

The EAC Gender Equality & Development (GED) **PILOT BAROMETER**



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GENDER BAROMETER FOCAL POINTS

Profile of EASSI organization members

EASSI works with Five National Networks and Non-Governmental Organisations (NGO's)/Focal Points with national mandate in the five countries of the East African Community of Uganda, Rwanda, Burundi, Tanzania and Kenya. Each of these national networks has members in their respective countries which spreads and extends the opportunity and influence of EASSI. The Focal Points coordinated research and compilation of the country Barometer reports. These include; National Association of Women's Organizations in Uganda (NAWOU), Caucus for Women's Leadership (CWL), Profemme Twese Hamwe (PROFEMME), Tanzania Gender Networking Programme (TGNP)-Tanzania, Collectif des Associations et ONGs Feminines du Burundi (CAFOB).



UGANDA

National Association of Women's Organizations in Uganda (NAWOU)

This is an indigenous umbrella for women organizations formed in 1992. NAWOU is an affiliate of international council of women, has consultative status with United Nations Economic and Social Council (ECOSOC) AND collaborates with several networks; international NGOs and development partners. It was formed to harness efforts of various women organization in Uganda. Website: <http://nawouganda.org>



KENYA

Caucus for Women's Leadership (CWL)

The Caucus for Women's Leadership (formerly the Kenya Women's Political Caucus) is a legally registered national network dedicated to building women's leadership. By changing its name in 2007, they re-positioned themselves to become a leading national and regional platform for women's empowerment. It works with all women irrespective of their cultural, religious, political or socio-economic background by establishing structures at the grassroots, which act as platforms where women can build their leadership skills.

It's strategy of building women's leadership skills aims at engaging women, to increase their understanding of leadership and further develop skills that will enable them participate effectively in decision making structures at all levels of leadership. In everything it does, it places emphasis on empowering women. This for CWL is the most powerful tool for gender advocacy as well as bringing about sustainable socio-economic transformation for women. Website: <http://www.kwpcaucus.org>



RWANDA

Profemme Twese Hamwe

Pro-femmes/Twese Hamwe an umbrella organization of 59 associations in Rwanda whose mandate is advancement of women, peace and development. Website: <http://www.profemmes-twesehamwe.org>



TANZANIA

Tanzania Gender Networking Programme (TGNP)-Tanzania



TGNP was formed in 1993 as an activist non-profit organization, and in 2012 was registered as TGNP Mtandao Limited. TGNP emerged through a collective process of critical reflection by leaders of key women's and gender organisations about the situation of women who are the most exploited and oppressed people within the exploited laboring classes.

TGNP's Ideology and philosophy is built on Transformative feminism, which is a struggle that aims to eliminate all forms of discrimination against women and other marginalized groups, whether due to class, sex, gender, age, ethnicity, disability, geographical and nationality locations. Website: <http://www.tgnp.org>



BURUNDI

Collectif des Associations et ONGs Féminines du Burundi (CAFOB)



Le Collectif des Associations et ONGs Féminines du Burundi compte aujourd'hui 72 associations de Femmes oeuvrant au Burundi dans les domaines de la paix et la réconciliation, la santé et VIH/SIDA, la lutte contre la pauvreté etc. Créé en 1994, le CAFOB s'attèle à renforcer les capacités opérationnelles des associations féminines qui s'investissent à améliorer les conditions de vie de la femme burundaise et son statut social en agissant dans les domaines de la santé, de la lutte contre la pauvreté et la promotion de l'entrepreneuriat féminin, de la paix, des droits de la femme et des enfants ainsi que la protection des veuves et des orphelins. Website : <http://www.cafobburundi.org>

Brief Background about EASSI



In July 1996, a year after the 4th World Conference on Women which produced the Beijing Declaration and Platforms for Action, Women activists in Eastern Africa and the Horn came together to form the Eastern African Sub-regional Support Initiative for the Advancement of Women (EASSI). EASSI's mandate is to monitor government implementation of the African and Beijing Platforms for Action and the Critical Areas of Concern for Women. EASSI is registered in Uganda and works in the eight countries, namely, Burundi, Eritrea, Ethiopia, Kenya, Rwanda, Somalia, Tanzania and Uganda. It works with 16 women's network organizations in the eight countries and 10 individual members who subscribe to its mission and vision.

Since its formation EASSI's niche has been in monitoring the African and Beijing Platforms for Action as well as advocating for women's rights in Eastern Africa using human rights instruments such as CEDAW, Maputo Protocol, Agenda 2030 and the Sustainable Development Goals (SDGs) and UNSCR 1325 among others.

Who we are

The Eastern African Sub-regional Support Initiative for the Advancement of Women (EASSI) is a sub-regional civil society organisation made up of committed individuals, NGOs, coalitions and networks driven to transform gender relations globally and especially in the Eastern Africa sub-region. The organisation works in eight countries namely Burundi, Eritrea, Ethiopia, Somalia, Kenya, Rwanda, Uganda and Tanzania.

Our Vision: A society where all enjoy gender equality, access to justice and peaceful coexistence.

Our Mission: To contribute to the attainment of the Beijing and African Platforms for Action through policy engagement and demonstration of best practices for the advancement of women.

Our Goal: To catalyse national, regional and international processes on critical areas of concern in order to make concrete and meaningful changes for women.

Website: www.eassi.org

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ABBREVIATIONS AND ACRONYMS

ARVs:	Antiretroviral	MIGEPROF:	Ministry of Gender and family Promotion
AU:	The African Union	MMR:	Measles, Mumps, Rubella Vaccine
CAFOB:	Collectif des Associations et NGOs Feminines du Burundi	MP:	Member of Parliament
CCM:	Chama Cha Mapinduzi	NAPs:	National Action Plans
CEDAW:	UN Convention on the Elimination of all Forms of Discrimination against Women	NAWOU:	National Association of Women Organizations in Uganda
CEO:	Chief Electoral Officer	NDBP:	National Domestic Biogas Programme
CHADEMA:	Chama cha Demokrasia na Maendeleo	NDC:	National Drug Code
CLADHO:	Collectif et Ligue des Associations des Droits de l'Homme	NDC:	No Data Collected
COE:	Centre of Excellency	NEC:	National Election Commission
CPF:	People and Family Code	NEMA:	National Environmental Management Authority
CSBAG:	Civil Society Budget Advocacy Group	NEC:	National Independent Electoral Commission
CSO:	Civil Society Organization	NPA:	National Plan of Action
CUF:	Civic United Front	NYC:	National Youth Council
DCS:	Deputy Commission Secretaries	PEP:	Post-exposure prophylaxis
EAC:	East African Community	PMTCT:	Prevention of mother-to-child transmission
EASSI:	Eastern African Sub-Regional Support Initiative for Advancement of Women	PNDS:	National Plan for Health development
EFA:	Education for All	RNEC:	Rwanda National Electoral Commission
EITI:	Extractive Industries Transparency Initiative	SADC:	Southern African Development Community
ELRA:	Employment and Labour Relations Act	SDGs:	Sustainable Development Agenda
EMBs:	Election Management Bodies	SGBV:	Sexual and Gender Based Violence
EMTCT:	Elimination of mother-to-child transmission	SMEs:	Small and Medium Enterprises
FGM:	Female Genital Mutilation	SRH:	sexual and Reproductive Health
FHH:	Female-headed household	SSA:	Social Security Answering
FIDA:	Uganda Association of Women Lawyers	STIs:	Sexually Transmitted Infections
FOWODE:	Forum for Women in Democracy	TAWIA:	Tanzania Widows Association
GBV:	Gender Based Violence	TCRA:	Tanzania Communications Regulatory Authority
GDI:	Gender Development Index	TGNP:	Tanzania Gender Networking Programme
GDI:	Gender Development Index	UN SCR:	United Nations Security Council Resolution
GE:	Gender Equality	UN:	United Nations
GEB:	Gender Equality Barometer	UNAIDS:	The Joint United Nations Programme on HIV and AIDS
GED:	Gender Equality and Development	UNCDA:	Uganda Curriculum Development Centre
HIV:	Human Immunodeficiency Virus	UNESCO:	The United Nations Educational, Scientific and Cultural Organization
HMIS:	Health Management Information system	UNFPA:	United Nations Population Fund
IDP:	International Development Program	UNICEF:	United Nations Children's Fund
IDPs:	Internally Displaced People	UNSCR:	United Nations Security Council Resolution
IEBC:	Independent Electoral and boundaries Commission	UPE:	Universal Primary Education
IEC:	Independent Electoral Commission	UPF:	Uganda Police Force
ILFS:	Integrated Labour Force Survey	VAW:	Violence against Women
ILFS:	Integrated Labour Force Survey	VETA:	Vocational Education and Training Association
ILO:	International Labour Organization	WCR:	Women county representative
IOSC:	Isange One Stop Centre	WRAP:	Women's Rights Awareness Program
LHRC:	Legal and Human Rights Centre		
LHRC:	Legal and Human Rights Centre		
MDGs:	Millennium Development Goals		
MGECHW:	Ministry of Gender Equality and Child Welfare		

CONTRIBUTORS

Editorial Team



Dr. Mbonyingingo Christine is from Burundi and currently the Chairperson of the Board of Directors of the Eastern African Sub-regional Support Initiative (EASSI). She holds a PhD degree in English and Anglo-Saxon Language and civilizations and has undertaken several trainings in gender, HIV and human rights. She has more than 20 years of training and research as a university professor and also served the United Nations for 14 years in UNFPA, UN Women and UNAIDS. She is a bilingual, speaking French, English and Italian. Her professional career is rooted in academic training and research to mentor young teachers and boost research in post-colonial literature on the one hand, the social mobilization and political advocacy to empower the community leaders for human rights and equity in an environment of varied challenges which undermine development on the other hand. She has had training in policy and strategy development; non-violent communication and conflict resolution; gender mainstreaming in policies and programmes; leadership, institutional Development and capacity building in gender, HIV and Human rights, partnership and social mobilization and resources mobilization. Dr. Christine Mbonyingingo was the lead researcher and writer for the Burundi country Barometer.



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Colleen Lowe Morna (South Africa) is CEO of Gender Links. A South African born in Zimbabwe, Colleen began her career as a journalist specialising in economic and development reporting including as Africa Editor of the New Delhi-based Women's Feature Service. She joined the Commonwealth Secretariat as a senior researcher on the Africa desk in 1991, and later served as Chief Programme Officer of the Commonwealth Observer Mission to South Africa. Colleen subsequently served as founding CEO of the South African Commission on Gender Equality. A trainer, researcher and writer, Colleen has written extensively on gender issues in Southern Africa. She holds a BA degree in International Relations from Princeton University; Masters in Journalism from Columbia University and certificate in executive management from the London Business School. She has received awards from the Woodrow Wilson School of International Relations; the Newswomen's Club of New York and the Mail and Guardian newspaper in South Africa. In 2007, South Africa's Media Magazine named Colleen runner up in the Media Woman of the Year Award. In 2013, CEO magazine named Colleen the "most influential woman" in South Africa and Africa as a whole in the civil society category. A year later, the University of Johannesburg awarded Colleen honorary membership of the Golden Key Association that recognises excellence in academia and public service. Colleen has served as editor-in-chief of the SADC Gender Protocol Barometer since 2009. Drawing from the rich experience of the SADC Gender Barometer, Colleen trained and guided EASSI on the development and Compilation of the EAC Gender Barometer. She also reviewed the final Barometer.



