism, and, therefore, create jobs;

- **Environmental governance.** This relates to the securing of institutional, legal, planning, training and capacity-building requirements that underpin all of the above;

- **Financing.** A carefully structured and fair system for financing is required.

139. The Environment Initiative has a distinct advantage in that many of the projects can start within relatively short time frames, and they also offer exceptionally good returns on investment in terms of
creating the social and ecological base upon which the New Partnership for Africa’s Development can thrive.

B5. Culture

140. Culture is an integral part of development efforts on the continent. Consequently, it is essential to protect and effectively utilise indigenous knowledge that represents a major dimension of the continent’s culture, and to share this knowledge for the benefit of humankind. The New Partnership for Africa’s Development will give special attention to the protection and nurturing of indigenous knowledge, which includes tradition-based literacy, artistic and scientific works, inventions, scientific discoveries, designs, marks, names and symbols, undisclosed information and all other tradition-based innovations and creations resulting from intellectual activity in the industrial, scientific, literary or artistic fields. The term also includes genetic resources and associated knowledge.

141. The New Partnership for Africa’s Development leaders will take urgent steps to ensure that indigenous knowledge in Africa is protected through appropriate legislation. They will also promote its protection at the international level, by working closely with the World Intellectual Property Organisation (WIPO).

B6. Science and technology platforms

142. Objectives

- To promote cross-border co-operation and connectivity by utilising knowledge currently available in existing centres of excellence on the continent.
- To develop and adapt information collection and analysis capacity to support productive activities as well as for exports.
- To generate a critical mass of technological expertise in targeted areas that offer high growth potential, especially in biotechnology and natural sciences.
- To assimilate and adapt existing technologies to diversify manufacturing production.

143. Actions

- Establish regional co-operation on product standards development and dissemination, and on geographic information systems (GIS).
- Develop networks among existing centres of excellence, especially through the Internet, for cross-border staff exchanges and training programmes, and develop schemes to assist displaced African scientists and researchers.
- Work with UNESCO, the Food and Agriculture Organisation (FAO), and other international organisations to harness biotechnology in order to develop Africa’s rich bio-diversity and indigenous knowledge base by improving agricultural productivity and developing pharmaceutical products.
• Expand geo-science research to enhance the exploitation of the mineral wealth of the African continent.
• Establish and develop skills-based product engineering and quality control to support diversification in manufacturing.

C. MOBILISING RESOURCES

C1. The Capital Flows Initiative

144. To achieve the estimated seven percent annual growth rate needed to meet the IDGs – particularly, the goal of reducing by half the proportion of Africans living in poverty by the year 2015 – Africa needs to fill an annual resource gap of 12 percent of its GDP, or US$64 billion. This will require increased domestic savings, as well as improvements in the public revenue collection systems. However, the bulk of the needed resources will have to be obtained from outside the continent. The New Partnership for Africa’s Development focuses on debt reduction and ODA as complementary external resources required in the short- to medium-term, and addresses private capital flows as a longer-term concern. A basic principle of the Capital Flows Initiative is that improved governance is a necessary requirement for increased capital flows, so that participation in the Economic and Political Governance Initiatives is a prerequisite for participation in the Capital Flows Initiative.

(i) Increasing domestic resource mobilisation

145. To achieve higher levels of growth and more effective poverty reduction, Africa needs to mobilise additional resources, both domestic and foreign. Domestic resources include national savings by firms and households, which need to be substantially increased. In addition, more effective tax collection is needed to increase public resources, as well as the rationalising of government expenditures. A significant proportion of their domestic savings is lost to African countries as a result of capital flight. This can only be reversed if African economies become attractive locations for residents to hold their wealth. Therefore, there is also an urgent need to create conditions that promote private sector investments by both domestic and foreign investors. Furthermore, there are other resources which can be mobilised within Africa, while, at the same time, requesting the developed countries to pledge their Treasury Bills to finance the Plan. By so doing, they would not directly commit their liquid assets. Finally, we suggest the establishment of Special Drawing Rights for Africa.

(ii) Debt relief

146. The New Partnership for Africa’s Development seeks the extension of debt relief beyond its current levels (based on debt “sustainability”), which still require
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debt service payments amounting to a significant portion of the resource gap. The long-term objective of the New Partnership for Africa’s Development is to link debt relief with costed poverty reduction outcomes. In the interim, debt service ceilings should be fixed as a proportion of fiscal revenue, with different ceilings for IDA and non-IDA countries. To secure the full commitment of concessional resources – debt relief plus ODA – that Africa requires, the leadership of the New Partnership for Africa’s Development will negotiate these arrangements with creditor governments. Countries would engage with existing debt relief mechanisms – the HIPC and the Paris Club – before seeking recourse through the New Partnership for Africa’s Development. The Debt Initiative will require agreed poverty reduction strategies, debt strategies and participation in the Economic Governance Initiative to ensure that countries are able to absorb the extra resources. In addition to seeking further debt relief through the interim debt strategy set out above, the New Partnership for Africa’s Development leadership will establish a forum in which African countries will share experience and mobilise for the improvement of debt relief strategies.

147. Actions

- The New Partnership for Africa’s Development heads of state will secure an agreement, negotiated with the international community, to provide further debt relief for countries participating in the New Partnership for Africa’s Development, based on the principles outlined above.

- The leadership of the New Partnership for Africa’s Development will establish a forum in which African countries may share experiences and mobilise for the improvement of debt relief strategies. They will exchange ideas that may end the process of reform and qualification in the HIPC process.

(iii) ODA reforms

148. The New Partnership for Africa’s Development seeks increased ODA flows in the medium term, as well as reform of the ODA delivery system, to ensure that flows are more effectively utilised by recipient African countries. The New Partnership for Africa’s Development will establish an ODA forum of African countries so as to develop a common African position on ODA reform, and to engage with the Development Assistance Committee of the OECD (OECD/DAC) and other donors in developing a charter underpinning the development partnership. This charter will identify the Economic Governance Initiative as a prerequisite for enhancing African countries’ capacity to utilise increased ODA flows, and will propose a complementary, independent assessment

149. Actions

- Constitute an ODA forum for developing a common African position on ODA reform, as a counterpart to the OECD/DAC structure.
- Engage, through the ODA forum, with donor agencies to establish a charter for the development partnership, which would embody the principles outlined above.
- Support ECA’s efforts to establish a PRSP Learning Group.
- Establish an independent mechanism for assessing donor and recipient country performance.

(iv) Private capital flows

150. The New Partnership for Africa’s Development seeks to increase private capital flows to Africa, as an essential component of a sustainable, long-term approach to filling the resource gap.

151. The first priority is to address investors’ perception of Africa as a “high risk” continent, especially with regard to security of property rights, regulatory framework and markets. Several key elements of the New Partnership for Africa’s Development will help to lower these risks gradually, and include initiatives relating to peace and security, political and economic governance, infrastructure and poverty reduction. Interim risk mitigation measures will be put in place, including credit guarantee schemes and the strong regulatory and legislative frameworks. The next priority is the implementation of a public-private sector partnership (PPP) capacity-building programme through the African Development Bank and other regional development institutions, to assist national and sub-national governments in structuring and regulating transactions in the provision of infrastructural and social services. The third priority is to promote the deepening of financial markets within countries, as well as cross-border harmonisation and integration, via a Financial Market Integration Task Force. Initially, this will focus on the legislative and regulatory environment for the financial system.

152. Actions

- Establish a task team to carry out audits of investment-related legislation and regulation, with a view to risk reduction and harmonisation within Africa.
- Carry out a needs assessment of, and feasibility study on, financial instruments to mitigate risks associated with doing business in Africa.
- Establish an initiative to enhance the capacity of countries to implement PPPs.
- Establish a Financial Market Integration Task Force that will
speed up financial market integration through the establishment of an international standard legislative and regulatory framework and the creation of a single African trading platform.

- Equally important, however, especially in the short to medium term, is the need for additional ODA and debt reduction. Additional ODA is required to enable least developed countries to achieve the international development goals, especially in the areas of primary education, health and poverty eradication. Further debt reduction is also crucial. The enhanced Highly Indebted Poor Countries (HIPC) debt relief initiative still leaves many countries within its scope with very high debt burdens, hence the need to direct more resources towards poverty reduction. In addition, there are countries not included in the HIPC that also require debt relief to release resources for poverty reduction.

C2 The Market Access Initiative

(i) Diversification of production

153. African economies are vulnerable because of their dependence on primary production and resource-based sectors, and their narrow export bases. There is an urgent need to diversify production and the logical starting point is to harness Africa’s natural resource base. Value-added in agro-processing and mineral beneficiation must be increased and a broader capital goods sector developed, through a strategy of economic diversification based on inter-sectoral linkages. Private enterprise must be supported, both micro-enterprises in the informal sector and small and medium enterprises in the manufacturing sector, which are principal engines of growth and development. Governments should remove constraints to business activity and encourage the creative talents of African entrepreneurs.

(ii) Agriculture

154. Objectives

- To improve the productivity of agriculture, with particular attention to small-scale and women farmers.
- To ensure food security for all people and increase the access of the poor to adequate food and nutrition.
- To promote measures against natural resource degradation and encourage production methods that are environmentally sustainable.
- To integrate the rural poor into the market economy and provide them with better access to export markets.
- To develop Africa into a net exporter of agricultural products.
- To become a strategic player in agricultural science and technology development.

155. Actions

At the African level:
• Increase the security of water supply for agriculture by establishing small-scale irrigation facilities, improving local water management, and increasing the exchange of information and technical know-how with the international community.
• Improve land tenure security under traditional and modern forms of tenure, and promote necessary land reform.
• Foster regional, sub-regional, national and household food security through the development and management of increased production, transport, storage and marketing of food crops, as well as livestock and fisheries. Particular attention must also be given to the needs of the poor, as well as the establishment of early warning systems to monitor droughts and crop production.
• Enhance agricultural credit and financing schemes, and improve access to credit by small-scale and women farmers.
• Reduce the heavy urban bias of public spending in Africa by transferring resources from urban to rural activities.

At the international level:

• Develop new partnership schemes to address donor fatigue for individual, high-profile agricultural projects.
• Developing countries should assist Africa in carrying out and developing its research and development capabilities in agriculture.
• Promote access for African food and agricultural products, particularly processed products, to meet international markets by improving quality to meet the standards required by those market.
• Support African networking with external partners in the areas of agricultural technology and know-how, extension services and rural infrastructure.
• Support investment in research in the areas of high-yield crops and durable preservation and storage methods.
• Provide support for building national and regional capacity for multilateral trade negotiations, including food sanitation and other agricultural trade regulations.

(iii) Mining

156. Objectives

• To improve the quality of mineral resource information.
• To create a regulatory framework conducive to the development of the mining sector.
• To establish best practices that will ensure efficient extraction of natural resources and minerals of high quality.

157. Actions

At the African level:

• Harmonise policies and regulations to ensure compliance with minimum levels of operational practices.
• Harmonise commitments to ensure reduction in the perceived investment risk in Africa.
- Harmonise information sources on business opportunities for investments.
- Enhance collaboration for knowledge-sharing and value addition to natural resources.
- Enforce principles of value-addition (beneficiation) for investments in the African mining sector.
- Establish an African School of Mining System (for the development and production of education, skills and training at all levels). This could be achieved through collaboration among existing schools.

(iv) Manufacturing

158. Objectives

- To increase the production, and improve the competitiveness and diversification of the domestic private sector, especially in the agro-industrial, mining and manufacturing sub-sectors, with potential for exports and employment creation.
- To establish organisations on national standards in African countries.
- To harmonise the technical regulatory frameworks of African countries.

159. Actions

At the African level:

- Develop new industries, or upgrade existing ones, where African countries have comparative advantages, including agro-based industries, energy and mineral resource-based industries.
- Acquire membership of the relevant international standards organisations. Active membership would give Africa a stronger voice in these bodies, and would enable African industry to participate meaningfully in the development of international standards. Membership would also result in the transfer copyright of international standards to the national associations.
- Establish national measurement institutions to ensure harmonisation with the international metrology system. Such activities will always remain the responsibility of government.
- Ensure that testing laboratories and certification organisations are set up to support the relevant national technical regulations. Such organisations should be established, as soon as possible, where they do not exist.
- Establish an accreditation infrastructure, such as the International Standards Organisation (ISO) system, which is acceptable internationally. Such an accreditation infrastructure can be nationally based where the industry is strong enough to maintain it, otherwise regional structures should be contemplated. Appropriate funding to ensure membership of international structures such as the International Accreditation Forum (IAF) and the International Electrotechnical Commission (IEC) should be made available.
- Pursue mutual recognition of test and certification results with Africa’s major trading partners.
Generally, this will only be possible if the framework for standards, technical regulations, measurement, tractability and accreditation are in place and can be shown to meet international requirements.

At the international level:

- Facilitate partnership through the development of mechanisms, such as joint business councils, for information-sharing between non-African and African firms, and for working towards the establishment of joint ventures and subcontracting arrangements.
- Assist in strengthening African training institutions for industrial development, particularly through the promotion of networking with international partners.
- Promote the transfer of new and appropriate technologies to African countries.
- Develop and accept a best-practice framework for technical regulations that meets both the requirements of the World Trade Organisation’s Agreement on Technical Barriers to Trade (WTO/TBT) and the needs of Africa. The technical regulation frameworks of the developed countries may be too complex for many African countries.
- Establish standards bureaux, which would provide the industry and government with the necessary information on international, regional and national standards, thereby facilitating market access. These centres should be linked to the relevant international, regional and national standards information centres so that the latter can act as the national WTO/TBT Enquiry Points.
- Ensure the development of appropriate regional and national standards through the establishment of appropriate technical committee structures representing the stakeholders of the countries, as well as managing such committees in line with ISO/IEC Directives and WTO/TBT Agreement requirements.

(v) Tourism

160. Objectives

- To identify key “anchor” projects at the national and sub-regional levels, which will generate significant spin-offs and assist in promoting inter-regional economic integration.
- To develop a regional marketing strategy.
- To develop a research capacity in tourism.
- To promote partnerships such as those formed via sub-regional bodies. Examples include the Regional Tourism Organisation of Southern Africa (RETOSA), the Economic Community of West African States (ECOWAS) and the SADC.

161. Actions

At the African level:

- Forge co-operative partnerships to capture the benefits of shared
knowledge, as well as provide a base for other countries to enter into tourist-related activities.

- Provide the African people with the capacity to be actively involved in sustainable tourism projects at the community level.
- Prioritise consumer safety and security issues.
- Market African tourism products, especially in adventure tourism, eco-tourism and cultural tourism.
- Increase regional co-ordination of tourism initiatives in Africa for the expansion and increased diversity of products.
- Maximise our benefits from the strong inter-regional demand for tourism activities, by developing specialised consumer-targeted marketing campaigns.

(vi) Services

162. Services can constitute very important activities for African countries, in particular those that are well-equipped in the field of ICTs (téleservices).

(vii) Promoting the private sector

163. Objectives

- To ensure a sound and conducive environment for private sector activities, with particular emphasis on domestic entrepreneurs.
- To promote foreign direct investment and trade, with particular emphasis on exports.
- To develop micro-, small- and medium-enterprises, including the informal sector.

164. Actions

At the African level:

- Undertake measures to enhance the entrepreneurial, managerial and technical capacities of the private sector by supporting technology acquisition, production improvements, and training and skills development.
- Strengthen chambers of commerce, trade and professional associations, and their regional networks.
- Organise dialogue between the government and the private sector to develop a shared vision of economic development strategy and remove constraints to private sector development.
- Strengthen and encourage the growth of micro, small and medium-scale industries through appropriate technical support from service institutions and civil society, and improve access to capital by strengthening micro-financing schemes, with particular attention to women entrepreneurs.

At the international level:

- Promote entrepreneurial development programmes for training managers of African firms.
- Provide technical assistance in relation to the development of an appropriate regulatory environment, promotion of small-, medium- and micro-enterprises and, establish micro-financing schemes for the African private sector.
(viii) Promoting African exports

165. Objectives

- To improve procedures for customs and drawback/rebate schemes.
- To tackle trade barriers in international trade through the improvement of standards.
- To increase intra-regional trade via promoting cross-border interaction among African firms.
- To improve Africa's negative image through conflict resolution and marketing.
- To deal with short-term skills shortages through appropriate firm-level incentives and training.

166. Actions

At the African level:

- Promote intra-African trade with the aim of sourcing within Africa, imports formerly sourced from other parts of the world.
- Create marketing mechanisms and institutions to develop marketing strategies for African products.
- Publicise African exporting and importing companies and their products through trade fairs.
- Reduce the cost of transactions and operations.
- Promote and improve regional trade agreements, foster inter-regional trade liberalisation, and harmonise rules of origin, tariffs and product standards.
- Reduce export taxes.

At the international level:

- Negotiate measures and agreements to facilitate market access for African products to the world market.
- Encourage foreign direct investment.
- Assist in capacity-building in the private sector, as well as strengthening country and sub-regional capacity in trade negotiations, implementing the rules and regulations of the WTO, and identifying and exploiting new trading opportunities that emerge from the evolving multi-lateral trading system.
- The African heads of state must ensure active participation in the world trading system, which has been managed under the auspices of the WTO since 1995. If a new round of multi-lateral trade negotiations is started, it must recognise and provide for the African continent’s special concerns, needs and interests in future WTO rules.

167. Participation in the world trading system must enhance:

- open, predictable and geographically diversified market access for exports from Africa;
- the provision of a forum in which developing countries can collectively put up their demand call for structural adjustment by developed countries in those industries in which the natural competitive advantage now lies with the developing world;
- transparency and predictability as preconditions for increased investment in return for boosting
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supply capacity and enhancing the gains from existing market access;

- technical assistance and support to enhance institutional capacity of African States to use the WTO and to engage in multi-lateral trade negotiations.

168. In addition to broad-based support for the WTO, African heads of state must identify strategic areas of intervention and, together with the international community, strengthen the contribution of trade to the continent’s recovery. The strategic areas include:

- The identification of key areas in export production in which supply-side impediments exist.
- The diversification of production and exports especially in existing and potential areas of competitive advantage, and bearing in mind the need to move towards higher value-added production.
- An assessment of the scope for further liberalisation in manufacturing, given the concentration of access in low value-added sectors, and its restrictiveness in high value-added activities with the greatest economic and growth potential.
- Renewed political action by African countries to intensify and deepen the various integration initiatives on the continent. To this end, consideration needs to be given to:
  - a discretionary preferential trade system for intra-African trade; and
  - the alignment of domestic and regional trade and industrial policy objectives, thereby increasing the potential for intra-regional trade critical to the sustainability of regional economic arrangements.

169. Heads of State must act to:

- secure and stabilise preferential treatment by key developed country partners, e.g. the Generalised System of Preferences (GSP), the Cotonou Agreement, the "Everything But Arms" (EBA) initiative, and the Africa Growth and Opportunity Act (AGOA);
- ensure that further multi-lateral liberalisation does not erode the preferential gains of these arrangements; and
- identify and address deficiencies in their design and application.

(ix) Removal of non-tariff barriers

170. African leaders believe that improved access to the markets of industrialised countries for products in which Africa has a comparative advantage is crucial. Although there have been significant improvements in terms of lowered tariffs in recent years, there remain significant exceptions on tariffs while non-tariff barriers also constitute major impediments. Progress on this issue would greatly enhance economic growth and diversification of African production and exports. Dependence on ODA would decline and infrastructure projects would become more viable as a result of increased economic activity.
VI. A NEW GLOBAL PARTNERSHIP

171. Africa recognises the centuries-old historical injustice and the need to correct it. The central injunction of the new partnership is, however, for combined efforts to improve the quality of life of Africa’s people as rapidly as possible. In this, there are shared responsibilities and mutual benefits for Africa and her partners.

172. The global technological revolution needs an expanding base of resources, a widening sphere of markets, new frontiers of scientific endeavour, the collective capacity of human wisdom, and a well-managed ecological system. We are aware that much of Africa’s mineral and other material resources are critical inputs into production processes in developed countries.

173. In addition to its indispensable resource base, Africa offers a vast and growing market for producers across the world. A developing Africa, with increased numbers of employed and skilled workers and a burgeoning middle class, would constitute an expanding market for world manufactured products, intermediate goods and services.

174. At the same time, Africa provides a great opportunity for investment. The New Partnership for Africa’s Development creates opportunities for joint international efforts in the development of infrastructure, especially in ICT and transportation.

175. Africa also provides prospects for creative partnerships between the public and private sectors in beneficiation, agro-industries, tourism, human resource development and in tackling the challenges of urban renewal and rural development.

176. Furthermore, Africa’s biodiversity – including its rich flora and fauna and the rain forests – is an important global resource in combating the environmental degradation posed by the depletion of the ozone layer and climate change, as well as the pollution of air and water by industrial emissions and toxic effluents.

177. The expansion of educational and other opportunities in Africa would enhance the continent’s contribution to world science, technology and culture, to the benefit of all humankind. After all, modern science recognises Africa as the cradle of humanity. Fossils, artefacts, artistic works and the versions of ancient human settlements are to be found throughout Africa, providing material evidence of the emergence of *homo sapiens* and the progression of humanity.

178. As part of the process of reconstructing the identity and self-confidence of the peoples of Africa, it is necessary that this be understood and valued by Africans themselves. In the same vein, Africa’s status as the birthplace of humanity should be cherished by the whole world as the origin of all its peoples.

179. Africa’s rich cultural legacy is reflected in its artefacts of the past,
its literature, philosophies, art and music. These should serve both as a means of consolidating the pride of Africans in their own humanity and of confirming the common humanity of the peoples of the world.

180. The New Partnership for Africa’s Development has, as one of its foundations, the expansion of democratic frontiers and the deepening of the culture of human rights. A democratic Africa will become one of the pillars of world democracy, human rights and tolerance. The resources of the world currently dedicated to resolving civil and interstate conflict could therefore be freed for more rewarding endeavours.

181. The converse of such an initiative, that is the collapse of more African states, poses a threat not only to Africans, but also to global peace and security. For industrialised countries, development in Africa will reduce the levels of global social exclusion and mitigate a major potential source of global social instability.

182. Africa is committed to the development and strengthening of South-South partnerships.

Establishing a new relationship with industrialised countries and multi-lateral organisations

183. A critical dimension of Africans taking responsibility for the continent’s destiny is the need to negotiate a new relationship with their development partners. The manner in which development assistance is delivered in itself creates serious problems for developing countries. The need to negotiate and account separately to donors supporting the same sector or programme is both cumbersome and inefficient. Also, the tying of development assistance generates further inefficiencies. The appeal is for a new relationship that takes the country programmes as a point of departure. The new relationship should set out mutually agreed performance targets and standards for both donor and recipient. There are many cases that clearly show that the failure of projects is not caused only by the poor performance of recipients, but also by bad advice given by donors.

184. The various partnerships between Africa and the industrialised countries on the one hand, and multi-lateral institutions on the other, will be maintained. The partnerships in question include, among others: the United Nations New Agenda for the Development of Africa in the 1990s; the Africa-Europe Summit’s Cairo Plan of Action; the World Bank-led Strategic Partnership with Africa; the International Monetary Fund-led Poverty Reduction Strategy Papers; the Japan-led Tokyo Agenda for Action; the Africa Growth and Opportunity Act of the United States; and the Economic Commission on Africa-led Global Compact with Africa. The objective will be to rationalise these partnerships and to ensure that real benefits to Africa flow from them.
185. The African leaders envisage the following responsibilities and obligations of the developed countries and multi-lateral institutions to:

- support materially mechanisms for, and processes of, conflict prevention, management and resolution in Africa, as well as peace-keeping initiatives;
- accelerate debt reduction for heavily indebted African countries, in conjunction with more effective poverty reduction programmes, of which the Strategic Partnership with Africa and the PRSP initiatives are an important starting point;
- improve debt relief strategies for middle-income countries;
- reverse the decline in ODA flows to Africa and to meet the target level of ODA flows equivalent to 0.7 percent of each developed country’s gross national product (GNP) within an agreed period. Increased aid flows will be used to complement funds released by debt reduction for accelerating the fight against poverty;
- translate into concrete commitments, the international strategies adopted in the fields of education and health;
- facilitate the development of a partnership between countries, international pharmaceutical corporations and civil society organisations to urgently secure access to existing drugs for Africans suffering from infectious diseases;
- admit goods into markets of the developed countries through bi-lateral initiatives, and to negotiate more equitable terms of trade for African countries within the WTO multi-lateral framework;
- work with African leaders to encourage investment in Africa by the private sector in developed countries, including the establishment of insurance schemes and financial instruments that will help lower risk premiums on investments in Africa;
- raise consumer protection standards for exports from developed countries to developing countries as applicable to the domestic markets in the developed countries;
- ensure that the World Bank and other multi-lateral development finance institutions participate as investors in the key economic infrastructure projects, in order to facilitate and secure private sector participation;
- provide technical support to accelerate the implementation of the Programme of Action, including strengthening Africa’s capacity in planning and development management, financial and infrastructure regulation, accounting and auditing, and development, construction and management of infrastructure;
- support governance reforms of multi-lateral financial institutions to better cater for the needs and concerns of countries in Africa;
- set up co-ordinated mechanisms to combat corruption effectively, as well as commit themselves to the return of monies (proceeds) of such practices to Africa.
VII. IMPLEMENTATION OF THE NEW PARTNERSHIP FOR AFRICA’S DEVELOPMENT

186. Recognising the need to sequence and prioritise, the initiating Presidents propose that the following programmes be fast-tracked, in collaboration with development partners:
   - communicable diseases – HIV/ AIDS, malaria and tuberculosis;
   - information and communications technology;
   - debt reduction;
   - market access.

187. Work has already been done on all these programmes by a variety of international partnerships and institutions. However, Africa’s participation and leadership need to be strengthened for better delivery. We believe that addressing these issues could fast-track the renewal of the continent.