Elizabeth Ampairwe is a gender and development specialist with 10 years' experience in projects' management and strategic advocacy including collaborative work with alliances at grassroots, national and regional levels. She holds a Masters degree in Public Health Leadership (MPHL) from Uganda Christian University (UCU) and a Bachelor of Arts degree in Social Sciences (BASS) of Makerere University Kampala (MUK). For five years, she served in different empowering capacities at Action Aid Uganda and then moved to The Eastern African Sub Regional Support Initiative for the Advancement of Women (EASSI) in 2012 where she is the Coordinator-Women and Girls Empowerment. Her demonstrated passion for women has seen her work with women's groups, associations and coalitions against violence against women and girls to set up GBV (women's reception shelters) in Uganda; lead economic empowerment initiatives in Uganda, Rwanda, Burundi, DRC, Kenya, Tanzania and DRC such as skilling women, linking them to viable regional markets and negotiating for women's rights at national and regional level. Key to her contribution in Uganda and East Africa has been spearheading the formation and ensuring functionality of the EAC Gender Alliance that successfully lobbied for the passing of the East African Gender Equality and Development bill by the East African Legislative Assembly on 8th March, 2017. Subsequently, she coordinated the pioneer process for the first ever EAC Gender Barometer working closely with national coalitions in the 5 EAC countries and Gender Links, a South African based organisation that produces the SADC Gender Barometer. She is a member of the Young Women Advisory Panel at Akina Mama wa Afrika (AMwA) where she shares her experience and mentors other young women.



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Country Barometer Coordinators



Emma Marie Bugingo brings over 15 years of working with Civil Society Organizations. After joining Pro-Femmes/ TweseHamwe in 2006, she was promoted to a series of progressively responsible positions within the organization – first as Executive Secretary of the Western Province, then as a Monitoring and Evaluation Officer in the Gender Advocacy and Human Rights Department, and to the Executive Secretary post at the national level. Between 2001 and 2006, Emma-Marie worked at the Rwandan Women Association for Solidarity (ASOFERWA) as a Project Coordinator. She received her B.A. in Journalism Mass and Communication from the National University of Rwanda and is fluent in English, Kiswahili and Kinyarwanda with working proficiency in French. Emma Marie has firmly contributed to the design and implementation of all programs of the umbrella; and contributed in sector policies elaborations; and all other actions geared towards gender approach within the framework of achieving umbrella's mission and advocated for the implementation of national and international instruments for gender promotion in Rwanda. Pro-Femmes /TweseHamwe is the largest national civil society umbrella organization for women's promotion and development in Rwanda. It is a non-profit making organization established in October, 1992, and currently represents 57 member organizations within the country. Pro-Femmes has a goal of gender promotion, peace and development. Its vision is to ensure that the Rwandan society gets rid of all forms of gender related discrimination, and thus characterized by equality and equity between men and women in the development process and in a context of a stable and peaceful society. Emma Marie has competences in different domains including but not limited to: Strategic Planning, coordination, Human Resource Management, Leadership, Policy Analysis, Gender Responsive Budgeting, Public Relations, Conflict Management, Monitoring & Evaluation and Advocacy. Ms. Emma Marie coordinated the Rwanda Country Barometer report.



Lilian Liundi, a renowned activist well-grounded in feminist-centered issues, is the Executive Director of TGNP Mtandao, Tanzania's leading women's rights organization and a major voice for women's rights, gender equality/equity and social justice in Tanzania and beyond. Lilian has led TGNP since 1st of December 2014 when she was appointed ED. She has held numerous positions within TGNP ever since she joined the organization in 2003 including Head of Program Information Generation and dissemination as well as Acting ED. She holds Masters of Arts in International Communication Management with Post graduate Diploma in Computer Science and Bachelor of Library and Information Science. She has extensive experience in community mobilization, organizing and movement building, policy analysis and advocacy, communication strategies development and implementation as well as information management. With a background in documentation, communications and technology, Lilian began her career as Librarian at the National Central Library and later moved to the National Commission for Science where she was a database administrator and she then the Independent Television of Tanzania (ITV) as the head of library and documentation unit. She is currently a member of The Eastern African Sub-regional Support Initiative for the Advancement of Women (EASSI) board. Ms. Liundi coordinated the Tanzania Country Barometer report.



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Lead Researchers



Josephine Ahikire: Consolidation of the country Reports into the Pilot EAC GED Barometer
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Ophelia Mascarenhas (Professor - University of Dar es Salaam) has a BA Hons. University of London, and was awarded a Fulbright to pursue a Doctorate in Clark University, Massachusetts, USA. With over 30 years of experience in teaching, research and consultancies, she has held a number of important positions nationally and internationally. In 1978 was contracted by UNECA to compile a bibliography "Women and Development in Tanzania." This was published in 1980 and became a model for other African countries. In 1995-1997 contracted to head an international programme funded by the Rockefeller Foundation and became the first Regional Director for the Leadership for Environment and Development, Southern Africa, based in Harare. In 1997/2002 she was Adviser for Gender and Community Development, Ireland Aid, Tanzania. In 2009/2011 she was the Principal Researcher and Coordinator for an IDRC funded, 4-country Project, known as Poverty and Information and Communications Technologies in and Urban and Rural Eastern Africa (PICTURE-Africa). Nationally, has

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FOREWORD

2017 is a landmark year for the East African Community (EAC) as for the first time in history, the Community has got a legal instrument that promotes Gender Equality, the EAC Gender Equality and Development bill which was tabled at the East African Legislative Assembly (EALA) as a private members bill and was passed on 8th March 2017.

The Act now awaits assent by the Heads of state of the EAC Partner States for it to become a legally binding instrument dubbed the East African Gender Equality and Development Act. To fast track implementation of this Act, the first ever EAC Gender Barometer has been produced. This is a pilot Barometer, to be upscale in the consequent years.

The EAC Gender Barometer is a participatory people centered research report from the 5 partner states of Uganda, Kenya, Tanzania, Rwanda and Burundi that contains information and statistical data from the different areas that need to be gender responsive. These areas include Legal and State Obligations to Protect Human Rights, Gender Based Violence, the Media, Education, health, Power and decision making, Economic Empowerment, Agriculture and food security, Land rights, Trade, Peace and security, Environment Management, Extracting Industries, Marginalized groups, Financial Provisions, and Institutional Arrangements.

The Pilot Gender Barometer a participatory measurement tool intended to support substantive implementation of key gender commitments and hence gender responsive governance. It sets in motion a process by which the EAC will periodically monitor, measure and document the progress of gender equality in key result areas and thereby facilitate a regional conversation on strategies for enhancement of substantive gender equality and sustainable development.

The Barometer that is going to be an annual document will be measured against 13 critical areas in the EAC Gender Equality and Development Act, all of which are hinged onto the 12 critical areas of the Beijing Platform for Action (1995). The Act consequently seeks to consolidate and harmonize the various commitments on gender equality that have been made at regional, continental and international levels in the context of the East African Community, so as to ensure that the rights of women and men are uniformly promoted, realized and protected in order to enable them to equally and fully enjoy all their human rights on an equal basis with men.

And so the Barometer has been aligned to Women Rights instruments and others that aim at bringing about Gender Equality and Sustainable Development such Agenda 2030 and the Sustainable Development Goals (SDGs), Convention on Elimination of all Forms of Discrimination Against Women (CEDAW), UN Security Council Resolution 1325 (UNSCR1325), Beijing Platform for action and The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (MAPUTO) Protocol.

Indeed the Pilot EAC Gender Barometer shows that big strides have been taken by EAC in advancing gender equality but implementation mechanisms towards achievement of gender equality commitments are still weak.

For example, EAC countries have in place various mechanisms for response to GBV in terms of prevention and redress, but with the exception of Burundi, the citizens' perceptions on GBV reflects a discrepancy between the existence of laws and their implementation. The challenge of inadequate implementation of laws and policies can be heavily reflected in the lack of data on GBV by most of the countries.

In regard to HIV/AIDS, although the prevalence rate is still high with Uganda at the highest of 8.3% for women and 6.1% for men, followed by Kenya at 7.6 and 5.6 respectively, Evidence from all the five countries show that EAC member states have attended to SRH and specifically have in place concrete programmes to address some of the daunting challenges in relation to SRH and HIV/AIDS. In very specific ways PMTCT programmes and services have significantly reduced new infections to unborn babies and its success could be due to the fact that the key intervention targets women at the biological role of pregnancy and giving birth.

Politically, whereas the EAC member states have policies and programmes to ensure equal participation of men and women in power and decision making there is need to lift the bar to move into bold and substantive gender parity. Rwanda leads with 80%, followed by Uganda at almost 60% and the other countries trailing.

The flag has been raised to red on maternal Mortality, with Burundi at 712 deaths per 100,000 live births, followed by Tanzania at 432, Kenya at 362 and Uganda at 260. These are unacceptable figures. Even Rwanda with almost 100% births attended to by skilled work still posts 210 deaths. The basic Principle should be no woman should die while giving life. The root causes of this persistence of Maternal Mortality Rates must be addressed.

These examples are but pointers to the findings of the EAC Gender Barometer. It does not only identify the gaps but also provides success stories, lessons and solutions to many of the challenges, thus generating further debate and action on various issues.

As we launch the Pilot Barometer, we appreciate our development partners that have walked with us throughout this process. It wouldn't have been a success without the support of SIDA, Diakonia, and the Common Wealth Foundation. We also thank Gender Link for supporting and mentoring us throughout the process. The EAC Gender Barometer, was inspired by the SADC gender barometer that is produced annually by Gender Links.

We hope you find this Barometer useful and make it a reference for gender correlated data in East Africa.

Lack of Gender disaggregated data has remained an impediment to implementation and achievement of gender equality commitments by the EAC Partner states. The Barometer will now provide quality evidence based data on gender equality that will enable holding governments accountable on gender and development.

The current overarching consensus and global framework for action on women's rights strongly emphasizes the significance of political will by governments to implement the regional and global gender obligations they have subscribed to. This stems from the realization that governments have broader legitimacy and other critical resources to support change in society. Governments in general have the command to generate political power, to effect change that would otherwise be extremely difficult to realize. Hence it is important to measure how well EAC governments are utilizing their generative potential to enhance sustainable change and thereby achieve gender equality. This is the spirit of this pilot EAC Gender Barometer and the subsequent ones.

Christine Nankubuge Ndawula
Acting ED, EASSI

EXECUTIVE SUMMARY

The East African Community (EAC) Partner States have ratified various instruments on gender and women's rights at both the regional and international levels. Individual

States have also created an enabling legal and policy environment to concretise the regional and international commitments. However, these efforts have not been matched with actionable commitments and have largely remained on paper, limiting tangible achievements, though with variations across the member States.

In order to harmonise country-specific gender equality commitments into one binding piece of legislation, EASSI and her Partners supported the institution of the EAC Gender Equality and Development Law guided by the following objectives:

Harmonise the national laws of the EAC Member States with regional and International standards of promotion of gender equality and women's human rights;

Enhance the level of Implementation of women's rights instruments through incorporation of emerging development issues and gender concerns;

Promote non- discrimination and gender equality in the processes of governance for strengthened regional integration and sustainable development of the community;

Provide a participatory framework for strengthening monitoring and evaluating the level of adherence to regional and international standards on gender equality and equity;

Promote equal participation of women and men in regional trade by entrenching enabling policies and macro-economic frameworks that are gender sensitive and responsive.

The EAC GED draws on other key ratified global and regional instruments such as: The Universal Declaration of Human Rights (1948); The 1979 UN Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW); The 1985 Nairobi Forward Looking Strategies and the Platform for Action (1993); The United Nations Security Council Resolution (UN SCR) 1325; The Beijing Declaration and Platform for Action (1995); The 2030 Sustainable Development Agenda; The African Union's (AU) Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa 2000; The African Charter on Democracy, Elections and Governance 2007 and The Solemn Declaration on Gender Equality in 2004.

EASSI in partnership with her National Focal points in the five member countries has initiated the EAC Gender Equality Barometer, as a participatory measurement tool intended to support and track the implementation gender responsiveness by member states. This is the pilot GED Barometer as a starting point. The GED barometer will be used by the EAC States to periodically monitor, measure and document the progress of gender equality in key result areas in order to facilitate a regional conversation on strategies for enhancement of substantive gender equality and sustainable development. It will act as tool for meaningful comparison to be made for different policy areas across partner states. The measurement helps to assess how the EAC governments are utilizing their mandate to promote gender equality and equitable development processes. The survey for this pilot GED barometer was conducted at the time when the EAC GED was still a bill. The EAC GED Bill has since been passed into law. The campaign which started in 2008, with the tabling of the bill as private members Bill, specifically championed by Hon. Nancy Abisai, bore fruit 10 years later when on March 8 2017, the East African Legislative Assembly (EALA) passed the bill into the EAC Gender ACT.

Methodological process for the Pilot GED Barometer

STAGE 01

This involved baseline studies in the 5 member countries conducted under the auspices of the EASSI national focal point partner organisations in the region. During this phase, three approaches to data collection were used:

Desk review: This involved review of secondary data from official documents that were deemed most authoritative. Such data was also used to create a Gender Development Index (GDI) that was incorporated into the country Report.

Fieldwork: This focused on capturing the perceptions of women and men, girls and boys on the likelihood of their countries to obtain gender equality and equity by 2030 based on the provisions of the EAC GED Act. The perceptions were collected using a Score Card method based on 30 questions. The process involved respondents scoring each question using a score ranging from 1 to 10, the former being the lowest and the latter highest. These scores were then used to get the country scores. Face to face interviews were also held with key informants in each country to enrich data from the desk study.

The country baselines were conducted between August and December 2016 and they resulted into the development of country EC Gender Equality and development barometer reports. In all the five countries, 400 respondents (50/50% males and females) were targeted and covered a combination of rural and urban areas in three administrative as follows:

Geographical spread of the field survey

- Burundi: tiers of Gitenga and Makamba (rural), Bujumbura (urban)
- Kenya: Counties of Nakuru and Kajiado (rural), Nairobi (urban)
- Rwanda: Districts of Kacukiro, Bugesera Karonji, Muhanga, Musanze
- Tanzania: Districts of Mbeya and Morogoro (rural), Kinondoni Dar es Salaam (urban)
- Uganda: Districts of Apac and Kabale (rural), Kampala (urban)

STAGE 02

National validation workshops were conducted to help confirm and enrich the baseline information presented in the draft country reports, after which final country reports were prepared.

STAGE 03

This involved aggregation and synthesis of the country baseline data to constitute the EAC GE Barometer. The aggregation and synthesis was undertaken through a process of comparisons across the key result areas. The comparison also highlighted variations in the nature and availability of data which indicated the future data demands for the relevant areas.

Target Areas

The following aspects were considered as key elements under the different dimensions of the EAC Gender Equality Act;

Key areas	Targets
Legal State Obligations to Protect Human to Rights	• Enshrine Gender equality and equity in their constitutions • Eliminate any practice that negatively affects fundamental human rights of women, men, girls and boys • Put in place affirmative measures with particular reference to women • Review, amend, and or repeal all discriminatory laws • Ensure equality in accessing justice • Ensure equal rights between women and men in marriage
Power and decision making	• Policies, strategies and programmes for; • Building women's capacity to effectively participate in leadership, gender sensitivity and mentoring; • Support structures for women in decision making; • Establish and strengthen structures to enhance gender mainstreaming; • Addressing discriminatory attitudes and norms in decision making structures. • Affirmative action measures to enhance women's participation in decision making. • Laws and policies put in place to enable women have equal opportunities when it comes to participation in electoral processes.
Violence Against Women and Girls	• Laws on domestic violence • Laws on sexual violence • Comprehensive treatment including PEP • laws against Human trafficking • Accessible, affordable and specialized services including legal aid & shelters to survivors of GBV • National action plans on GBV • Data on GBV including child marriages
Sexual reproductive health and HIV and AIDS	• Traditional birth attendants • Factors for continued high rates of HIV transmission in the EAC • Factors for continued maternal mortality ratios in the EAC • Adolescents access to SRHR services and ARVs • Total coverage (urban and rural) of sanitation facilities • Programmes for empowering young people with comprehensive sexuality education (including HIV/AIDS information) • Comprehensive knowledge on HIV and AIDS (Percentage disaggregated by sex)
Economic Justice- Employment, Land, Trade and Agriculture	• Trade- Scale of women owned businesses • Laws and policies that ensure that women and men have access to credit, access to market and other resources including information to establish and sustain their enterprises • Land- Land laws and cultural practices that enable women to have access, own and control land e.g. inheritance acts • Agriculture- Women benefiting from agricultural extension services
Education	• Quality of education • Affirmative action policies for girls and women
Peace and Security	• Existence and Implementation of National action plans on peace and security (UN Security Council Resolution)
Media	
Climate Change and Environmental management	• Programmes that promote equal participation on sustainable environmental management and climate change that take into consideration gender dimensions
Extractive Industries	• Benefits and opportunities for women and men in extractive industries

Key Findings

(i) Legal State Obligations to Protect Human Rights

Art. 6 of the EAC GED provides that member states shall protect and uphold the right of every woman and man to life, personal dignity and integrity and security of the person at all levels including their public and private life; prohibit all forms of exploitation, cruel, inhuman or degrading punishment and treatment and take measures to establish, harmonise

or reform the legislative framework. In line with the above commitment, the five EAC member states' Constitutions were found to be explicit on non-discrimination in general and more specifically on the basis of sex by providing for affirmative action. With exception of Tanzania, the EAC member state constitutions also provide for a special clause on gender equality, bodily integrity, non-discrimination on the basis of race, colour, language religion, sex, ethnic origin and other social categories. The Constitutions explicitly address the issue of contradictions between the constitutional provisions, laws and practices. Despite these efforts, there are still contradictions in the laws. For example Uganda's constitution outlaws any custom that is in contradiction with the constitution but recognizes customary land tenure with no mechanisms to regulate the customary governance. This means that the discretion is left to the communities to determine the depth and limitation of women's land rights which is likely to result into discrimination.

The citizens' scorecard ratings indicate that questions around gender inequality in the constitution and strategies and programmes that promote women's rights were ranked highly in all the EAC countries (they all scored above score 5). The highest rank was registered by the citizens in Rwanda at 8.87 and the lowest in Burundi at 5.

However, persistent discriminatory practices still exist in the region. Women continue to be disadvantaged in terms of land access and ownership; gender based violence such as female genital mutilation (FGM); high rates of early marriages for girls; rape defilement, including marital rape and have very limited decision making power at the household level. There are also unequal rights of widows' inheritance of their matrimonial homes and assets. The persistent discriminatory laws and practices point to deep seated patriarchal resistance to redistributive gender justice.

(ii) Power and decision making

Article 10 of the EAC GED Bill provides that member states shall protect and uphold the right of every woman and man to have equal access to public services and to take part in governance, enhance the capacity and resources of men and women to influence policies, eliminate all barriers to women's equal participation including appropriate affirmative action at all levels of governance. Constitutionally, the commitment of member states to gender balance would have meant gender parity in leadership i.e. 50/50 which has been reached and even surpassed only by Rwanda. Decision making power can be assessed by looking at top political and public leadership positions, in local governance, in political parties, in elections and electoral management bodies.

Parliaments, cabinet, parastatal leadership and public service: The EAC has attained relative progress in relation to parliaments and other spaces. For example, on the world classification for women in Parliament, EAC countries apart from Kenya belong to the top 30 (above the world average of 22%) out of 187, with Rwanda leading the world with 64% women in parliament. Indeed Rwanda and Bolivia at 51.3% are the only two countries in the world that present examples of female majority parliaments. The EAC also contributes two female speakers (Uganda and Rwanda) to the world list of 51. Also, in relation women's leadership of public services, Rwanda, Tanzania and Kenya fare well with 45%, 39% and 37% respectively.

However, there are gaps in terms of other areas of top leadership. These gaps are most visible in Parastatal and public service leadership due to the lowest percentages of women. For example, while Tanzania fares relatively well in parastatal leadership with 30%, the rest of the countries are below 20%.

Women in the Judiciary: The judiciary is a key space in state processes as the overseer of respect and protection of human rights. For some countries, the baseline values for women's inclusion are encouraging. Tanzania achieves 50/50 parity with regards to the Court of appeal. In Rwanda, women constitute 43% of the judges of the Supreme Court. Kenya and Tanzania post 43% and 42% women magistrates respectively. This picture implies that with very targeted actions, member states can easily achieve gender parity in the judiciary.