Projects

188. Much as the promoters of the New Partnership for Africa’s Development appreciate the dangers of a project approach to development, they are proposing a number of projects that are crucial to an integrated regional development, as conceived by the New Partnership for Africa’s Development. Not only will these projects strengthen country and regional development programmes, but they will also go a long way in kick-starting the regeneration of the continent.

189. The projects presented below are for illustrative purposes only. A detailed list of projects can be found on the website of the New Partnership for Africa’s Development (www.mapstrategy.com).

(i) Agriculture

190. Expand the ambit and operation of the integrated land and water management action plan for Africa. The project addresses the maintenance and upgrading of Africa’s fragile agricultural natural resources base. Many African governments are already implementing these initiatives as part of this programme. Partners include the Global Environment Facility (GEF), the World Bank, the African Development Bank, the FAO and other bi-lateral donor agencies.

191. Strengthen and re-focus the capacity of Africa’s agricultural research and extension systems. The project addresses the issue of upgrading of the physical and institutional infrastructure that supports Africa’s agriculture. Technological innovation and technology diffusion hold enormous potential for accelerating agricultural output and productivity, but the continent lacks the research capacity that is necessary for major breakthroughs. Major players include the Forum for Agricultural Research in Africa (FARA), the World Bank, the FAO and the Consultative Group on International Agricultural Research (CGIAR).

(ii) Promotion of the private sector

192. International experience suggests
that one of the best practices in promoting enterprises in highly innovative areas is through the establishment of business incubators. This project will formulate required guidelines and policies for the establishment of such incubators at the national level, drawing on international experience and established best practice, tailored to African needs and conditions.

(iii) Infrastructure and regional integration

193. The New Partnership for Africa’s Development process has identified many energy, transport, telecommunications and water projects that are crucial to Africa’s integrated development. The projects are at various stages of development and require funding. The next step is to accelerate their continued development in collaboration with the African Development Bank, the World Bank and other multilateral institutions.

194. The view of the initiating Presidents is that, unless the issue of infrastructure development is addressed on a planned basis – that is, linked to regional integrated development – the renewal process of the continent will not take off. Therefore, the international community is urged to support Africa in accelerating the development of infrastructure. Detailed infrastructure projects can be found on the web site of the New Partnership for Africa’s Development (www.mapstrategy.com).

195. As part of assessing the required action in the priority sectors, a needs assessment will be undertaken, progressing from the national level to the sub-regional and regional levels. The aim is to assess the needs in the five priority sectors in terms of structures and staff.

196. The assessment of sub-regional sectoral needs will start from the national needs assessment. The proposal is that the experts and ministers in each sub-sector meet in one of the sub-regional capitals. For each sector, national data would have been aggregated and used to elaborate a sub-regional sectoral plan. Once sub-regional sectoral needs are assessed in the five sectors, they can be aggregated to formulate overall regional plan.

197. It should be stressed that sub-regional sectoral needs are not to be simply added up – the starting point is a sub-regional perspective leading to at least two new elements.

- Specific needs of the sub-region perceived as a single space for all states in the sub-region. For instance, roads and railroads will not be conceived from a national perspective, but from a sub-regional one.
- Needs that should be rationalised on a sub-regional basis. For instance, the universities should be distributed according to a sub-regional territorial rationale.
- Finally, the continent’s needs will be
assessed in the five sectors considered as priority sectors in the light of the global sub-regional plans. The details can be found on the web site of the New Partnership for Africa’s Development (www.mapstrategy.com).

Management mechanism of the New Partnership for Africa’s Development

198. The Heads of State promoting the New Partnership for Africa’s Development will advise OAU on an appropriate mechanism for its implementation.

199. There will be a need for core technical support for the implementing mechanism in the areas of research and policy formulation.

Heads of State Implementation Committee

200. A Heads of State Implementation Committee composed of the five Heads of State, promoters of the New Partnership for Africa’s Development and 10 others, (two from each region) will be appointed for the implementation.

201. The functions of the Implementation Committee will consist of:
• identifying strategic issues that need to be researched, planned and managed at the continental level;
• setting up mechanisms for reviewing progress in the achievement of mutually-agreed targets and compliance with mutually-agreed standards;
• reviewing progress in the implementation of past decisions and taking appropriate steps to address problems and delays.

VIII. CONCLUSION

202. The objective of the New Partnership for Africa’s Development is to consolidate democracy and sound economic management on the continent. Through the programme, African leaders are making a commitment to the African people and the world to work together in rebuilding the continent. It is a pledge to promote peace and stability, democracy, sound economic management and people-centred development, and to hold each other accountable in terms of the agreements outlined in the programme.

203. In proposing the partnership, Africa recognises that it holds the key to its own development. We affirm that the New Partnership for Africa’s Development offers an historic opportunity for the developed countries of the world to enter into a genuine partnership with Africa, based on mutual interest, shared commitments and binding agreements.

204. The adoption of a development strategy as set out in the broad approach outlined above, together with a detailed Programme of Action, will mark the beginning of a new phase in the partnership and co-operation between Africa and the developed world.
205. In fulfilling its promise, this agenda must give hope to the emaciated African child that the 21st century is indeed Africa's century.

ABUJA, NIGERIA
OCTOBER 2001

C: AU ELECTS FIVE WOMEN COMMISSIONERS

PRESS RELEASE

Geneva, 16 July 2003

AU elects five women commissioners

The Second Ordinary Session of the Assembly of Heads of State and Government of the African Union (AU), which took place in Maputo, Mozambique, from 10 to 12 July 2003, was a successful milestone in the advancement of women's rights in Africa.

Femmes Africa Solidarité (FAS) welcomed the election of five women commissioners to the African Union Commission, as well as the adoption of the Protocol on the Rights of Women in Africa to the African Charter on Human Rights, and the Decision taken for the elaboration of an AU policy, declaration, strategy and management system on gender mainstreaming of the Commission of the African Union by the AU Gender Directorate.

The positive outcome of this Summit in terms of gender mainstreaming and women's effective participation in the African Union was the culmination of three very important consultations among African Women's Networks, from which were issued the Durban Declaration, the Dakar Strategy and the Maputo Declaration. The first declaration resulted in the adoption of a gender parity proposal in the AU Commission by the Heads of State and Government. The two which followed proposed further recommendations for the efficient
implementation of gender mainstreaming and women's effective participation in all programmes and structures of the African Union (AU) and its specialised mechanisms such as NEPAD, CSSDCA, and the Protocol on the Rights of Women in Africa. Some of the organisations included in these advocacy programmes were FAS, FEMNET, ACCORD, ALF, ABANTU, WILDAF, FDC, ACDHRS and Equality Now.

The five honorable women elected to the AU Commission were Julia Dolly Joiner of Gambia, Bience Philomina Gawanas of Namibia, Saida Agrebi of Tunisia, Elisabeth Tankeu of Cameroon, and Rosebud Kurwijila of Tanzania. The women appointed to the AU Commission proved to have the utmost expertise in their respective areas, considerable experience working in the field, and to be highly reputable members of the African society.

Joiner, who most recently served as secretary general and head of Civil Service for Gambia, holds degrees in international public administration, public policy, and management development, and was elected as commissioner of Political Affairs.

Gawanas, who holds the post of ombudsman of the Republic of Namibia, was a founding member of Lawyers Against Apartheid in the United Kingdom, and holds an executive MBA in governance, ethics, and strategic management. Gawanas was elected to the position of Social Affairs commissioner.

Tankeu served as minister of Planning and Regional Development of Cameroon, with the responsibility of executing the country's national plan and financial analysis. She holds a degree in Economic Sciences from the University of Paris. She will serve as the Trade and Industry commissioner.

Kurwijila, elected as Rural Economy and Agriculture commissioner, is currently programme development co-ordinator for ACTIONAID in Tanzania. She holds a master's degree of science in agricultural economics of London University and has published numerous works on agriculture, women and water management.

Agrebi will serve as the AU Commission's Human Resources, Science and Technology commissioner. Agrebi holds a master's degree in public health from Berkeley University. Agrebi is also an active member of African civil society as president and founder of the Tunisian Mothers' Association and is a member of the Tunisian Parliament.

FAS wishes to thank UNFPA, UNDP, UNHCR and the governments of the Netherlands and Senegal for their support to FAS initiatives regarding gender mainstreaming in the African Union and NEPAD.
D: CONSTITUTION OF THE PAN-AFRICAN WOMEN'S ORGANISATION (PAWO)

PREAMBLE

We, African women,
1. aware of our responsibilities as citizens, working women, mothers and wives in view of the several common problems facing our Continent;
2. convinced that women, who represent more than half the population in Africa, still suffer from certain customs and attitudes that are detrimental to their full integration in the life of their societies;
3. convinced that the harmonious development of Africa is linked to the improvement of women's condition, to the utilisation of their potentialities;
4. considering that the total and responsible participation of African women in development of Africa requires women themselves to take specific actions;
5. underlying our common will to participate actively and efficiently in the struggle for the economic, political and socio-cultural development of our Continent;
6. aware of the problems facing African women nowadays, that are a threat to peace and security in Africa and in the world;
7. persuaded that such problems could be solved through solidarity among people and through faith in human values;
8. bearing in mind the United Nations Charter and the Resolution on De-colonisation, the Universal Declaration on Human Rights, the OAU Charter and the principles of non-alignment;
9. expressing our active and militant solidarity towards those women and people still in struggle against apartheid, zionism and racial discrimination;
10. considering that the liberation and development of Africa is a duty of all people on the Continent;
11. considering that the African integration constitutes of irreversible way for the survival of the Continent;
we, African women from all political groups, decide to constitute a women's organisation, and we are determined to unite our efforts and insert our action within the global actions for the African people in combating all calamities and the obstacles, in order to improve the standard of living of these people and turn Africa into a Continent of prosperity, freedom, peace and justice.

CHAPTER 1 – NAME, EMBLEM AND HEADQUARTERS OF THE ORGANISATION

Article 1

A women's organisation is created, named “Pan-African Women's Organisation.
• Its initials are PAWO.
• Its emblem consists of a woman's head whose hair is the map of Africa.

Article 2

Its headquarters is fixed by decision of the Congress held in the country elected.

Article 3

An agreement should be signed between PAWO and the host country.
Article 4

The working languages of PAWO are those of the OAU.

Chapter II – Aims and objectives

Article 5

The Pan-African Women’s Organisation aims at working for the effective and responsible participation of the African woman in the socio-economic and cultural development of Africa.

1. Prosecute the struggle for recognition and application of the right of women to participate in decision-making in the fields of political, economic, cultural and social life, both at national and international levels, and particularly, to be able to express their opinion in bills envisaging the welfare of women and children before being debated at Parliament.

2. To follow up the evolution, and contribute to the improvement, of the situation of African women by collecting data on the economic, political and socio-cultural aspects, on women and children in member countries, and disseminate the results of research undertaken in these fields by PAWO or by member countries through documents and through the existing media.

3. Support all actions taken at national and international levels aimed at eliminating flagrant violations of human rights.

4. Support the governments in the protection of Africa in all aspects.

5. Support those movements fighting for the total liberation of their countries for a true African integration.

6. Promote the effective unity among African states through friendship and co-operation.

7. Establish continuous relations of friendship and co-operation between African women and the women all over the world.

8. Support the internal co-operation and participate in all actions for disarmament and reinforcement of peace worldwide.

CHAPTER III – ADHESION

Article 6

All women’s organisations recognised by their governments, which support the objectives of the organisation, can be members of PAWO.

Article 7

In those countries where there are several women’s organisations, only one can be admitted, the one recognised by the Government of that country.

Article 8

It shall be admitted by PAWO, the national organisation which regroups all women’s associations recognised by the government.

Article 9 – Honorary members

Any person, women or men, from Africa or from other continents, who work in a notable way for the realisation of PAWO’s objectives, can be honorary members of PAWO.

Article 10 – Observer status
The observer status at PAWO can be accorded.

**Article 11 – Admission**

Applications are sent to the General Secretariat which transmits through copies, to all member organisations for appreciation and further discussion at the Council meeting.

**CHAPTER IV – INSTANCES AND ORGANS OF PAWO**

**Article 14**

The instances and organs of PAWO are:
- the Congress;
- the Council;
- the General Secretariat; and
- the Control Commission of Finance.

**Article 15 – Composition**

The Congress is the supreme organ of PAWO. It is composed of:
- representatives from member countries;
- representatives from liberation movements;
- the General Secretariat; and
- the Control Commission of Finance.

**THE CONGRESS**

**Article 16 – Attributions**

The Congress:
- defines PAWO’s policy;
- modifies and adopts the Constitution, Internal Regulations and Programme of Action of PAWO;
- deliberates about the issues inscribed on the agenda by the Council or the General Secretariat;
- examines and adopts the General Secretariat’s activities and financial reports;
- studies and adopts the Programmes of Action as well as the draft budget of PAWO for the next five years;
- ratifies the decisions of the Council.
- creates all the necessary structures for the realisation of PAWO’s objectives;
- fixes and modifies the amount of the subscriptions;
- elects the members of the General Secretariat;
- designates amongst member organisations outside the General Secretariat, a Control Commission in charge of the verification of PAWO’s accounts;
- deliberates on the admission of honorary members;
- adopts the admission applications and the exclusion of members.