Local government: The local government connects the central and the local people which means that it can be a good litmus test for how far societies have changed and the extent to which society is ready to accommodate women's leadership. Over the last decade or so, the EAC countries have instituted decentralization as a core aspect of democratization and public sector reform. These reforms have relatively rekindled citizen participation and especially for women as a previously marginalized group. However, key positions are still dominated by men and marginalization of women continues in key processes of decision making and resource allocation. The arena of local government will also require standardization of indicators to allow for comparison since countries differ greatly in terms of the various structures at this level.

Gender and Political Parties leadership: While political party selection processes are an important indicator of gender inclusiveness in the political system, all countries (except Rwanda) reported male dominated party selection in leadership structures and selection of candidates. Political parties in all the EAC member states, recognize the important role of women and their numerical strength. Nevertheless, they have not translated this recognition into tangible terms and instead relegate to women's wings.

Most of these wings in ruling or opposition political parties have largely remained ineffective and adhoc without a clear role in the agenda setting and party recruitment.

Gender and Elections

Results indicated no major gender disparities in voting, with both men and women having been registered and voted.

What seems to be at stake however is who is setting the agenda and who does what? The critical aspect to look at is at the level of candidates, how political parties field candidates and their ideologies and practices during and post- election periods.

Election Management Bodies (EMBs): Electoral Bodies constitute a key factor in ensuring credible, free and fair elections. Gender also matters in the composition of EMBs leadership. Findings however show that all chairpersons of the five EAC EMBs were men while women occupied the lower levels of management as commissioners.

Affirmative action in the electoral process: The Constitutions of the EAC members States provide for affirmative action in elections. The citizen score findings indicate that all EAC scored average and above, with Rwanda being the highest with 80%, followed by Uganda at almost 60%. Affirmative action, though in some countries such as Uganda will require refinement to avoid creating political ghettos for women.

(iii) Gender-based violence

Gender Based Violence (GBV) entails all forms of violence vetted on an individual or group on the basis of the social construction of femaleness or maleness, relating to the power structures in specific situations. While GBV affects both men and women, women are often most affected by the vice than men. For instance, findings indicate that 94.7 % of GBV victims in Burundi and women. However, such statistics may not be representative of the GBV incidence since cases of GBV especially rape and defilement are usually not reported due to fear of stigmatization or family shame.

The EAC Gender Equality and Development Bill states that by 2030, member States shall: Enact and enforce legislation prohibiting all forms of gender based violence; ensure that Gender based Violence (GBV) laws provide for comprehensive testing, treatment and care of survivors of sexual assault; review and reform criminal laws and procedures applicable to cases of sexual offences; enact and adopt specific legislative provisions to prevent human trafficking and provide holistic services to the victims with the aim of re-integrating them into society; enact legislative provisions and adopt and implement policies, strategies and programmes which define and prohibit sexual harassment in all spheres, and provide deterrent sanctions for perpetrators of sexual harassment. Hence, the torch is on three core areas of GBV i.e. the evidence on gender based violence (GBV), the legal framework and the programmes and action plans on GBV.

The EAC countries have initiated various mechanisms for response to GBV in terms of prevention and redress. These include: National Strategy and Plan against GBV (Burundi); legislation on FGM and Sexual and Gender Based Violence (SGBV) (Kenya); National Plan of Action (NPA) for the prevention and Eradication of Violence against Women and Children (Tanzania); working groups on GBV and programmes to empower women victims of GBV (Rwanda) and the National Action Plan, law on domestic violence, FGM and Trafficking in Human Persons (Uganda). There are also attempts to increase the visibility and involvement of police in combating GBV cases. For instance, national Police force works with women's rights activists to raise awareness on GBV in Uganda and Rwanda.

However, with exception of Burundi, the citizens' score of GBV response indicated that there is a discrepancy between the existence of laws and their implementation. Uganda and Kenya were rated as the worst performers regarding implementation of laws.

(iv) Sexual Reproductive Health, HIV and AIDS

Article 9 of the EAC Gender Bill requires States to adopt and implement legislative frameworks, policies, programmes and services to enhance gender sensitive, appropriate and affordable quality health care; reduce the maternal mortality ratio by 75% and ensure the provision of hygiene and sanitary facilities by 2030. Findings show that Rwanda is ahead of others with 91% of the births attended to by skilled personnel and the lowest MMR; all the 5 countries have made good progress on access to Prevention of Mother to Child Transmission (PMTCT) services to pregnant women as well as general ARV access.

However, maternal mortality remains high: Burundi at 712 deaths per 100,000 live births; Tanzania at 432; Kenya at 362, Uganda at 360 and Rwanda at 210 deaths. The contraceptive use among sexually active women is below 50% across the five countries. In terms of HIV, the prevalence rate is highest in Uganda at 8.3% for women and 6.1% for men, followed by Kenya at 7.6 and 5.6 respectively. While a lot of interventions have been implemented, HIV/AIDS remains a big threat to the region. The higher prevalence rate among women than men is indicative of women's vulnerability to the compared to the men. Gender inequalities and SGBV play a big role in rendering women and girls more susceptible to HIV infection than men and boys. Citizens across the region highly rated the implementation of HIV/AIDS programme compared to SRH and Child and maternal mortality programmes. The highest perceptions around effective HIV programme implementation were registered in Rwanda followed by Uganda.

(v) Education

Article 8 of the EAC GED Bill requires each EAC member state to recognize education as a fundamental right for all people in the community; meet the basic learning needs of every person; ensure access to education by all at all levels; gender equality and equity in teacher pupil ratios; elimination of all gender stereotypes and biases in school curriculum; strengthen adult literacy and promote international cooperation in education. While progress has been made in the education sector across the region, there are still gender gaps in education access, completion and management.

Education access: In terms of access, progress has been made at the primary school entry due to the influence of universal primary education policies in the region. Gender parity at this level has been achieved in all except for Kenya. In Uganda and Burundi females stand at 50.1% enrollment at primary school level which indicates a slight gender disparity in favor of girls at this level. However, the higher primary school access has not been matched with the quality across the region. There is also a challenge of higher school dropout rate with girls most affected in some of the countries such as Uganda and boys as most affected in Kenya and Tanzania. All the EAC countries except Rwanda post gender disparities in secondary school enrolment in favour of boys.

School performance: In terms of primary school performance, findings show gender differences in performance indicating lower performance for girls compared to boys except for Burundi. Important to note though is that performance rates for girls improve generally at secondary level. Females' participation and performance in science is worse than that of males at all levels of education, although in general terms performance in sciences is less than in humanities in most countries.

Majority of boys excel more in science and technical oriented subjects while the majority of the girls excel in humanities. Gender stereotypes influence the choice of subjects for boys and girls in schools. Science subjects tend to be associated with masculinity while the humanities are associated with femininity. Stereotypes still exist in the school materials based on social constructions of femininity and masculinity which affect girls' performance and choice of subjects.

While the situation may not be uniform across all the EAC countries, there are aspects of comparison that can be drawn to better understand the gender dynamics of science vis-à-vis humanities courses. Gender differences in educational attainment are partly attributed to stereotypes where sciences and technical subjects are believed to be more masculine while humanities are believed to be feminine. Performance is also attributed to the roles and responsibilities the girls are subjected to while at home as the boys are left free to use this time for their academic work. The difference in performance is also compounded by cultural and religious attitudes and practices and inadequate policy guidelines, as well as lack of adequate female role models especially in the rural areas.

There are efforts to challenge stereotypes across the region. All the EAC governments have in place efforts to challenge stereotypes especially in instruction materials.

Education management: Gender in education is also measured by the representation of women and men in teaching and school management bodies. Available data shows over representation of females as primary school teachers. At secondary school level, all available data shows low representation of females: Rwanda 27.5%, Kenya 39.7 and Tanzania 32.5%. At tertiary level, Uganda posts 27.6% females. Hence the pyramid for female teachers is still bottom heavy. Data posted by Burundi shows much less than 20% on posts such as director and inspector.

Sexual and gender based violence in schools: Gender based violence in school remains a key challenge in the EAC region as elsewhere in Sub-Saharan Africa. GBV affects learning and achievement for all but tends to affect the girl child more severely where teachers tend to be perpetrators of sexual violence towards girls in school. This has led to teenage pregnancy, early marriages and eventually facilitated drop out for girls. Although the EAC countries have several policies to address the vice, not much has been accomplished given that the policies in place are not meaningfully operationalised to the benefit of a girl child.

Citizen's Perceptions: In all the EAC countries, the existence laws that ensure equal numbers of girls' and boys' enrolment and completion of primary, secondary, tertiary and vocational schools was ranked higher than all the other indicators of equitable education. Indicators that had to do with actual availability of equitable facilities, quality education and implementation of measures to eliminate gender stereotypes in education were ranked low by the citizens. This further re-emphasises the existing discrepancy between existence of the laws and the actual implementation of those laws.

(vi) Peace and Security

Women are often the most affected group during armed conflicts. They become victims of rape, crime and loss of critical livelihood resources. Article 15 of the EAC GED Bill provides that Member States shall promote peace, security and stability in order to guarantee the protection and preservation of life and property, and the well-being of the people and their environment. It also calls on states to take all appropriate measures and actions to eliminate incidences of human rights abuses especially against women and children in conflict affected areas, reinstate those affected by the conflict, especially women and children and ensure that women and men have equal representation and participation opportunities in key decision making levels in conflict resolution and peace building processes as required by the United Nations Council Resolutions 1325 and 1820. In 2005 the Security Council called on member parties to develop National Action Plans (NAPs) to operationalize the implementation of the resolutions. The NAPs are supposed to identify priority areas as well as the requisite resource to actualize the priorities. Four of the five countries, Rwanda, Burundi, Uganda and Kenya have National Action Plans which indicate basic commitments. However, existing efforts need to be harmonized and strengthened in order to realise meaningful participation of women in peace building which has the potential to establish lasting peace.

The citizens' score show average performance of government in this field but on the whole the information system is not well developed to allow proper monitoring and comparison.

(vii) The media

The Media is a very important component of the social, economic and political milieu, and is often referred to as the “Fourth Estate”. The media provides critical information on violations of human rights including women’s rights as well as raising awareness on addressing particular human rights violations. Article 7 of the EAC Gender and Development Bill provides that Member States shall take appropriate measures to mainstream gender in all communication, information materials, media policies, programmes and laws while eliminating all gender based stereotypes, promoting training for journalists on human rights and gender and legislating against cybercrime. In terms of ranking, the citizens ranked low the availability and implementation of laws regarding the protection of women and girls in the media in the EAC. This was among the three low ranked areas in the region, in addition to availability of adequate sanitary facilities for girls in schools and equitable allocation of proceeds from extractive industries.

(viii) Extractive industries

Article 17 of the EAC GED provides that Member States shall ensure proper and beneficial exploitation and use of the proceeds from the extraction of natural resources; that there are mechanisms to effectively protect the rights of indigenous communities especially women including land and property rights in areas where extractive industries are established and ensure that contracts for exploitation are awarded and implemented in a gender responsive manner. Data on extractive industries will require more mining and systematic standardization across the EAC but the indicative figures demonstrate that this is an area that requires targeted focus to ensure equality of participation as well as equitable distribution of benefits not just among women and men, but also across social class. This is one of the areas where governments were accorded very low scores by the citizens.

(ix) Climate change and environmental management

The EAC GED provides that Member States shall enact laws and policies to reverse the negative effects of climate change and ensure sustainable environmental management and implement laws, policies and programmes that take cognizance of the roles men and women in environmental management and preservation and shall provide to further enhance their contributions and capacities.

The indicators on climate change and environmental management show poor performance across all the countries. There is a lot of data missing on the existing laws, policies and institutional structures that promote environmental management, later on the integration of gender in climate change and environmental management discourses.

(X) Economic justice (employment, land, trade, and agriculture)

The EAC GED provides that state parties shall, by 2030, ensure equal participation by women and men in policy formulation and implementation of economic policies. Gender and Land Rights: Across all EAC countries, women constitute a higher percentage of the agricultural labour force yet they do not own and control land as an agricultural resource. While member states have laws in place that guarantee women’s equal rights with men on land ownership and utilization, research shows that women make the poorest land ownership segment of society despite their remarkable contribution to agriculture and food production. Overall, citizens across all the five countries pointed to their countries’ low commitment to putting laws and policies in place to enable access to, control and ownership of land amongst women and men. This perception is closely linked to citizens’ view on their governments’ inadequate efforts to repeal customary laws and practices that prohibit equal access to, control land & other productive resources.

Trade: The EAC GED provides that state parties shall by 2030 adopt policies and enact laws which ensure equal access, benefits and opportunities for women and men in trade and entrepreneurship, taking into account the contribution of women in the formal and informal sectors; review national trade and entrepreneurship policies, to make them gender responsive; introduce affirmative action measures to ensure that women benefit equally from economic opportunities, including those created through public procurement processes.

Available data reveals that states have trade policies as guiding principles to create opportunities for equal participation in trade through entrepreneurial development, giving priority to society and economically disadvantaged groups in society. However there is still a gender inclusiveness challenge and women face more challenges than men in this sector as they are hindered by lack of capacities, skills and resources. EAC governments have endeavored to put policies in place to boost the capacities of the socially and economically disadvantaged sections of the community to trade though implementation remains a challenge.

4. A comparative citizens’ rating of EAC Governments on Gender Equality

From the findings, Rwanda scored highest on all counts of gender equality with an average score of 76% followed by Burundi (53%), Tanzania (52%), Kenya (48%) and lastly, Uganda with 47%. Citizens (men and women alike) perceived the government of Rwanda to be above average in terms of commitments to gender equality laws and implementation. All the five countries scored above average in terms of inclusion of gender in the Constitutions and strategies and programmes for gender equality, and were all perceived as gender sensitive because gender equality was reflected in the official normative framework. The citizens’ score show dismal government performance in terms of redistributive justice and transformative change. Lowest scores across the region were seen in areas of quality education, gender stereotypes in the education curriculum, climate change, sexual and gender based violence especially in relation to laws

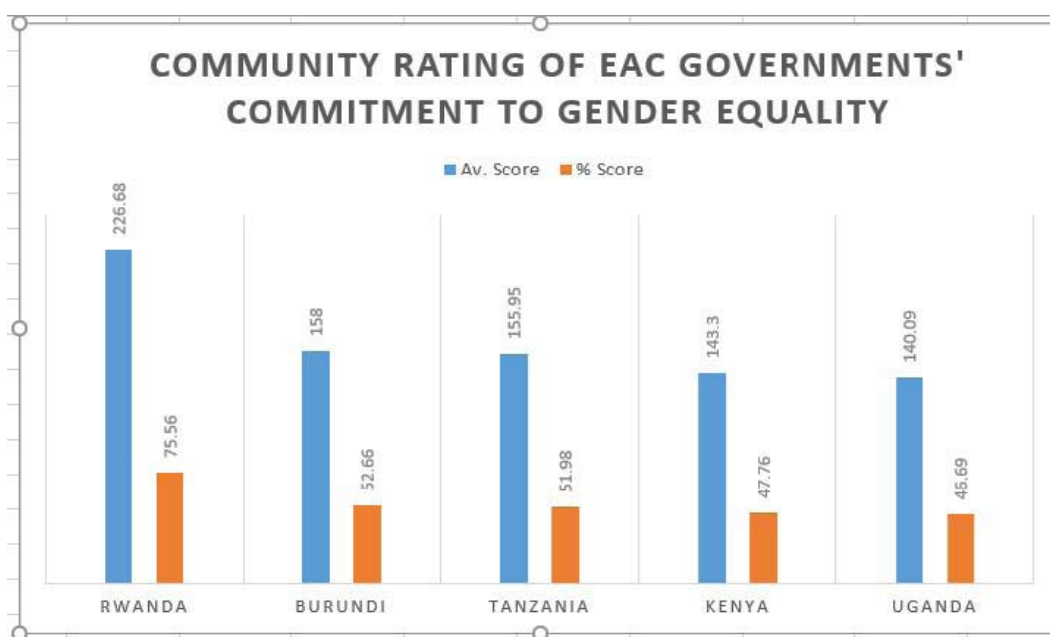
on trafficking, protection from pornography and equity in land control and access as well as allocation of proceeds from extractive industries.

Table 1: Regional EAC gender Bill Score Card

#	Specific Targets to be achieved by 2030	Burundi	Kenya	Rwanda	Tanzania	Uganda
		Average Score	Average Score	Average Score	Average Score	Average Score
1.	Include gender equality in the constitution	5	5.8	8.87	5.16	5.06
2.	Have strategies and programmes that promote women's rights	5	5.8	8.59	5.81	5.92
3.	Have laws, policies and programmes that ensure equal participation of women and men in decision making positions in the public and private sector	5	5.1	8.18	5.41	5.51
4	Have laws that prohibit all forms of gender based violence including traditional and Cultural malpractices	5	4.9	8.13	6.28	4.84
5.	Ensure access to justice, treatment and care of survivors of gender based violence	6	4.6	8.04	4.94	4.10
6.	Have laws to prevent human trafficking and provide holistic services to the victims	5	3.9	7.83	4.81	3.39
7.	Have good quality programmes to address the sexual and reproductive health and primary health care needs of women and men	6	5.7	7.58	5.80	5.50
8.	Have programmes for reduction of child and maternal mortality ratios by less than 70/100,000 live births	6	5.7	7.81	6.43	5.17
9	Implement gender sensitive policies and programmes for quality health care for prevention of new infections, treatment, and support of persons with HIV and AIDS	6	6.6	8.18	6.79	7.09
10	Have laws which ensure that an equal number of girls and boys enrol and complete primary, secondary, tertiary and vocational education	7	5.6	7.59	5.73	4.84
11	Have quality education at primary, secondary and tertiary levels	4	5.7	7.16	5.49	3.89
12	Ensure availability of adequate sanitary facilities for girls in school	3	5.0	6.57	4.17	2.81
13	Take measures to eliminate stereotypes in the education curriculum	4	4.3	7.20	4.57	3.86
14	Have laws and policies that ensure women and men's equal access to wage employment in all sectors of the economy	6	4.8	7.84	4.95	5.27
15	Have policies that protect and promote women's rights in all employment sectors including the informal sector	6	4.6	7.60	4.82	5.10
16	Have policies and laws that ensure equal access, benefits and opportunities for women and men in trade and entrepreneurship including public procurement processes	6	5.1	7.20	4.91	5.52
17	Have policies and laws that determine access to, control of, use of and ownership of land and other productive resources for both women and men	4	4.5	7.36	4.99	5.06
18	Ensure that customary laws and practices that prohibit equal access to, control of, use of and ownership of land and other productive resources for both women and men are repealed	4	4.3	7.58	5.05	4.53
19	Have agricultural and food security laws and policies that recognize and strengthen the role of women in the agricultural sector	6	4.3	8.08	4.74	4.70

20	Have strategies to ensure that women and men benefit equally from agricultural extension services and appropriate information on increasing agricultural productivity	6	4.7	8.16	4.74	4.80
21	Promote the equal participation of women and men in regional cross border trade, taking into consideration gender dimensions, access to information and opportunities	5	4.5	7.79	4.87	5.05
22	Have programmes that ensure equal access to justice for women and men for violations suffered during armed conflicts?	6	4.4	7.28	4.38	4.32
23	Ensure equal opportunities for women and men to participate in peace building and conflict resolution	6	5.2	7.58	5.30	5.60
24	Resettle and rehabilitate conflict affected women and children including refugees, asylum seekers and Internally Displaced People (IDPs)	5	4.7	7.25	5.34	5.06
25	Have laws that protect women and children from pornography, cyber-crime and all forms of gender biased reporting	4	3.3	6.53	4.79	3.01
26	Ensures gender responsive laws and policies to reverse the negative effects of climate change	5	3.8	6.77	5.18	3.61
27	Have strategies/programmes that promote equal participation on sustainable environmental conservation taking into consideration the gender dimensions of access to information, appropriate technology and alternative energy sources	5	4.1	7.26	5.34	4.53
28	Develop policies, laws, and programmes to protect the rights of women to safety, equal wage employment and compensation in extractive industries	5	4.3	6.85	4.75	3.75
29	Ensure equitable allocation of the proceeds from different extractive industries to meet the differentiated needs and interests for men and women, girls and boys	6	3.8	6.93	4.67	3.06
30	Develop and implement policies, strategies and programmes to protect male and female socially excluded groups including their equal access to social services, protection of their rights and wellbeing	6	4.2	6.89	5.74	5.14
Total Average Score		158	143.3	226.68	155.95	140.09
Percentage Score (X/300x100 = y %)		52.66	47.76	75.56	51.98	46.69

Figure 1: Comparative Citizens Rating of EAC Governments on Gender Equality



The comparisons of status and the citizen's score shows dismal government performance on the road to transformation in terms of gender redistributive justice, gender justice in this sense referring to the ending of and the provision of redress for inequalities between men and women that often result in women's subordination to men¹⁹. Redistribution implies that transformation will only happen, not only through special clauses on gender equality but also through a process that re-orient entitlements of men and women, combined with accountability of government and duty bearers across the board. The journey to transformative change will require bold steps. An overview of green flagged and red flagged areas as well as the actions required is presented below:

Overview: Green Lights, Red Lights and Actions Required

Result Area	Green Lights	Red Lights	Actions required
Legal and state Obligations	- Formal alignment with international & regional frameworks (ratification) - Constitutional provisions that outlaw discrimination on the basis of gender in all the countries - Legal provisions e.g. on domestic violence, political participation, land (with varied success across the countries) - Sector policies - National machinery with potential for institutionalization of gender equality	- Claw back clauses still exist in the legal framework - Poor implementation framework	- Review of legal framework to weed out claw back clauses - Repeal contradictory laws where they exist
Power & decision making	-Women increased representation in parliament Rwanda 64%, Tanzania 36.8% Burundi 36.4: Uganda: 32% Women and men are voting almost in equal numbers	- Kenya on women in parliament lags behind with 19.7 - Political parties still largely male dominated s norm - Top positions in government still male dominated at national and local levels - Masculine political culture - Affirmative action breeding ghetto for women - Abuse and Sexual violence in elections	- Develop gender strategy for EMBs to address practical and strategic gender needs - Establish mandatory code of conduct for political parties - Specifically criminalise SGBV in elections - Mount issue based conscientisation campaigns across the region

¹ Ann Marie Goetz (2017) 'Gender Justice, Citizenship and entitlements: Core concepts, central Debates and New Directions for Research in M. Mukhopadhyay and N. Singh (eds.) Gender Justice, Citizenship and development, New Delhi: Kali for Women.