**Article 17 – Functioning**

The Congress meets in ordinary session every five years, convened by the General Secretariat, according to the decision of the Council. However, it can meet in extraordinary session by request of ? of member countries.

The venue of the Congress must change in such a way that it takes place in all African member countries. In order for the Congress to be considered valid, it is required the presence of ? of member countries. Each organisation has a right to vote.

Decisions on the Congress procedure are taken by a simple majority.
THE COUNCIL

Article 18

In periods between two Congresses, PAWO gathers its Council which comprises:
• one representative from each member country;
• the General Secretariat; and
• the Control Commission.

Article 19 – Attributions

Between two Congresses, the Council has full authority to proceed in the name of PAWO, according to its objectives, Plan of Action and the Recommendations adopted at the Congress.

The Council can make adjustments on PAWO’s Programme according to its objectives and principles.

The Council monitors the execution of decisions of the Congress.

The Council examines the report on financial and other activities as well as the draft budget elaborated by the General Secretariat.

Article 20 – Functioning

The Council meets in ordinary sessions, every two and a half years.

The Council meetings are held, when possible, rotatively in all member countries. It can meet in extraordinary sessions, when convened by the General Secretariat or by request of ? of its members.

The Council deliberations are valid when quorum is reached and its decisions are taken by simple majority of members present.

Every member has voting rights.

THE GENERAL SECRETARIAT

Article 21 – Composition

The General Secretariat is the Executive Organ of PAWO. It is composed of:
• one Permanent General Secretariat; and
• five Regional Secretariats.

The Permanent General Secretariat is composed of:
• one Secretary-General;
• five Executive Secretaries;
• one Representative at International Agencies.

Article 22 – Attributions

The Permanent General Secretariat can take decisions for the good functioning of the organisation between two Council meetings.

The Permanent General Secretariat’s attributions are as follows:
1. to co-ordinate and control activities of the Regional Secretariats;
2. to prepare and propose the budget to the Council and the Congress;
3. to execute the recommendations of the Congress and monitor the application of PAWO’s Programme of Activities;
4. to convene the Council and Congress meetings;
5. to collect and disseminate information on the condition of women in Africa.
and world-wide; and
6. to propose to the Congress candidates for honorary members.

Any country elected for the Permanent General Secretariat, which does not send its representative to the headquarters within one year after the Congress, will be deprived from its right of member of the General Secretariat and will replaced by any other country.

**Article 23 – Functioning**

The Secretary-General and the five Executive Secretaries are permanent and must reside, compulsory, at the Headquarters. In case of vacancy of the post of the Secretary-General, the General Secretariat’s members meet to appoint an interim. In case of total incapacity or death of the Secretary-General, the new General Secretariat requests the country to appoint a new Secretary-General.

Apart from their duties, the Members of the General Secretariat must enjoy benefits stipulated by the agreement on headquarters’ facilities. They are totally covered by their respective countries.

The meetings of the General Secretariat, the Council and the Congress are financed by the country hosting the event.

Travelling and mission expenses of the General Secretariat’s Permanent Member are financed by PAWO.

Travelling and missions of member organisations are financed by their respective countries.

The General Secretariat is elected for a five-year term. It can only be re-elected once.

**REGIONAL SECRETARIATS**

**Article 24 – Composition**

The Regional Secretariats are sub-divided as follows:
- Regional Secretariat for northern Africa;
- Regional Secretariat for central Africa;
- Regional Secretariat for western Africa;
- Regional Secretariat for eastern Africa;
- Regional Secretariat for southern Africa.

**Article 25 – Functioning**

The members of the General Secretariat are assisted in their duties by the Regional Secretaries who ensure the liaison between the Permanent Secretaries and the organisations implanted in their respective regions.

The Regional Secretaries are permanent and reside at the Regional headquarters. PAWO’s Regional Headquarters is fixed in the country in charge of the Regional Secretariat.

**Article 26 – Attributions**

The Regional Secretaries co-ordinate and harmonise the actions of member organisations according to the objectives of PAWO.

The Regional Secretaries work for the promotion of co-operation between member organisations of their region in
political, economic, social and cultural fields.

They handle funds put at the Region's disposal by the General Secretariat.

They meet once a year with representatives from member organisations in their region, rotatively in each country.

Each member delegation has a right to vote unless in case of sanctions previewed in the internal regulation.

**CHAPTER V – RESOURCES**

**Article 27**

PAWO's resources consist of:
- subscriptions of member countries whose amount is US$1,500;
- subventions, gifts and donations;
- receipts from activities of the organisation (publications, demonstrations, funding);
- the Secretary-General can accept, on behalf of PAWO, all gifts, donations and contributions given to the organisation after approval by the General Secretariat;
- the Secretary-General handles the funds and is responsible for the organisation's furniture and estate.

**CHAPTER VI – RELATIONS WITH THE OAU AND THE UNO**

**Article 28**

The Pan-African Women's Organisation, as it appears in the preamble, fully adheres to the Organisation for African Unity (OAU) Charter and has observer status at the OAU, and therefore commits itself to co-operate, closely with the OAU.

PAWO also has observer status at the United Nations Organisation (UNO). For that reason, it commits itself to collaborate closely with this organisation.

**CHAPTER VII – PARTICULAR DISPOSITIONS**

**Article 29**

The violation of the present Constitution constitutes a serious fault. The disposition of the present Constitution shall be completed by an Internal Regulation, which shall specify exactly the forms of its application.

**CHAPTER VIII – ALTERATION OF THE CONSTITUTION**

**Article 30**

The present Constitution can only be altered by the Congress, following proposal of the Council, or by request of ? of member organisations. Amendments are adopted by a simple majority plus one of member countries attending the Congress.

**CHAPTER IX – DISSOLUTION**

**Article 31**

Dissolution can only be decided by the Congress, by a majority of ? of member countries present. In case of dissolution of PAWO, the Congress shall decide what to do about estate and previous engagements.
E. PAWO INTERNAL REGULATIONS

INTERNAL REGULATIONS OF THE PAN-AFRICAN WOMEN’S ORGANISATION (PAWO)

CHAPTER I – GENERAL PRINCIPLES

Article 1
The present Internal Regulations specify the methods of applying PAWO’s Constitution.

Article 2
Any violation of the present Internal Regulations is a serious offence.

Article 3
Languages: French, English, Arabic and Portuguese are, at the same time, the official languages of PAWO.

CHAPTER II – NAME AND HEADQUARTERS

Article 4
An African women’s organisation is hereby founded, denominated Pan-African Women’s Organisation. The headquarters of the General Secretariat is placed in the country elected during the Congress. It cannot be transferred elsewhere unless on decision of the Congress by \( \frac{1}{2} + 1 \) (simple majority plus one) of members present, or at request of the host country on condition that a notice is presented six months in advance.

Article 5
An agreement on headquarters’ facilities must be signed between PAWO and the host country.

CHAPTER III – MEMBERSHIP

Article 6
All national women’s organisations from independent African countries and the liberation movements can be members of PAWO, according to Articles 5, 6, 7 and 8 of the Constitution.

Taking into account the political, constitutional and other changes taking place in each African country, governments are hence recommended to create a body congregating all women’s organisations.

Any person, women or men, from Africa or other Continents working in a notable way for the realisation of the organisation’s objectives, can be honorary members of PAWO.

Admission procedures are in accordance with Article 9 of PAWO’s Constitution.

Each independent country and the recognised liberation movements can be represented by only one organisation.

Observer status can be granted to international organisations supporting PAWO’s actions.

CHAPTER IV – INSTANCES AND ORGANS

Article 7
The Congress and the Council are the instances of PAWO being the General Secretariat its Executive organ.

**THE CONGRESS**

**Article 8**

The Congress is the supreme instance of PAWO. It meets in ordinary sessions every five years and can meet in extraordinary sessions at the request of ½ + 1 (simple majority plus one) of its members or by the General Secretariat.

**Article 9**

Deliberations of the Congress are considered valid in the presence of ½ + 1 (simple majority plus one) of its members. Whenever a quorum is not reached, the session is postponed for at least 24 hours, and at most, 48 hours. The final decision is taken by delegations present.

**Article 10**

The Congress consists of the representatives from member countries, representatives of liberation movements and the General Secretariat.

**Article 11**

All non-African or international organisations whose activities correspond to the objectives of PAWO can attend the Congress as observers by invitation of the General Secretariat.

**Article 12**

UNO- and OAU-specialised agencies, as well as honorary members of PAWO, attend the Congress as observers by invitation of the General Secretariat.

**Article 13**

The Secretary-General informs the member organisations about the venue and agenda for the Congress, six months in advance.

**Article 14**

The draft agenda for the Congress is elaborated by the general Secretariat.

**Article 15**

The Regional Secretaries inform the General Secretariat about their proposals nine months before the Congress.

**Article 16**

The General Secretariat elaborates, in addition to its basic documents (activities and financial reports), the essential documents necessary for the Congress procedures in harmony with the items on the Agenda.

Congress proceedings are conducted by a bureau elected by delegates. Before this election, proceedings are conducted by the Secretary-General, flanked by the Executive Secretaries.

The number of working commissions, their meetings, agenda and composition is established in accordance with items listed on the agenda of the Congress.
Article 17

The Congress determines the venue for the next ordinary meeting.

Article 18

The Congress is able to revise the draft agenda by a simple majority of its members.

Article 19

The Congress sessions can be either in public or in camera according to decision of the majority of its members present at the congress.

THE COUNCIL

Article 20

PAWO’s Council assembles all member countries, liberation movements (being one delegate per country and one per liberation movement) and members of the General Secretariat.

Article 21

The Council meets in ordinary sessions once every two years, rotatively in each member country, by convocation of the General Secretariat. It can meet in extraordinary sessions by request of $\frac{1}{2} + 1$ (simple majority plus one) of its members, or at the request of the General Secretariat.

Article 22

At the end of each session, the Council determines the venue for the next meeting.

Article 23

Deliberations of the Council are considered valid in presence of a simple majority of its members. If a quorum is not reached, the session is postponed for at least 24 hours, and at most, 48 hours. When resumed, the session is deemed valid no matter how many members are present.

Article 24

The Council proceedings are conducted by a bureau elected by members present. Before this election, the Secretary-General conducts the proceedings flanked by the Executive Secretaries.

Article 25

At the end of works, the Council Secretariat draws up a report and submits to the General Secretariat that disseminates it through the number organisations.

THE GENERAL SECRETARIAT

Article 26

The General Secretariat is the Executive organ of PAWO. It is composed of:

- one Secretary-General;
- five Executive Secretaries;
- five Regional Secretaries; and
- representatives at international agencies.

The General Secretariat is responsible before the Council and Congress.

Article 27

Six (6) members of the General Secretariat
Continental Development Goals

are permanent at the headquarters. They are:
• the Secretary-General;
• the Executive Secretary of External Relations;
• the Executive Secretary for Administration, Finance and Material;
• the Executive Secretary for Social, Economic and Cultural Affairs;
• the Executive Secretary for Education, Training and Information;
• the Executive Secretary for Legal Affairs, Documentation and Statistics.

THE SECRETARY-GENERAL

Article 28

The Secretary-General is responsible for the moral and civil aspects within PAWO.

It is her duty to maintain and follow-up the political orientation of PAWO, and to monitor the implementation of the organisation's options defined by the Congress. The General Secretariat is under the Secretary-General's moral authority.

The Secretary-General orientates, co-ordinates and controls PAWO activities.

The Secretary-General decides on PAWO's budget and appoints a third member to sign cheques in her absence.

THE EXECUTIVE SECRETARY FOR EXTERNAL RELATIONS

Article 29

The Executive Secretary for External Relations:
• follows-up the activities of women's movements in non-African countries, and in particular, of women's organisations that pursue the same objectives as PAWO;
• collects all the information on this field and regularly informs the General Secretariat;
• encourages the exchange of delegations among member organisations and other women's organisations in the world that pursue the same objectives as PAWO;
• studies and submits to the General Secretariat, the means of developing the relationship between PAWO and UNO/OAU-specialised agencies and all other African and non-African international organisations.

THE EXECUTIVE SECRETARY FOR ADMINISTRATION, FINANCES AND MATERIAL

Article 30

The Executive Secretary for Administration, Finances and Material:
• is in charge of the general administration of PAWO and management of the administrative personnel of the headquarters;
• keeps records of minutes of the meetings;
• is responsible for the framing and maintenance of PAWO files;
• is entrusted to manage finances and other assets belonging to PAWO;
• sets up draft budgets, taking into account the needs of the General Secretariat and in accordance with funds available at the organisation;
• keeps yearly controlled accounts for examination by the General
Secretariat at its annual meeting;
- should open, on behalf of the organisation, bank and postal accounts for the organisation’s funds.

Cheques and payment orders properly filled are jointly signed by the Secretary-General and the Executive Secretary for Administration, Finances and Material. In cases of hindrance or absence of one of them, a third person previously selected by Secretary-General to that effect, is entrusted to sign.