Result Area	Green Lights	Red Lights	Actions required
Gender based Violence	- Legal framework to address GBV - CSO efforts	- High prevalence - Social tolerance of violence buttressed by sticky norms; - Weak implementation	- Accountability channels for implementation - Clear monitoring framework - Conscientisation to undermine tolerance for violence
SHR & HIV/ AIDS	- Initiatives to provide care - Success in PMTCT across the region Increased awareness on SHR Access to ARVs	- Rights framework yet to be institutionalized - High maternal mortality esp. Burundi, Uganda, Tanzania and Uganda - HIV prevalence persistently high in majority countries – reversal of gains e.g. for UfUganda	- Identify and design mechanisms to address root causes surrounding the MMR - Changes in the HIV terrain will require strengthening of the social aspects of the HIV response
Education	- High enrolment rates for girls & boys esp. at primary level - Initiatives targeted at addressing gender disparities - Best practices e.g. in Uganda with a fully integrated gender unit that influences the policy of the sector - Attempts at addressing gender stereotypes	- Quality still of concern across the region in classroom and sanitation - GBV in schools especially sexual violence - Persistent stereotypes in real & hidden curriculum - Completion rates for girls lower than for boys	- Conscientisation to buttress efforts to value girl child education - Address quality through innovative ways of teaching & resource mobilization - Firmly integrate gender in teacher education
Peace & Security	Signatory to UNSCR 1325 Attempts at inclusion of women in peace talks	- Male dominance persists in form and substance – beyond numbers - Reconstruction efforts largely oblivious of women's interests	- Review the peace and security framework - Gender strategy for the security sector
The Media	Increased presence of women as key actors in the media fraternity	- Low representation of women in decision making - Gender stereotypes and negative portrayal - normalization of pornography & cyber crime	- Clear gender regulation for the sector in relation to employment and programming - Institute media watchdog to track , document & report
Economic Justice	- Gender budgeting institutionalized - Awareness about the significance of economic justice esp. women's economic empowerment - Programmes and structures for gender mainstreaming in government planning process	Macroeconomic framework still largely impervious to gender and equity concerns Sticky norms around property rights e.g. land No clearstanding on extractive industries & climate change	- Mobilise the economic fraternity for regional impact - More research and data on gender and land, as well as extractive industries - Establish clear strategies in relation to concrete conditions in EAC countries

A photograph of a person's hands holding two shawls against a clear blue sky. The shawl on the right is multi-colored with horizontal stripes in shades of orange, green, and blue. The shawl on the left is bright yellow with fringed edges. The person's hands are visible at the bottom, holding the shawls. The number '1' is centered on the page.

1

Introduction

Who answers to women in the EAC?

The East African Community (EAC) Partner States have signed and ratified various regional and international instruments relating to gender equality and women's rights.

They also have national legislation on gender equality. However this legislation has not been extended fully to protect women's rights and efforts to implement are largely insufficient across the region, though with varying levels on the part of the individual partner states. The various pieces of legislation and policies have different levels of implementation success and there are still challenges especially in areas of entrenched and institutionalised patriarchal power. To consolidate commitments, enhance gender justice and accountability by individual governments, EASSI and Partners sought to harmonise the various efforts into one binding piece of legislation to advance gender equality and equity across the region namely The EAC Gender Equality and Development Act (GED). The survey for this pilot GED barometer was conducted at the time when the EAC GED was still a bill. The EAC GED Bill has since been passed into law. The campaign which started in 2008, with the tabling of the bill as private members Bill, specifically championed by Hon. Nancy Abisai, bore fruit 10 years later when on March 8 2017, the East African Legislative Assembly (EALA) passed the bill into the EC Gender ACT.

Objectives of the EAC GED

Harmonise the national laws of the EAC Member States with regional and International standards of promotion of gender equality and women's human rights;
Enhance the level of Implementation of women's rights instruments through incorporation of emerging development issues and gender concerns;
Promote non-discrimination and gender equality in the processes of governance for strengthened regional integration and sustainable development of the community;
Provide a participatory framework for strengthening monitoring and evaluating the level of adherence to regional and international standards on gender equality and equity;
Promote equal participation of women and men in regional trade by entrenching enabling policies and macro-economic frameworks that are gender sensitive and responsive.

In order to contribute to and support the much desired gender responsive governance in the region and as advocacy for the EAC Gender Equality and Development (GED) Act, EASSI in partnership with her National Focal points in the five member countries have initiated the EAC Gender Equality Barometer, intended to serve as a participatory measurement tool to support substantive implementation and gender responsive governance. This pilot GE barometer is a starting point. It sets in motion a process by which the EAC will periodically monitor, measure and document progress on gender equality in key result areas. This is expected to facilitate a regional conversation on strategies for enhancement of substantive gender equality and sustainable development.

The EAC GED is firmly grounded in and is in consonance with key instruments agreed to at both international and regional levels including the following among others:

- The Universal Declaration of Human Rights (1948) Article 21(1)- "Everyone has the right to take part in the government of his (sic) country directly or through freely chosen representation";
- The 1979 UN Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)
- The 1985 Nairobi Forward Looking Strategies;
- The Beijing Declaration and Platform for Action (1995), which outlined 12 strategic objectives and critical areas of action.
- The 2000 United Nations Security Council Resolution (UN SCR) 1325; The African Union's (AU) Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa 2000
- The AU Solemn Declaration on Gender Equality in Africa, 2004
- The African Charter on Democracy, Elections and Governance 2007
- The 2030 Sustainable Development Agenda with 17 SDGs whose goal five is to achieve gender equality and the empowerment of women and girls.

The current overarching global consensus and framework for action on women's rights strongly emphasizes the significance of political will by governments to implement regional and global gender obligations that States Parties have subscribed to. This stems from the realization that governments have broader legitimacy and other critical resources to support change in society. Governments in general have the command to generate political power, to effect change that would otherwise be extremely difficult to realize. Hence it is important to measure how well EAC governments are utilizing their generative potential to enhance sustainable change and thereby achieve gender equality. This is the spirit of this pilot barometer for the EAC GED Bill.

1.1 The Process of Compiling the Pilot GED Barometer

The process of compiling this pilot GE barometer involved three key stages as follows:

Stage one: involved baseline studies in the 5 member countries conducted under the auspices of the EASSI national focal point organization in each country: National Association of Women Organisations in Uganda (NAWOU) for Uganda; Profemmes Twese Hamwe for Rwanda; Women's Rights Awareness Program (WRAP) for Kenya; the Tanzania Gender Networking Programme (TGNP) for Tanzania; Network of Burundi Women's Associations and NGOs -Collectif des Associations et ONGs Feminines du Burundi (CAFOB) for Burundi. In each of the countries, three approaches were employed in the baseline. The first consisted of fieldwork to get the perspectives of women and men, girls and boys on the likelihood of each country achieving gender equality and equity by 2030 on the provisions of the EAC GED Bill. The perspectives were collected using a Score Card which had 30 questions. Respondents had to score each question using a score ranging from 1 to 10, with 1 as the lowest and 10 the highest score. These scores were then used to get the country scores. The fieldwork was carried out in selected districts.

The citizen's score is largely based on how they perceive their governments in terms of existence of laws and policies and their effective implementation. This is also influenced by expectations of the citizens as well as the level of awareness and civic competence. A highly gender aware and sensitive citizenry may rate their government poorly due to the high levels of expectations and vice versa. However, on the whole, the scores give an indicator of the level of satisfaction of the citizens. Given that this was the first survey, what is presented constitutes baseline values for subsequent measurements.

The second approach was data mining through a desk study of particularly official sources as the most authoritative information. Such data was also used to create a Gender Development Index (GDI) that was then incorporated into the country Report.

The third approach was through interviews with selected key informants to enrich the data from the desk study and other sources. Overall, the country baselines were conducted between August and December 2016. The information gathered through the three processes was then compiled to constitute the country baseline survey reports.

Stage two: involved holding national validation workshops for stakeholders that helped to confirm and enrich the baseline information and this was followed by preparation of final country reports.

Stage three: involved aggregation and synthesis of the country baseline data/reports to constitute this EAC GE barometer. The aggregation and synthesis was undertaken through comparisons across the key result areas. This comparison also highlighted variations in the nature and availability of data which indicated the future data demands for the relevant areas.

This pilot barometer, as any starting point, has several limitations which constitute lessons for the full blown GED barometer initiative:

- i) The collection of data required more standardization to allow for full comparisons for the 5 countries. In this pilot some issues are presented as cases of countries which still serves to signpost the issues and create basis for facilitating a conversation on relevant data demands. The ideal situation, however, is to be able to develop frameworks and indicators for airtight comparisons across the region.
- ii) Areas such as SGBV will require prevalence studies aligned to indicators that the Barometer will track.
- iii) The government units or Bureaus of Statistics will be key actor in the standardization of the indicators. Countries like Uganda already have in place priority gender indicator aligned to the Sustainable Development Goals (SDGs) and the National development Plan. This can be a good basis for scaling up the EAC GED barometer initiative.