Any person authorised to sign cheques and bank orders must deposit their signatures at the central banks where PAWO has its accounts.

The Executive Secretary must make all efforts to raise funds previewed in the Constitution for PAWO.

PAWO’s resources are foreseen by the Constitution.

THE EXECUTIVE SECRETARY FOR SOCIAL, ECONOMIC AND CULTURAL AFFAIRS

Article 31

The Executive Secretary for Social, Economic and Cultural Affairs:
- studies all the problems related to the economic, social and cultural fields, and contributes for the reinforcement of the exchange between African countries;
- elaborates programmes and organises activities likely to sensitise public authority member countries, on the role of women in development, and to speed up their effective and harmonious integration in the process of development of African countries;
- fights against retrograde customs, which are detrimental to women’s dignity and personality.

THE EXECUTIVE SECRETARY FOR EDUCATION, TRAINING AND INFORMATION

Article 32

The Executive Secretary for Education, Training and Information
- studies and proposes to the General Secretariat, the means of improving women’s education with a view to promoting the status of women in Africa;
- is responsible for collecting and disseminating documents needed to keep PAWO members informed;
- is in charge of publishing periodically, PAWO’s liaison bulletin;
- is responsible for seminars and training programmes.

THE EXECUTIVE SECRETARY FOR LEGAL AFFAIRS, DOCUMENTATION AND STATISTICS

Article 33

The Executive Secretary for Legal Affairs, Documentation and Statistics:
- follows up on the evolution of the legal situation of women in the different countries which have not yet ratified texts and conventions in favour of African women;
- monitors the implementation of the mentioned texts and established a permanent relationship with other women’s organisations;
• works with national, regional and international commissions on the condition of African women;
• provides the General Secretariat with documents and statistics available related to the condition of African women;
• elaborates data on militant women’s organisation members of PAWO;
• must keep a record about the experiences of each sub-region in terms of economic and social development;
• works closely with the Executive Secretary for Legal Affairs of each member organisation of PAWO;
• conducts research in the field of literacy, employment and training of women;

FUNCTIONING OF THE GENERAL SECRETARIAT

Article 34

Members of the General Secretariat must be released from all National Permanent obligations that might keep them away from the headquarters.

However, members of the General Secretariat can temporarily leave the headquarters, with the approval of the Secretary-General, for national family reasons, as long as it does not represent an obstacle to the functioning of the General Secretariat.

Article 35

Decisions involving PAWO must be taken collectively. Members of the General Secretariat cannot take unilateral decisions.

Article 36

In the event of absence of the Secretary-General, she appoints one of the Executive Secretaries as interim. This process should be rotative.

Article 37

In the case of vacancy for post of the Secretary-General, the members of the General Secretariat meet to appoint an Executive Secretary for the interim, to be in charge of current affairs until the holding of the next Congress.

GENERAL SECRETARIAT’S WORK AND EMPLOYMENT

Article 38

Members of the General Secretariat are under full responsibility of the respective countries. In addition to their duties, they enjoy the same advantages and privileges as those of the diplomats from their countries accredited abroad, such as salaries from their respective countries of origin, and several allowances (accommodation, children’s schooling, medical assistance, vacation and travelling allowances).

Allowances from PAWO must be given to representatives from liberation movements, which are members of the General Secretariat, such as salaries, accommodation, medical assistance, children’s schooling, transportation, and travelling allowances.

The General Secretariat fixes and alters the per diem for allowances and costs of mission that is in charge of finances.
CHAPTER V – REGIONAL SECRETARIATES

Article 39

The Regional Secretariats are divided as follows:
• Regional Secretariat for Northern Africa;
• Regional Secretariat for central Africa;
• Regional Secretariat for western Africa;
• Regional Secretariat for southern Africa;
• Regional Secretariat for eastern Africa.

Article 40

The Regional Secretaries reside in the capitals of their respective countries that host the Regional Secretariat elected by the Congress.

Article 41

Transportation of the Regional Secretaries convened to participate in meetings of PAWO are financed by their respective countries.

Article 42

The Regional Secretaries send financial reports, the draft annual budget, and the Programme of Action of the region, to the Secretary-General, and a copy to all member organisations in the sub-region under her jurisdiction.

Article 43

The Regional Secretariats are responsible before the Permanent General Secretariat.

They send semestral reports to the Permanent General Secretariat.

CHAPTER VI – REPRESENTATIVE AT INTERNATIONAL ORGANISATIONS

Article 44

The Representatives at international organisations are proposed by the Secretary-General taking into account the experience they have gained in PAWO.

Article 45

The Representatives are integrand members of the General Secretariat of PAWO.

Article 46

The Representatives are permanent at the international organisations where they are assigned.

Article 47

The Representatives are supported by their respective countries. In addition to their duties, they enjoy the same advantages and privileges as those of diplomats from their countries accredited, abroad, such as salary of a diplomat from their country of origin and various allowances (accommodation, children's schooling, medical assistance, travelling allowance).

Article 48

The Representatives ensure the collaboration between the organisation to which they are assigned and PAWO.
This collaboration consists of action in favour of African women in their emancipation in order to speed up their effective integration in the process of development of the Continent.

**Article 49**

Transportation on missions of the Representatives to attend different meetings of PAWO are financed by the organisation.

**Article 50**

The Representatives at international organisations can only be re-elected once.

**CHAPTER VII – CONTROL COMMISSIONS**

**Article 51**

The Control Commission of Finance is composed of five members, one from each region, elected by the Congress outside the General Secretariat.

**Article 52**

The Control Commission must examine the management of PAWO’s finance.

**Article 53**

Only those organisations, which pay their dues regularly, can belong to the Congress.

**Article 54**

The Control Commission presents a report to the Council and members of the Control Commission Congress.

**Article 55**

The General Secretariat must facilitate the work of the Control Commission.

**CHAPTER VIII – FUNDS**

**Article 56 – Subscriptions**

Subscription fees are deposited at the regional headquarters in bank accounts to be communicated to member countries.

Regional Secretariats channel subscription fees received by them to the headquarters of the General Secretariat through the PAWO bank account after discounting 25% from each subscription.

**CHAPTER IX – OFFENCES**

**Article 58**

The following are deemed offences:
- statements and press conference involving PAWO without prior approval of the Secretary-General;
- members of the Permanent Secretariat who do not report to the Headquarters within one year;
- failure of subscription payment; and
- repeat and unjustified absence of members of the Secretariat a year after the Congress.

**CHAPTER X – SANCTION**

**Article 59**

The above-mentioned offences are liable to the following sanctions:
Article 60

Temporary or definitive exclusions are declared by the Congress. Reprimand is declared by the General Secretariat. Withdrawal of the right to vote is announced by the Council.

CHAPTER XI – REWARDS

Article 61

PAWO members who have given proof of dedication and initiative are rewarded by PAWO.

Article 62

The following are rewards that can be given:
- verbal or written congratulations;
- diploma of honour;
- inscription in PAWO’s book of honour;
- formal presentation of PAWO emblem; and
- condecoration.

CHAPTER XII

Article 63

The present internal regulations can only be altered by the Congress.

F. PAWO PROGRAMME OF ACTION

INTRODUCTION

The Pan-African Women’s Organisation (PAWO) is a privileged instrument through which African women fight for their emancipation and effective integration in the process of economic, social and cultural development based on:
- the Lagos Plan of Action that provides the continent with a true strategy for its economic development;
- the report of the world conference convened to examine and appraise the results of the United Nations Decade for Women, and especially, the African contribution to the report based on the Arusha Strategies; and
- the recent Abuja Declaration on the Participative Development “Role of African Women for the 1990s”.

Taking into account the OAU decisions concerning the urgent measures adopted by the OAU 27th Summit related to the vital problems that the African peoples have been facing, such as debt, deterioration of the terms of exchange, internal conflicts, refugees and displaced persons, democratisation, and more.

The present Programme of Action draws up the major guidelines for future actions to be undertaken by PAWO and its affiliates towards the materialisation of the main objectives proclaimed.

The Regional Secretariats are recommended to elaborate concrete development projects according to their own realities and financial possibilities.
I. POLITICAL FIELD

1. PAWO must place its action in the historic context of the global struggle of the African people for the instauration of democracy for a real participation of women in the national life for human rights, social justice, freedom and peace. PAWO must co-operate with the OAU for the strengthening of African Unity, and in the same way, must collaborate with other organs and institutions for international solidarity.

2. PAWO should work for the defence of women’s rights in particular, taking into account that women are victims of discrimination as far as employment, liberty of opinion and tolerance are concerned.

PAWO should continue its support for the struggle of South African women until apartheid is completely dismantled.

3. The situation of refugees, displaced persons and migrants should also be the main concern of PAWO in its global action.

4. Specific development programmes should be conceived and proposed by PAWO in those countries that have just come out from armed conflicts and natural calamities.

5. PAWO must encourage the governments of member organisations to ratify and implement the Convention related to the rights of women and children.

II. ECONOMIC FIELD

The widespread world crisis affects developing countries, especially in Africa which counts 21 countries among the less developed countries (LDC). Africa is watching its economy being pushed down by the weight of the increasing external debt and by the difficult implementation of the structural adjustment programmes that engender serious social crisis.

The increasing import-export imbalance and the deterioration of the terms of exchange, are factors that hinder the development of Africa.

1. The economic development is the principal condition for real independence and sovereignty of peoples, and constitutes a decisive tool for the improvement of life conditions. The actual economic situation of Africa remains very pre-occupying and worries the African community. It requires the realisation of an extraordinary summit as well as several other meetings of the OAU and ECA, with the aim of drawing up a new strategy, expressing solidarity with all African peoples.

2. More and more, African countries have to face an increasing scarcity of food for many reasons, accusing serious difficulties never known in times of peace. In order to face this situation, it should be stressed the need of modern cultural and technical training of women and their organisations into structures of production and research of appropriate technology.
3. The informal sector, considered non-productive and not corresponding to the norms established by the international references, could be a valuable alternative for the recovery of our market economies, which are turned to the future democratisation of a great number of African countries.

4. The introduction of new modern techniques in cultivation could improve the agricultural production in our African countries on the perspective of food self-sufficiency. However, it could be necessary to create small production units and small-scale industries for valuation and transformation of our products.

Taking into account PAWO’s objectives on the socio-economic field, the domain of small-scale enterprises can be widely open to support women.

5. If, on the one hand, it is necessary to develop south-south economic co-operation, on the other hand, it becomes imperious to African countries to develop, reinforce and update the commercial exchange between them and soften the customs obstacles thus enabling the free circulation of people and goods, according to the recommendations outlined by the latest OAU and ECOWAS (Economic Community of West African States) summits.

If developed, these different aspects will permit the acceleration of the integration process of Africa.

III. SOCIO-CULTURAL FIELD

PAWO considers culture, education and employment as essential factors that enable women to participate fully in the materialisation of the political, economic and socio-cultural objectives of the nation. Despite all efforts exhorted by governments in combating illiteracy in general, and among women in particular, there is still a lot to be done in favour of women, who represent more than half of the total population in Africa. Women are in general, facing difficulties in the employment circuits and further enrolment to higher positions of responsibility in the different spheres of the life of the nation.

1. National development programmes should be based on the needs of women to be educated and trained for greater participation in the elaboration and implementation of development programmes. Both public and housework must not be neglected by planners and economists.

Certain nefarious and retrograde attitudes towards young girls and women should be completely eradicated by governments, which should promulgate laws in that respect.

The need to reinstate delinquents socially and economically through adequate programmes in specialised centres and through educative action should be stressed.

2. The protection of family should be ensured by a family code that, we are sure, would be a privileged instrument
for the emancipation of women and the whole family.

3. African governments should make efforts towards increasing the number of primary health centres.

4. Endemic diseases such as malaria, meningitis, smallpox, cholera, etc. are still pre-occupying. In this last century, AIDS, which affects men in their affective and social life, should be the object of education, information and training for a more accurate development.

**IV. INFORMATION FIELD**

1. The new means of information should take the form of social communication to upgrade the African woman to the centre as an agent of development.

   The situation should be analysed and taken into account during the conception of the major state dossiers.

2. African women, through their national organisations, must endeavour efforts to use all information services available in the countries and at the sub-regional level, aimed at sensitising the population on the role of women both locally and internationally, particularly on the field of environment and the struggle against desertification.

3. A data-bank from serious research carried out by African women should be made available to our respective governments for a more judicious planning for actions to be taken towards our participation in development. Networking with relevant existing research centres or those being created in this field becomes necessary for PAWO.

**V. INTERNATIONAL RELATIONS**

1. PAWO should strengthen and maintain closer relations based on mutual respect with all inter-regional and international organisations and consider it within its global development action in favour of a closer collaboration with these organisations.

   PAWO should extend its solidarity relations and also increase its participation in the international context. This representation should have all required competencies, especially in terms of finding of adequate financing to materialise development projects involving young African women.
The States Parties to this protocol,


CONSIDERING that Article 2 of the African Charter on Human and Peoples’ Rights enshrines the principle of non-discrimination on the grounds of race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status;

FURTHER CONSIDERING that Article 18 of the African Charter on Human and Peoples’ Rights calls on all States Parties to eliminate every discrimination against women and to ensure the protection of the rights of women as stipulated in international declarations and conventions;

NOTING that Articles 60 and 61 of the African Charter on Human and Peoples’ Rights recogniseregional and international human rights instruments and African practices consistent with international norms on human and peoples’ rights as being important reference points for the application and interpretation of the African Charter;

RECALLING that women’s rights have been recognised and guaranteed in all international human rights instruments, notably the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination Against Women and its Optional Protocol, the African Charter on the Rights and Welfare of the Child, and all other international and regional conventions and covenants relating to the rights of women as being inalienable, inter-dependent and indivisible human rights;

NOTING that women’s rights and women’s essential role in development, have been re-affirmed in the United Nations Plans of Action on the Environment and Development in 1992, on Human Rights in 1993, on Population and Development in 1994 and on Social Development in 1995;


RE-AFFIRMING the principle of promoting gender equality as enshrined in the Constitutive Act of the African Union as well as the New Partnership for Africa’s Development, relevant Declarations, Resolutions and Decisions, which underline the commitment of the African States to
ensure the full participation of African women as equal partners in Africa's development;

FURTHER NOTING that the African Platform for Action and the Dakar Declaration of 1994 and the Beijing Platform for Action of 1995 call on all Member States of the United Nations, which have made a solemn commitment to implement them, to take concrete steps to give greater attention to the human rights of women in order to eliminate all forms of discrimination and of gender-based violence against women;

RECOGNISING the crucial role of women in the preservation of African values based on the principles of equality, peace, freedom, dignity, justice, solidarity and democracy;

BEARING IN MIND related Resolutions, Declarations, Recommendations, Decisions, Conventions and other Regional and Sub-Regional Instruments aimed at eliminating all forms of discrimination and at promoting equality between women and men;

CONCERNED that despite the ratification of the African Charter on Human and Peoples’ Rights and other international human rights instruments by the majority of States Parties, and their solemn commitment to eliminate all forms of discrimination and harmful practices against women, women in Africa still continue to be victims of discrimination and harmful practices;

FIRMLY CONVINCED that any practice that hinders or endangers the normal growth and affects the physical and psychological development of women and girls should be condemned and eliminated;

DETERMINED to ensure that the rights of women are promoted, realised and protected in order to enable them to enjoy fully all their human rights;

have agreed as follows:

Article 1 – Definitions

For the purpose of the present Protocol:

a) "African Charter" means the African Charter on Human and Peoples’ Rights;

b) "African Commission" means the African Commission on Human and Peoples’ Rights;

c) "Assembly" means the Assembly of Heads of State and Government of the African Union;

d) "AU" means the African Union;

e) "Constitutive Act" means the Constitutive Act of the African Union;

f) "Discrimination against women" means any distinction, exclusion or restriction or any differential treatment based on sex and whose objectives or effects compromise or destroy the recognition, enjoyment or the exercise by women, regardless of their marital status, of human rights and fundamental freedoms in all spheres of life;

g) "Harmful practices" means all behaviour, attitudes and/or practices which negatively affect the fundamental rights of women and girls, such as their right to life, health, dignity, education and physical integrity;

h) "NEPAD" means the New Partnership
for Africa’s Development established by the Assembly;
i) “States Parties” means the States Parties to this Protocol;
j) “Violence against women” means all acts perpetrated against women which cause or could cause them physical, sexual, psychological, and economic harm, including the threat to take such acts; or to undertake the imposition of arbitrary restrictions on or deprivation of fundamental freedoms in private or public life in peace time and during situations of armed conflicts or of war;
k) “Women” means persons of female gender, including girls.

Article 2 – Elimination of discrimination against women

1. States Parties shall combat all forms of discrimination against women through appropriate legislative, institutional and other measures. In this regard they shall:
a) include in their national constitutions and other legislative instruments, if not already done, the principle of equality between women and men and ensure its effective application;
b) enact and effectively implement appropriate legislative or regulatory measures, including those prohibiting and curbing all forms of discrimination, particularly those harmful practices which endanger the health and general well-being of women;
c) integrate a gender perspective in their policy decisions, legislation, development plans, programmes and activities, and in all other spheres of life;
d) take corrective and positive action in those areas where discrimination against women in law and in fact continues to exist;
e) support the local, national, regional and continental initiatives directed at eradicating all forms of discrimination against women.

2. States Parties shall commit themselves to modify the social and cultural patterns of conduct of women and men through public education, information, education and communication strategies, with a view to achieving the elimination of harmful cultural and traditional practices and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes, or on stereotyped roles for women and men.

Article 3 – Right to dignity

1. Every woman shall have the right to dignity inherent in a human being, and to the recognition and protection of her human and legal rights;
2. Every woman shall have the right to respect as a person and to the free development of her personality;
3. States Parties shall adopt and implement appropriate measures to prohibit any exploitation or degradation of women;
4. States Parties shall adopt and implement appropriate measures to ensure the protection of every woman’s right to respect for her dignity and protection of women from all forms of violence, particularly sexual and verbal violence.
Article 4 – The rights to life, integrity and security of the person

1. Every woman shall be entitled to respect for her life and the integrity and security of her person. All forms of exploitation, cruel, inhuman or degrading punishment and treatment shall be prohibited.

2. States Parties shall take appropriate and effective measures to:
   a) enact and enforce laws to prohibit all forms of violence against women, including unwanted or forced sex, whether the violence takes place in private or public;
   b) adopt such other legislative, administrative, social and economic measures as may be necessary to ensure the prevention, punishment and eradication of all forms of violence against women;
   c) identify the causes and consequences of violence against women, and take appropriate measures to prevent and eliminate such violence;
   d) actively promote peace education through curricula and social communication in order to eradicate elements in traditional and cultural beliefs, practices and stereotypes which legitimise and exacerbate the persistence and tolerance of violence against women;
   e) punish the perpetrators of violence against women and implement programmes for the rehabilitation of women victims;
   f) establish mechanisms and accessible services for effective information, rehabilitation and reparation for victims of violence against women;
   g) prevent and condemn trafficking in women, prosecute the perpetrators of such trafficking and protect those women most at risk;
   h) prohibit all medical or scientific experiments on women without their informed consent;
   i) provide adequate budgetary and other resources for the implementation and monitoring of actions aimed at preventing and eradicating violence against women;
   j) ensure that, in those countries where the death penalty still exists, not to carry out death sentences on pregnant or nursing women;
   k) ensure that women and men enjoy equal rights in terms of access to refugee status, determination procedures and that women refugees are accorded the full protection and benefits guaranteed under international refugee law, including their own identity and other documents;

Article 5 – Elimination of harmful practices

States Parties shall prohibit and condemn all forms of harmful practices which negatively affect the human rights of women and which are contrary to recognised international standards. States Parties shall take all necessary legislative and other measures to eliminate such practices, including:
   a) creation of public awareness in all sectors of society regarding harmful practices through information, formal and informal education, and outreach programmes;
   b) prohibition, through legislative
measures backed by sanctions, of all forms of female genital mutilation, scarification, medicalisation and paramedicalisation of female genital mutilation and all other practices, in order to eradicate them;

c) provision of necessary support to victims of harmful practices through basic services, such as health services, legal and judicial support, emotional and psychological counselling as well as vocational training to make them self-supporting;

d) protection of women who are at risk of being subjected to harmful practices or all other forms of violence, abuse and intolerance.

Article 6 – Marriage

States Parties shall ensure that women and men enjoy equal rights and are regarded as equal partners in marriage. They shall enact appropriate national legislative measures to guarantee that:

a) no marriage shall take place without the free and full consent of both parties;

b) the minimum age of marriage for women shall be 18 years;

c) monogamy is encouraged as the preferred form of marriage and that the rights of women in marriage and family, including in polygamous marital relationships, are promoted and protected;

d) every marriage shall be recorded in writing and registered in accordance with national laws, in order to be legally recognised;

e) the husband and wife shall, by mutual agreement, choose their matrimonial regime and place of residence;

f) a married woman shall have the right to retain her maiden name, to use it as she pleases, jointly or separately with her husband’s surname;

g) a woman shall have the right to retain her nationality or to acquire the nationality of her husband;

h) a woman and a man shall have equal rights with respect to the nationality of their children except where this is contrary to a provision in national legislation or is contrary to national security interests;

i) a woman and a man shall jointly contribute to safeguarding the interests of the family, protecting and educating their children;

j) during her marriage, a woman shall have the right to acquire her own property and to administer and manage it freely.

Article 7 – Separation, divorce and annulment of marriage

States Parties shall enact appropriate legislation to ensure that women and men enjoy the same rights in case of separation, divorce or annulment of marriage. In this regard, they shall ensure that:

a) separation, divorce or annulment of a marriage shall be effected by judicial order;

b) women and men shall have the same rights to seek separation, divorce or annulment of a marriage;

c) in case of separation, divorce or annulment of marriage, women and men shall have reciprocal rights and responsibilities towards their children. In any case, the interests of the children shall be given paramount importance;

d) in case of separation, divorce or annulment of marriage, women and
men shall have the right to an equitable sharing of the joint property deriving from the marriage.

**Article 8 – Access to justice and equal protection before the law**

Women and men are equal before the law and shall have the right to equal protection and benefit of the law. States Parties shall take all appropriate measures to ensure:

a) effective access by women to judicial and legal services, including legal aid;
b) support to local, national, regional and continental initiatives directed at providing women access to legal services, including legal aid;
c) the establishment of adequate educational and other appropriate structures with particular attention to women and to sensitise everyone to the rights of women;
d) that law enforcement organs at all levels are equipped to effectively interpret and enforce gender equality rights;
e) that women are represented equally in the judiciary and law enforcement organs;
f) reform of existing discriminatory laws and practices in order to promote and protect the rights of women.

**Article 9 – Right to participation in the political and decision-making process**

1. States Parties shall take specific positive action to promote participative governance and the equal participation of women in the political life of their countries through affirmative action, enabling national legislation and other measures to ensure that:

a) women participate without any discrimination in all elections;
b) women are represented equally at all levels with men in all electoral processes;
c) women are equal partners with men at all levels of development and implementation of State policies and development programmes.

2. States Parties shall ensure increased and effective representation and participation of women at all levels of decision-making.

**Article 10 – Right to peace**

1. Women have the right to a peaceful existence and the right to participate in the promotion and maintenance of peace.

2. States Parties shall take all appropriate measures to ensure the increased participation of women:

a) in programmes of education for peace and a culture of peace;
b) in the structures and processes for conflict prevention, management and resolution at local, national, regional, continental and international levels;
c) in the local, national, regional, continental and international decision-making structures to ensure physical, psychological, social and legal protection of asylum seekers, refugees, returnees and displaced persons, in particular women;
d) in all levels of the structures established for the management of camps and settlements for asylum seekers, refugees, returnees and displaced persons, in particular,
Article 11 – Protection of women in armed conflicts

1. States Parties undertake to respect, and ensure respect for, the rules of international humanitarian law applicable in armed conflict situations which affect the population, particularly women.
2. States Parties shall, in accordance with the obligations incumbent upon them under the international humanitarian law, protect civilians including women, irrespective of the population to which they belong, in the event of armed conflict.
3. States Parties undertake to protect asylum-seeking women, refugees, returnees and internally displaced persons, against all forms of violence, rape and other forms of sexual exploitation, and to ensure that such acts are considered war crimes, genocide and/or crimes against humanity, and that their perpetrators are brought to justice before a competent criminal jurisdiction.
4. States Parties shall take all necessary measures to ensure that no child, especially girls under 18 years of age, take a direct part in hostilities, and that no child is recruited as a soldier.

Article 12 – Right to education and training

1. States Parties shall take all appropriate measures to:
   a) eliminate all forms of discrimination against women and guarantee equal opportunity and access in the sphere of education and training;
   b) eliminate all stereotypes in textbooks, syllabuses and the media that perpetuate such discrimination;
   c) protect women, especially the girl-child, from all forms of abuse, including sexual harassment in schools and other educational institutions, and provide for sanctions against the perpetrators of such practices;
   d) provide access to counselling and rehabilitation services to women who suffer abuses and sexual harassment;
   e) integrate gender sensitisation and human rights education at all levels of education curricula, including teacher training.
2. States Parties shall take specific positive action to:
   a) promote literacy among women;
   b) promote education and training for women at all levels and in all disciplines, particularly in the fields of science and technology;
   c) promote the enrolment and retention of girls in schools and other training institutions, and the organisation of programmes for women who leave school prematurely.
Article 13 – Economic and social welfare rights

States Parties shall adopt and enforce legislative and other measures to guarantee women equal opportunities in work and career advancement, and other economic opportunities. In this respect, they shall:

a) promote equality of access to employment;

b) promote the right to equal remuneration for jobs of equal value for women and men;

c) ensure transparency in recruitment, promotion and dismissal of women, and combat and punish sexual harassment in the workplace;

d) guarantee women the freedom to choose their occupation, and protect them from exploitation by their employers violating and exploiting their fundamental rights as recognised and guaranteed by conventions, laws and regulations in force;

e) create conditions to promote and support the occupations and economic activities of women, in particular, within the informal sector;

f) establish a system of protection and social insurance for women working in the informal sector and sensitisate them to adhere to it;

g) introduce a minimum age for work and prohibit the employment of children below that age, and prohibit, combat and punish all forms of exploitation of children, especially the girl-child;

h) take the necessary measures to recognise the economic value of the work of women in the home;

i) guarantee adequate and paid pre- and post-natal maternity leave in both the private and public sectors;

j) ensure the equal application of taxation laws to women and men;

k) recognise and enforce the right of salaried women to the same allowances and entitlements as those granted to salaried men for their spouses and children;

l) recognise that both parents bear the primary responsibility for the upbringing and development of children, and that this is a social function for which the State and the private sector have secondary responsibility;

m) take effective legislative and administrative measures to prevent the exploitation and abuse of women in advertising and pornography.