1.2 Key result areas in the pilot GED Barometer

In line with the EAC GED, this Pilot barometer reflects the status in key result areas and the respective targets as shown in table 1 below:

Table 1: Key Result Areas for the EAC Gender Development Index

Key areas	Targets
Legal State Obligations to Protect Human to Rights	• Enshrine Gender equality and equity in their constitutions • Eliminate any practice that negatively affects fundamental human rights of women, men, girls and boys • Put in place affirmative measures with particular reference to women • Review, amend, and or repeal all discriminatory laws • Ensure equality in accessing justice • Ensure equal rights between women and men in marriage
Power and decision making	• Policies, strategies and programmes for; • Building women's capacity to effectively participate in leadership, gender sensitivity and mentoring; • Support structures for women in decision making; • Establish and strengthen structures to enhance gender mainstreaming; • Addressing discriminatory attitudes and norms in decision making structures. • Affirmative action measures to enhance women's participation in decision making. • Laws and policies put in place to enable women have equal opportunities when it comes to participation in electoral processes.
Violence Against Women and Girls	• Laws on domestic violence • Laws on sexual violence • Comprehensive treatment including PEP • laws against Human trafficking • Accessible, affordable and specialized services including legal aid & shelters to survivors of GBV • National action plans on GBV • Data on GBV including child marriages
Sexual reproductive health and HIV and AIDS	• Traditional birth attendants • Factors for continued high rates of HIV transmission in the EAC • Factors for continued maternal mortality ratios in the EAC • Adolescents access to SRHR services and ARVs • Total coverage (urban and rural) of sanitation facilities • Programmes for empowering young people with comprehensive sexuality education (including HIV/AIDS information) • Comprehensive knowledge on HIV and AIDS (Percentage disaggregated by sex)
Economic Justice- Employment, Land, Trade and Agriculture	• Trade- Scale of women owned businesses • Laws and policies that ensure that women and men have access to credit, access to market and other resources including information to establish and sustain their enterprises • Land- Land laws and cultural practices that enable women to have access, own and control land e.g. inheritance acts • Agriculture- Women benefiting from agricultural extension services
Education	• Quality of education • Affirmative action policies for girls and women
Peace and Security	• Existence and Implementation of National action plans on peace and security (UN Security Council Resolution)
Media	
Climate Change and Environmental management	• Programmes that promote equal participation on sustainable environmental management and climate change that take into consideration gender dimensions
Extractive Industries	• Benefits and opportunities for women and men in extractive industries

Country Contexts



BURUNDI

A land locked country

Total population: 10.6 million

Females: 50.8%

Males: 49.2%

Persons under 15 years: 44.6%

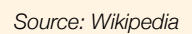
Urban population: 37.3%

Rural: 45.4%



KENYA

Total population:	48 Million
Females:	50.1%
Males:	49.9%
under 15 years:	42.2%
15-64:	55%
over 65yrs:	2.7%



A land locked country	
Total Population:	11.5 Million
Females:	52%
Males:	48%
persons under 20years:	50%
Persons over 65 years :	3%



TANZANIA

Comprises of two geographic areas: Tanzania Mainland and Zanzibar.

Total population (2012)	44, 928.923
Females:	23, 058,953 (51.3%)
Males:	21,869,990 (48.7%)
Rural population:	70.4 %

Age and sex structure by key groups:

0-14 years: Total = 19,725,456 (43.9%)	Female 42.8%	Male 45%
15-24years: Total = 8, 562,875 (18.4%)	Female 19.6%	Male 19.6%
15-35 years: Total = 15,587, 621 (34.7%)	Female 35.4%	Male 33.4%
15-64 years: Total = 23,466, 646 (52.2%)	Female 53.3%	Male 52.2%
65 years +: Total = 1,736,851 (3.9%)	Female 4.0 %	Male 3.70%



Source: www.lonelyplanet.com/maps/africa/tanzania & (NBS, Population Distribution by Age and Sex, 2013).

UGANDA

A landlocked country located in East Africa

About 800 Kilometers inland from the Indian Ocean.

It lies astride the Equator.

Total Population: 34.6 million

Females: 51%

Males: 49%

Children below 18 years: 55%

Youth (18-30): 23%

1.4 Structure of the Barometer

The barometer is structured as follows: Chapter 1 was the introduction that provides the rationale for the barometer initiative, the context and the overview of citizens' scorecard for gender equality in the EAC. The chapters that follows encompass the selected key result areas:

Chapter 2: Legal and State obligations to protect human Rights

Chapter 3: Power and decision making

Chapter 4: Gender based violence

Chapter 5: Sexual reproduction health & HIV/AIDs

Chapter 6: Education

Chapter 7: Peace and Security

Chapter 8: The media

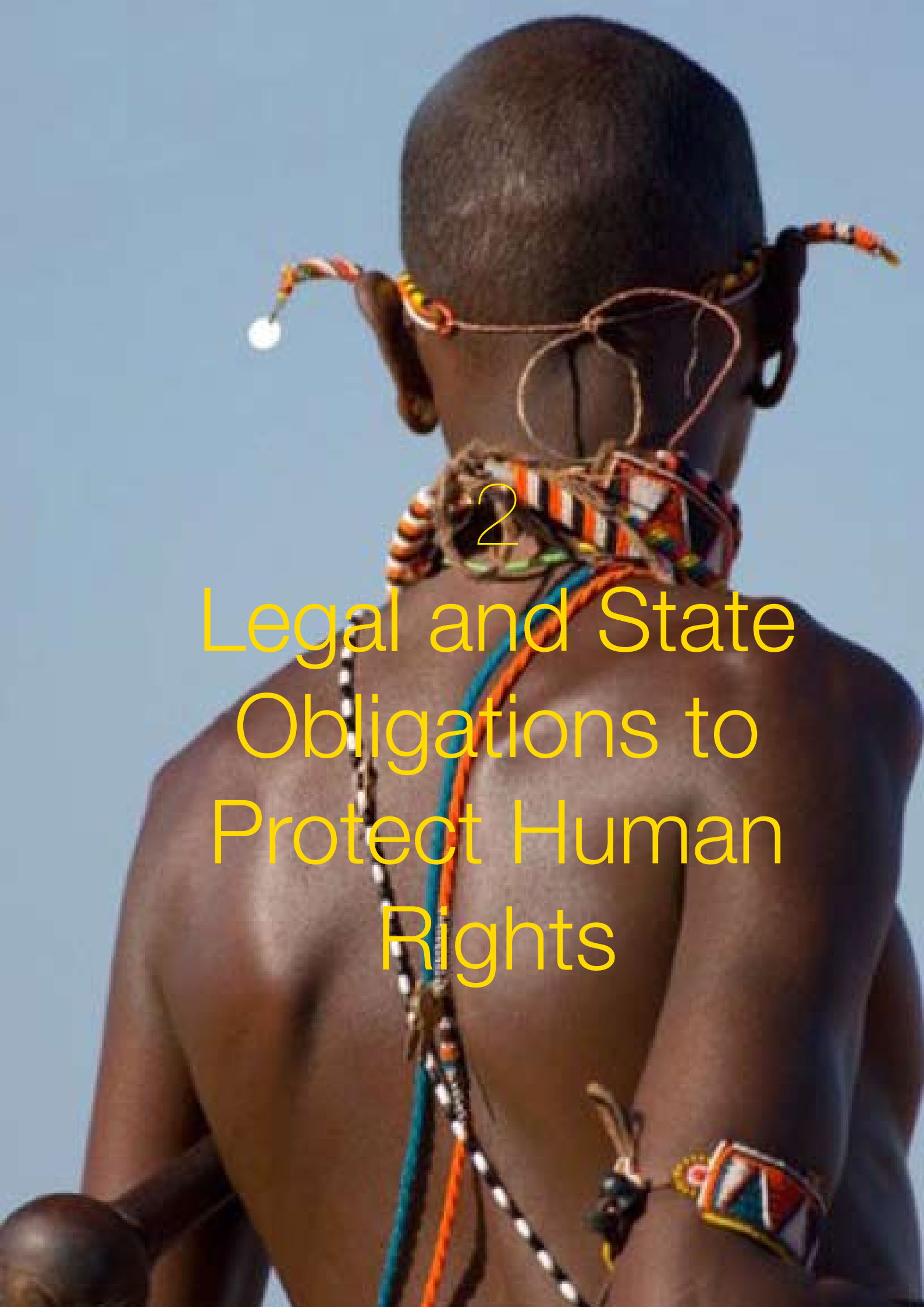
Chapter 9: Extractive Industries

Chapter 10: Climate change

Chapter 11: Economic Justice

Each of these chapters begins with a broad analysis in relation to the EAC GED target and provides an overview of the status where available, the response in terms of government initiatives as well as support of civil society where applicable. The analysis then ends with a consideration of the citizens' perceptions and how they score their governments in terms of levels of satisfaction with laws and implementation.

The concluding chapter presents a way forward by mapping green and red flagged areas and the actions required.

A photograph of a person from behind, wearing traditional beaded jewelry. The person has a shaved head and is wearing multiple necklaces and a bracelet made of colorful beads. The background is a clear blue sky.

2

Legal and State Obligations to Protect Human Rights

Article 6 of the EAC GED Bill provides that member states shall protect and uphold the right of every woman and man to life, personal dignity, integrity and security of the person at all levels including their public and private life; prohibit all forms of exploitation, cruel, inhuman or degrading punishment and treatment and take measures to establish, harmonise or reform the legislative framework.

Table 2: Analysis of Gender Equality Clauses in the Constitutions of EAC Countries

	Provides for non-discrimination generally	Provides for non-discrimination based on sex specifically	Provides for non-discrimination on the basis of race, colour, language, religion, sex, ethnic origin, social situation, region, and other social categories	Provides for the promotion of gender equality	Has other provisions that relate to gender equality, e.g. bodily integrity	Has claw-back clauses	Addresses the issue of contradictions between the Constitution, provisions, laws & practices	Provides for affirmative action
Burundi	YES Art.8 & Art. 57	YES, Articles 24; e 28 and 29	YES, Articles 135; 143; 247; 145 & 217	YES, Articles 129; 164 & 180	YES, Article 25	NO	YES, Article 257	YES, Articles 129; 164 & 180.
Tanzania	YES, The 1984 Constitution adopted the Bill of Rights; YES, (clauses 12 to 23)	YES, Clause 13 (5) defines Discrimination	No provision for other aspects such as marital status or pregnancy	NO special clause	NO	YES, Clause 13 (5)	No	YES, Clause 66(1) (b)
Kenya	YES, Article 27(1)	YES, Article 27(3)	YES, Article 27(4)	YES, Article 59 (2&3)	YES, Article 28	YES, Article 26(1) & 26(3)	YES, Article 2(4)	YES, Article 27(6)
Rwanda	YES, Article 11	YES, Article 185	YES, Article 11	YES, Art. 185	YES, Article 185	No	YES, Article. 200	YES, Art. 187
Uganda	YES, Article 21 (1)	YES, Article 21 (2) lists grounds of non-discrimination	YES, SEE Art. 21 (2)	YES, See Article. 21 (1)1; Art.26; 32 & 33	YES, Article 33 (1,2, 3, 4, 5, & 6) YES, Art. 24	YES, Land Act, 1998	YES, Article 21 (5):	YES, Article 32

Source: EAC Barometer Country Reports, EASSI

The key highlights with respect to legal protection of human rights are that all five EAC member states' Constitutions explicitly provide for non- discrimination generally and in particular on the basis of sex. The constitutions also provide for affirmative action. All constitutions except for Tanzania also provide for a special clause on gender equality, bodily integrity, non-discrimination on the basis of race, colour, language religion, sex, ethnic origin, social situation and other social categories and explicitly address the issue of contradictions between the constitutional provisions, laws and practices. The holistic elaboration of non-discrimination in Rwanda, Burundi, Kenya and Uganda could have a relationship with the fact that these are, in one way or another post- conflict constitutions i.e. Rwanda post genocide of 1994, Burundi 2005, Kenya 2007 post-election conflict and Uganda's post 1986 democratic consolidation attempts after a series of conflicts that started in 1960s through to the 1990s.