Article 14 – Health and reproductive rights

1. States Parties shall ensure that the right to health of women, including sexual and reproductive health, is respected and promoted. This includes:

a) the right to control their fertility;

b) the right to decide whether to have children, the number of children and the spacing of children;

c) the right to choose any method of contraception;

d) the right to self-protection and to be protected against sexually-transmitted infections, including HIV/AIDS;

e) the right to be informed on one’s health status and on the health status of one’s partner, particularly if affected with sexually-transmitted infections, including HIV/AIDS, in accordance with internationally-recognised standards and best practices;
2. States Parties shall take all appropriate measures to:
   a) provide adequate, affordable and accessible health services, including information, education and communication programmes to women, especially those in rural areas;
   b) establish and strengthen existing pre-natal, delivery and post-natal health and nutritional services for women during pregnancy and while they are breast-feeding;
   c) protect the reproductive rights of women by authorising medical abortion in cases of sexual assault, rape, incest, and where the continued pregnancy endangers the mental and physical health of the mother or the life of the mother or the foetus.

**Article 15 – Right to food security**

States Parties shall ensure that women have the right to nutritious and adequate food. In this regard, they shall take appropriate measures to:
   a) provide women with access to clean drinking water, sources of domestic fuel, land, and the means of producing nutritious food;
   b) establish adequate systems of supply and storage to ensure food security.

**Article 16 – Right to adequate housing**

Women shall have the right to equal access to housing and to acceptable living conditions in a healthy environment. To ensure this right, States Parties shall grant to women, whatever their marital status, access to adequate housing.

**Article 17 – Right to positive cultural context**

1. Women shall have the right to live in a positive cultural context and to participate at all levels in the determination of cultural policies.
2. States Parties shall take all appropriate measures to enhance the participation of women in the formulation of cultural policies at all levels.

**Article 18 – Right to a healthy and sustainable environment**

1. Women shall have the right to live in a healthy and sustainable environment.
2. States Parties shall take all appropriate measures to:
   a) ensure greater participation of women in the planning, management and preservation of the environment and the sustainable use of natural resources at all levels;
   b) promote research and investment in new and renewable energy sources and appropriate technologies, including information technologies, and facilitate women’s access to, and participation in, their control;
   c) protect and enable the development of women’s indigenous knowledge systems;
   d) ensure that proper standards are followed for the storage, transportation and disposal of toxic waste.
**Article 19 – Right to sustainable development**

Women shall have the right to fully enjoy their right to sustainable development. In this connection, the States Parties shall take all appropriate measures to:

a) introduce the gender perspective in the national development planning procedures;
b) ensure participation of women at all levels in the conceptualisation, decision-making, implementation and evaluation of development policies and programmes;
c) promote women’s access to, and control over, productive resources such as land, and guarantee their right to property;
d) promote women’s access to credit, training, skills development and extension services at rural and urban levels in order to provide women with a higher quality of life and reduce the level of poverty among women;
e) take into account indicators of human development specifically relating to women in the elaboration of development policies and programmes; and
f) ensure that the negative effects of globalisation and any adverse effects of the implementation of trade and economic policies and programmes are reduced to the minimum for women.

**Article 20 – Widows’ rights**

States Parties shall take appropriate legal measures to ensure that widows enjoy all human rights through the implementation of the following provisions:

a) that widows are not subjected to inhuman, humiliating or degrading treatment;
b) a widow shall automatically become the guardian and custodian of her children after the death of her husband, unless this is contrary to the interests and the welfare of the children;
c) a widow shall have the right to remarry, and in that event, to marry the person of her choice.

**Article 21 – Right to inheritance**

1. A widow shall have the right to an equitable share in the inheritance of the property of her husband. A widow shall have the right to continue to live in the matrimonial house. In case of remarriage, she shall retain this right if the house belongs to her or she has inherited it.

2. Women and men shall have the right to inherit, in equitable shares, their parents’ properties.

**Article 22 – Special protection of elderly women**

The States Parties undertake to:

a) provide protection to elderly women and take specific measures commensurate with their physical, economic and social needs as well as their access to employment and professional training;
b) ensure the right of elderly women to freedom from violence, including sexual abuse, discrimination based on age, and the right to be treated with dignity.

**Article 23 – Special protection of women with disabilities**
The States Parties undertake to:

a) ensure the protection of women with disabilities and take specific measures commensurate with their physical, economic and social needs to facilitate their access to employment, professional and vocational training as well as their participation in decision-making;

b) ensure the right of women with disabilities to freedom from violence, including sexual abuse, discrimination based on disability, and the right to be treated with dignity.

**Article 24 – Special protection of women in distress**

The States Parties undertake to:

a) ensure the protection of poor women and women heads of families, including women from marginalised population groups, and provide an environment suitable to their condition and their special physical, economic and social needs;

b) ensure the right of pregnant or nursing women or women in detention by providing them with an environment which is suitable to their condition and the right to be treated with dignity.

**Article 25 – Remedies**

States Parties shall undertake to:

a) provide for appropriate remedies to any woman whose rights or freedoms, as herein recognised, have been violated;

b) ensure that such remedies are determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by law.

**Article 26 – Implementation and monitoring**

1. States Parties shall ensure the implementation of this Protocol at national level, and in their periodic reports submitted in accordance with Article 62 of the African Charter, indicate the legislative and other measures undertaken for the full realisation of the rights herein recognised.

2. States Parties undertake to adopt all necessary measures and, in particular, shall provide budgetary and other resources for the full and effective implementation of the rights herein recognised.

**Article 27 – Interpretation**

The African Court on Human and Peoples’ Rights shall be seized with matters of interpretation arising from the application or implementation of this Protocol.

**Article 28 – Signature, ratification and accession**

1. This Protocol shall be open for signature, ratification and accession by the States Parties, in accordance with their respective constitutional procedures.

2. The instruments of ratification or accession shall be deposited with the chairperson of the Commission of the African Union.

**Article 29 – Entry into force**

1. This Protocol shall enter into force thirty (30) days after the deposit of the fifteenth (15) instrument of ratification.

2. For each State Party that accedes to
this Protocol after its coming into force, the Protocol shall come into force on the date of deposit of the instrument of accession.

3. The chairperson of the Commission of the AU shall notify all Member States of the coming into force of this Protocol.

**Article 30 – Amendment and revision**

1. Any State Party may submit proposals for the amendment or revision of this Protocol.

2. Proposals for amendment or revision shall be submitted, in writing, to the chairperson of the Commission of the AU who shall transmit the same to the States Parties within thirty (30) days of receipt thereof.

3. The Assembly, upon advice of the African Commission, shall examine these proposals within a period of one (1) year following notification of States Parties, in accordance with the provisions of paragraph 2 of this article.

4. Amendments or revision shall be adopted by the Assembly by a simple majority.

5. The amendment shall come into force for each State Party, which has accepted it thirty (30) days after the chairperson of the Commission of the AU has received notice of the acceptance.

**Article 31 – Status of the present Protocol**

None of the provisions of the present Protocol shall affect more favourable provisions for the realisation of the rights of women contained in the national legislation of States Parties or in any other regional, continental or international conventions, treaties or agreements applicable in these States Parties.

**Article 32 – Transitional provisions**

Pending the establishment of the African Court on Human and Peoples’ Rights, the African Commission on Human and Peoples’ Rights shall be seized with matters of interpretation arising from the application and implementation of this Protocol.

*Adopted by the second Ordinary Session of the Assembly of the Union

Maputo, 11 July 2003

**PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND PEOPLES’ RIGHTS ON THE RIGHTS OF WOMEN IN AFRICA**

1. People’s Democratic Republic of Algeria.
2. Republic of Angola.
5. Burkina Faso.
7. Republic of Cameroon.
8. Republic of Cape Verde.
10. Republic of Chad.
11. Union of the Comoros.
27. Republic of Liberia.
28. Great Socialist People’s Libyan Arab Jamahiriya.
30. Republic of Malawi.
32. Islamic Republic of Mauritania.
33. Republic of Mauritius.
34. Republic of Mozambique.
35. Republic of Namibia.
38. Republic of Rwanda.
39. Sahrawi Arab Democratic Republic.
40. Republic of São Tomé and Príncipe.
41. Republic of Senegal.
42. Republic of Seychelles.
43. Republic of Sierra Leone.
44. Republic of Somalia.
45. Republic of South Africa.
46. Republic of Sudan.
47. Kingdom of Swaziland.
48. United Republic of Tanzania.
49. Republic of Togo.
50. Republic of Tunisia.
51. Republic of Uganda.
52. Republic of Zambia.
53. Republic of Zimbabwe.
III: GLOBAL DEVELOPMENT GOALS

A. Fourth World Conference on Women: 
   Beijing Declaration (1995)
B. UN Millennium Goals
C. UN Security Council Resolutions 1325 
   (2000)

A. FOURTH WORLD CONFERENCE ON 
WOMEN: BEIJING DECLARATION 
(1995)

Beijing Declaration and Platform for 
Action, Fourth World Conference on 
Women, 15 September 1995, A/ 
CONF.177/20 (1995) and A/ 

DECLARATION

1. We, the governments participating in 
   the Fourth World Conference on 
   Women,
2. gathered here in Beijing, in September 
   1995, the year of the 50th anniversary 
   of the founding of the United 
   Nations,
3. determined to advance the goals of 
   equality, development and peace 
   for all women everywhere in the 
   interest of all humanity,
4. acknowledging the voices of all 
   women everywhere and taking note 
   of the diversity of women and their 
   roles and circumstances, honouring 
   the women who paved the way, 
   and inspired by the hope present in 
   the world’s youth,
5. recognise that the status of women 
   has advanced in some important 
   respects in the past decade, but that 
   progress has been uneven, 
   inequalities between women and 
   men have persisted, and major 
   obstacles remain with serious 
   consequences for the well-being of 
   all people,
6. also recognise that this situation is 
   exacerbated by the increasing 
   poverty that is affecting the lives of 
   the majority of the world’s people, in 
   particular women and children, with 
   origins in both the national and 
   international domains,
7. dedicate ourselves unreservedly to 
   addressing these constraints and 
   obstacles and thus enhancing further, 
   the advancement and 
   empowerment of women all over the 
   world, and agree that this requires 
   urgent action in the spirit of 
   determination, hope, co-operation 
   and solidarity, now and to carry us 
   forward into the next century.

We reaffirm our commitment to:

8. the equal rights and inherent human 
   dignity of women and men, and 
   other purposes and principles 
   enshrined in the Charter of the United 
   Nations, to the Universal Declaration 
   of Human Rights and other 
   international human rights instruments, 
   in particular, the Convention on the 
   Elimination of All Forms of Discrimination 
   against Women and the Convention 
   on the Rights of the Child, as well as 
   the Declaration on the Elimination of 
   Violence against Women and the 
   Declaration on the Right to 
   Development;
9. ensure the full implementation of the 
   human rights of women and of the 
   girl-child as an inalienable, integral 
   and indivisible part of all human rights
and fundamental freedoms;
10. build on consensus and progress made at previous United Nations conferences and summits – on women in Nairobi in 1985, on children in New York in 1990, on environment and development in Rio de Janeiro in 1992, on human rights in Vienna in 1993, on population and development in Cairo in 1994 and on social development in Copenhagen in 1995, with the objectives of achieving equality, development and peace;
11. achieve the full and effective implementation of the Nairobi Forward-looking Strategies for the Advancement of Women;
12. the empowerment and advancement of women, including the right to freedom of thought, conscience, religion and belief, thus contributing to the moral, ethical, spiritual and intellectual needs of women and men, individually or in community with others, and thereby guaranteeing them the possibility of realising their full potential in society and shaping their lives in accordance with their own aspirations.

We are convinced that:

13. women’s empowerment and their full participation on the basis of equality in all spheres of society, including participation in the decision-making process and access to power, are fundamental for the achievement of equality, development and peace;
14. women’s rights are human rights;
15. equal rights, opportunities and access to resources, equal sharing of responsibilities for the family by men and women, and a harmonious partnership between them are critical to their well-being and that of their families as well as to the consolidation of democracy;
16. eradication of poverty based on sustained economic growth, social development, environmental protection and social justice requires the involvement of women in economic and social development and equal opportunities, and the full and equal participation of women and men as agents and beneficiaries of people-centred sustainable development;
17. The explicit recognition and re-affirmation of the right of all women to control all aspects of their health, in particular their own fertility, is basic to their empowerment;
18. local, national, regional and global peace is attainable and is inextricably linked with the advancement of women, who are a fundamental force for leadership, conflict resolution and the promotion of lasting peace at all levels;
19. it is essential to design, implement and monitor, with the full participation of women, effective, efficient and mutually-reinforcing, gender-sensitive policies and programmes, including development policies and programmes, at all levels that will foster the empowerment and advancement of women;
20. the participation and contribution of all actors of civil society, particularly women’s groups and networks and other non-governmental organisations and community-based organisations, with full respect for their autonomy, in co-operation with governments, are important to the
effective implementation and follow-up of the Platform for Action;

21. the implementation of the Platform for Action requires commitment from governments and the international community. By making national and international commitments for action, including those made at the conference, governments and the international community recognise the need to take priority action for the empowerment and advancement of women.

We are determined to:

22. intensify efforts and actions to achieve the goals of the Nairobi Forward-looking Strategies for the Advancement of Women by the end of this century;
23. ensure the full enjoyment by women and the girl-child of all human rights and fundamental freedoms, and take effective action against violations of these rights and freedoms;
24. take all necessary measures to eliminate all forms of discrimination against women and the girl-child and remove all obstacles to gender equality and the advancement and empowerment of women;
25. encourage men to participate fully in all actions towards equality;
26. promote women’s economic independence, including employment, and eradicate the persistent and increasing burden of poverty on women by addressing the structural causes of poverty through changes in economic structures, ensuring equal access for all women, including those in rural areas, as vital development agents, to productive resources, opportunities and public services;
27. promote people-centred sustainable development, including sustained economic growth through the provision of basic education, life-long education, literacy and training, and primary health care for girls and women;
28. take positive steps to ensure peace for the advancement of women and, recognising the leading role that women have played in the peace movement, work actively towards general and complete disarmament under strict and effective international control, and support negotiations on the conclusion, without delay, of a universal and multi-laterally and effectively verifiable comprehensive nuclear-test-ban treaty, which contributes to nuclear disarmament and the prevention of the proliferation of nuclear weapons in all its aspects;
29. prevent and eliminate all forms of violence against women and girls;
30. ensure equal access to, and equal treatment of women and men in, education and health care, and enhance women’s sexual and reproductive health as well as education;
31. promote and protect all human rights of women and girls;
32. intensify efforts to ensure equal enjoyment of all human rights and fundamental freedoms for all women and girls who face multiple barriers to their empowerment and advancement because of such factors as their race, age, language, ethnicity, culture, religion, or disability, or because they are indigenous people;
33. ensure respect for international law, including humanitarian law, in order to protect women and girls, in particular;
34. develop the fullest potential of girls and women of all ages, ensure their full and equal participation in building a better world for all and enhance their role in the development process.

**We are determined to:**

35. ensure women's equal access to economic resources, including land, credit, science and technology, vocational training, information, communication and markets, as a means to further the advancement and empowerment of women and girls, including through the enhancement of their capacities to enjoy the benefits of equal access to these resources, *inter alia*, by means of international co-operation;
36. ensure the success of the Platform for Action, which will require a strong commitment on the part of governments, international organisations and institutions at all levels. We are deeply convinced that economic development, social development and environmental protection are inter-dependent and mutually-reinforcing components of sustainable development, which is the framework for our efforts to achieve a higher quality of life for all people. Equitable social development that recognises empowering the poor, particularly women living in poverty, to utilise environmental resources sustainably is a necessary foundation for sustainable development. We also recognise that broad-based and sustained economic growth in the context of sustainable development is necessary to sustain social development and social justice. The success of the Platform for Action will also require adequate mobilisation of resources at the national and international levels as well as new and additional resources to the developing countries from all available funding mechanisms, including multi-lateral, bi-lateral and private sources for the advancement of women; financial resources to strengthen the capacity of national, sub-regional, regional and international institutions; a commitment to equal rights, equal responsibilities and equal opportunities, and to the equal participation of women and men in all national, regional and international bodies and policy-making processes; the establishment or strengthening of mechanisms at all levels for accountability to the world's women;
37. ensure also the success of the Platform for Action in countries with economies in transition, which will require continued international co-operation and assistance.
38. We hereby adopt and commit ourselves as governments to implement the Platform for Action, ensuring that a gender perspective is reflected in all our policies and programmes. We urge the United Nations system, regional and international financial institutions, other relevant regional and international institutions and all women and men, as well as non-
governmental organisations, with full respect for their autonomy, and all sectors of civil society, in cooperation with governments, to fully commit themselves and contribute to the implementation of this Platform for Action.

B. MILLENIUM DEVELOPMENT GOALS

1. Eradicate extreme poverty and hunger
   • Reduce by half the proportion of people living on less than a dollar a day.
   • Reduce by half the proportion of people who suffer from hunger.

2. Achieve universal primary education
   • Ensure that all boys and girls complete a full course of primary schooling.

3. Promote gender equality and empower women
   • Eliminate gender disparity in primary and secondary education preferably by 2005, and all levels by 2015.

4. Reduce child mortality
   • Reduce by two thirds the mortality rate among children under five.

5. Improve maternal health
   • Reduce by three quarters the maternal mortality ratio.

6. Combat HIV/AIDS, malaria and other diseases
   • Halt and begin to reverse the spread of HIV/AIDS.
   • Halt and begin to reverse the incidence of malaria and other major diseases.

7. Ensure environmental sustainability
   • Integrate the principles of sustainable development into country policies and programmes; reverse loss of environment resources.
   • Reduce by half the proportion of people without sustainable access to safe drinking water.
   • Achieve significant improvement in lives of at least 100 million slum dwellers by 2020.

8. Develop a global partnership for development
   • Develop further an open trading and financial system that is rule-based, predictable and non-discriminatory, includes a commitment to good governance, development and poverty reduction – nationally and internationally.
   • Address the least developed countries’ ‘special’ needs. This includes tariff- and quota-free access for their exports; enhanced debt relief for heavily indebted poor countries; cancellation of official bi-lateral debt; and more generous official development assistance for countries committed to poverty reduction.
   • Address the special needs of landlocked and small island developing States.
   • Deal comprehensively with developing countries’ debt problems through national and international measures to make debt sustainable in the long-term.
   • In co-operation with the developing
countries, develop decent and productive work for youth.

- In co-operation with pharmaceutical companies, provide access to affordable, essential drugs in developing countries.
- In co-operation with the private sector, make available the benefits of new technologies – especially information and communication technologies.

C. UNITED NATIONS SECURITY RESOLUTION 1325 2000

Security Council Distr.: General
31 October 2000
00-72018 (E)

Resolution 1325 (2000)
Adopted by the Security Council at its 4213th meeting, on 31 October 2000

The Security Council,


RECALLING the commitments of the Beijing Declaration and Platform for Action (A/52/231) as well as those contained in the outcome document of the 23rd Special Session of the United Nations General Assembly entitled "Women 2000: Gender Equality, Development and Peace for the Twenty-First Century" (A/S-23/10/Rev.1), in particular those concerning women and armed conflict,

BEARING IN MIND the purposes and principles of the Charter of the United Nations and the primary responsibility of the Security Council under the Charter for the maintenance of international peace and security,

EXPRESSIONING concern that civilians, particularly women and children, account for the vast majority of those adversely affected by armed conflict, including as refugees and internally displaced persons, and increasingly are targeted by combatants and armed elements, and RECOGNISING the consequent impact this has on durable peace and reconciliation,

REAFFIRMING the important role of women in the prevention and resolution of conflicts and in peace-building, and STRESSING the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution,

RE-AFFIRMING also the need to implement fully international humanitarian and human rights law that protects the rights of women and girls during and after conflicts,

EMPHASISING the need for all parties to
Global Development Goals

ensure that mine clearance and mine awareness programmes take into account the special needs of women and girls.

RECOGNISING the urgent need to mainstream a gender perspective into peace-keeping operations, and in this regard, NOTING the Windhoek Declaration and the Namibia Plan of Action on Mainstreaming a Gender Perspective in Multi-dimensional Peace Support Operations (S/2000/693),

RECOGNISING also the importance of the recommendation contained in the statement of its President to the press of 8 March 2000 for specialised training for all peace-keeping personnel on the protection, special needs and human rights of women and children in conflict situations,

RECOGNISING that an understanding of the impact of armed conflict on women and girls, effective institutional arrangements to guarantee their protection and full participation in the peace process can significantly contribute to the maintenance and promotion of international peace and security,

NOTING the need to consolidate data on the impact of armed conflict on women and girls,

1. URGES Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions, and mechanisms for the prevention, management, and resolution of conflict.
2. ENCOURAGES the Secretary-General to implement his strategic Plan of Action (A/49/587) calling for an increase in the participation of women at decision-making levels in conflict resolution and peace processes,
3. URGES the Secretary-General to appoint more women as special representatives and envoys to pursue good offices on his behalf, and in this regard, calls on Member States to provide candidates to the Secretary-General, for inclusion in a regularly updated centralised roster,
4. FURTHER URGES the Secretary-General to seek to expand the role and contribution of women in United Nations field-based operations, and especially among military observers, civilian police, human rights and humanitarian personnel,
5. EXPRESSES its willingness to incorporate a gender perspective into peacekeeping operations, and urges the Secretary-General to ensure that, where appropriate, field operations include a gender component,
6. REQUESTS the Secretary-General to provide to Member States training guidelines and materials on the protection, rights and the particular needs of women, as well as on the importance of involving women in all peace-keeping and peace-building measures, INVITES Member States to incorporate these elements as well as HIV/AIDS awareness training into their national training programmes for military and civilian police personnel in preparation for deployment, and FURTHER REQUESTS the Secretary-General to ensure that civilian personnel of peace-keeping operations receive similar training,
7. urges Member States to increase their voluntary financial, technical
and logistical support for gender-sensitive training efforts, including those undertaken by relevant funds and programmes, inter alia, the United Nations Fund for Women and United Nations Children’s Fund, and by the Office of the United Nations High Commissioner for Refugees and other relevant bodies.

8. CALLS ON all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including, inter alia:
(a) the special needs of women and girls during repatriation and resettlement and for rehabilitation, re-integration and post-conflict reconstruction;
(b) measures that support local women’s peace initiatives and indigenous processes for conflict resolution, and that involve women in all of the implementation mechanisms of the peace agreements;
(c) measures that ensure the protection of, and respect for, human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary;


10. CALLS ON all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict.

11. EMPHASISES the responsibility of all States to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity, and war crimes, including those relating to sexual and other violence against women and girls, and in this regard, stresses the need to exclude these crimes, where feasible, from amnesty provisions.

12. CALLS UPON all parties to armed conflict to respect the civilian and humanitarian character of refugee camps and settlements, and to take into account the particular needs of women and girls, including in their design, and recalls its resolutions 1208 (1998) of 19 November 1998 and 1296 (2000) of 19 April 2000.

13. ENCOURAGES all those involved in the planning for disarmament, demobilisation and re-integration to consider the different needs of female and male ex-combatants and to take into account the needs of their dependants.

14. REAFFIRMS its readiness, whenever measures are adopted under Article
41 of the Charter of the United Nations, to give consideration to their potential impact on the civilian population, bearing in mind the special needs of women and girls, in order to consider appropriate humanitarian exemptions,

15. EXPRESSES its willingness to ensure that Security Council missions take into account gender considerations and the rights of women, including through consultation with local and international women's groups,

16. INVITES the Secretary-General to carry out a study on the impact of armed conflict on women and girls, the role of women in peace-building and the gender dimensions of peace processes and conflict resolution, and FURTHER INVITES him to submit a report to the Security Council on the results of this study, and to make this available to all Member States of the United Nations,

17. REQUESTS the Secretary-General, where appropriate, to include in his reporting to the Security Council, progress on gender mainstreaming throughout peace-keeping missions and all other aspects relating to women and girls,

18. DECIDES to remain actively seized of the matter.
41 of the Charter of the United Nations, to give consideration to their potential impact on the civilian population, bearing in mind the special needs of women and girls, in order to consider appropriate humanitarian exemptions,

15. EXPRESSES its willingness to ensure that Security Council missions take into account gender considerations and the rights of women, including through consultation with local and international women's groups,

16. INVITES the Secretary-General to carry out a study on the impact of armed conflict on women and girls, the role of women in peace-building and the gender dimensions of peace processes and conflict resolution, and

FURTHER INVITES him to submit a report to the Security Council on the results of this study, and to make this available to all Member States of the United Nations,

17. REQUESTS the Secretary-General, where appropriate, to include in his reporting to the Security Council, progress on gender mainstreaming throughout peace-keeping missions and all other aspects relating to women and girls,

18. DECIDES to remain actively seized of the matter.
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