The Case of Burundi

The 2005 Constitution of Burundi was developed to secure peace and unity among the people, promote social cohesion within the community and a culture of power sharing among the political leaders. It was inspired by the Arusha Peace Accord and provides for non- discrimination of any kind in the public life and in community management.

The existence of provisions that outlaw discrimination on the basis of sex, age, ethnicity, religion and other social identifications create a strong basis in the EAC for state accountability and sets the stage for mechanisms to promote gender equality and women's rights.

Whereas there is broad inclusiveness in the constitutions, three countries also have drawback clauses. For example, Uganda's constitution outlaws any custom that is in contradiction with the constitution but at the same time, recognizes customary land tenure with no mechanisms to regulate the customary governance. This means that discretion is left to communities to determine the depth and limitation of women's land rights, which inadvertently results into discrimination.

2.1 Citizens' Perception on governments' commitment to Gender equality in the Constitutions

Using 30 scorecard questions, citizens assessed and rated their countries based on questions on gender inequality addressed in the constitution, as well as strategies and programmes that promote women's rights. All the EAC were ranked highly by citizens (with all countries scoring above 5 out of 10). The highest Citizens' rank was registered by Rwanda at 8.87 while the lowest was by Burundi at 5 as shown in figure 2 below.

Figure 2: Citizen's Perceptions on State Obligations to Protect

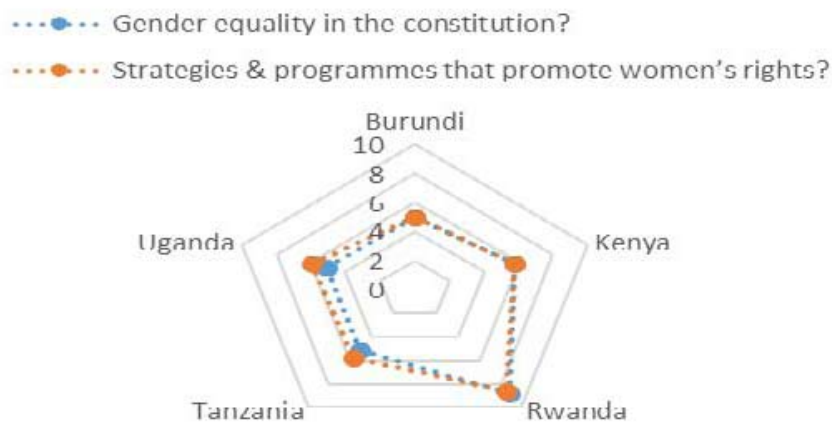
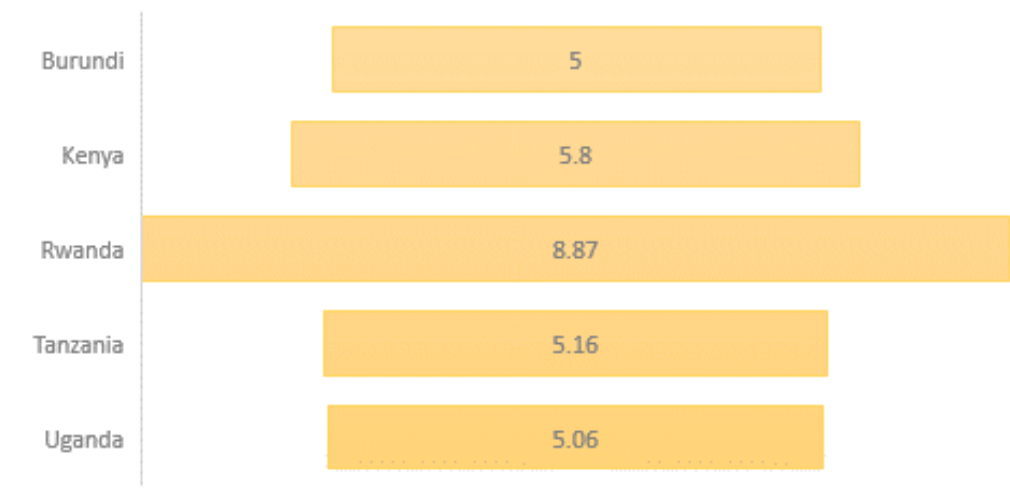


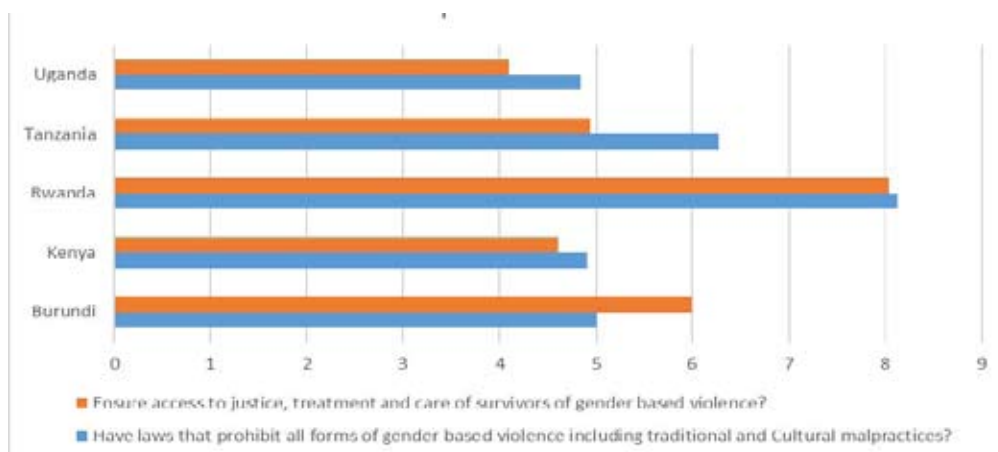
Figure 3: Citizens' Perception on State Obligation to Promote Women's Rights



Figures 2 and 3 indicate citizens' perceptual ratings of their governments' commitment to gender equality. In all the figures above, there is a relatively higher citizens' rating of governments in Rwanda, followed by Kenya in terms of their commitment to promoting women's rights. There could be cases where citizens' awareness or the lack of it, about governments existing programmes on gender equality might have influenced the ratings. However, citizens' perception of governments' achievement on gender equality can be an essential indicator of the efforts on the ground.

Existence of legal provisions that outlaw discrimination on the basis of sex and explicitly espouse gender equality as a yardstick for human rights is a big milestone for the EAC. It means that gender equality is part of the norms against which citizens should demand accountability from their governments. However this very basic step has to be actualized through implementation so as to bring substantive change in the lived reality of women and men. Citizen voices in all the EAC, apart from Burundi indicates a discrepancy between existence of laws and their implementation, which allows for perpetuation of discriminatory practices. Despite the legal provisions in constitutions, there are persistent gaps in implementation of laws resulting in persistent discriminatory practices that more often than not compromise women's rights and human dignity as shown by Figure 4 below.

Figure 4: Differences in Scores on Existence of Laws and Its Implementation



Source: EAC GED Barometer Country Reports, EASSI

Table 3: Examples of Discriminatory Legislation in EAC Countries

Country	Discriminatory legislation	Action being taken
Tanzania ¹⁹	Customary Law (Declaration) Cap 358 R.E. 2002: Discriminates against women on ownership and inheritance rights of land, housing and other major assets and is particularly detrimental to widows and their children.	Advocacy for amending the law by CSO's such as TAWLA, amendment to the proposed constitution by the Coalition for the New Constitution
	Citizenship Act Cap 357: Does not provide for the right of naturalization of Tanzanian women's foreign spouses as it does for men's foreign spouses	Not much advocacy
	Marriage Act Cap 29 R.E.2002: Allows the marriage of girls at 15 years of age or earlier with parents' consent compared to boys who have to wait until they are 18.	• High level of advocacy by CSOs to amend this law • Law challenged in the High Court successfully in June 2013. However, this decision is not final. • Amendment has been included in the proposed new Constitution
	Land Act Cap 113 R.E. 2002: It conflicts with Customary law (Declaration) order GN 436 of 1963 which is more often used in practice and even in the lower magistrates' courts	• High level of advocacy for amendment
	Education and Training Act 1978: Does not allow girls to return to school after giving birth even if the girls were victims of rape and incest.	• High level of advocacy by CSO's both working on women's rights and those working on equality in education such as CARE, Action Aid and UN organisations such as UNICEF.

¹⁹ Source: Tanzania Women Lawyers Association (TAWLA) *Position Paper on Gender Mainstreaming of the Constitution Review Process*, Dar es Salaam 2013.

Country	Discriminatory legislation	Action being taken
Burundi ³	The People and Family Code: Article 7 displays unequal treatment in case of marriage to a foreigner. What unequal treatment? Article 38 discriminates the mother when it comes to a child's birth registration. How? Article 88 discriminates the girl on the age of marriage for boys and girls. How? Article 122 discriminates the wife vis-à-vis power and decision sharing in the management of the conjugal community and the community's assets. How? Article 126 reinforces the discrimination as it specifies assets which fall within the conjugal communities, hence making it possible for the head of the conjugal family to dispose of any other assets by authority with no need to consult the other spouse. Article 145 displays unequal treatment when it comes to child marriage. How?	The association of women lawyers made sound proposals to review the discriminatory articles of the People and Family Code (CPF). The Government is yet to organize and make the review
	The Nationality Law: Article 2 discriminates the mother who does not transmit her nationality to the child in the same conditions as the father.	No Progress in alignment to article 9 of CEDAW
	The Labour Law: Article 123 discriminates the women on maternity leave who get half their salary and who have no access to intended care and support.	No progress in alignment to Article 11 of CEDAW and ILO conventions ratified by Burundi
	General Tax and Revenue code: Article 90 discriminates the married woman who pays tax as if she was single.	No attempt
Uganda ⁴	Divorce Act provides that a woman intending to divorce should provide evidence of adultery with another married man and yet for a man he simply has to prove adultery with another woman, whether married or not.	Judicial activism; the courts have in their own initiative decided to interpret the law using the decision in the Uganda Association of Women Lawyers and Others as per ruling by Attorney General (Constitutional Petition No. 2 of 2003).
	Women's property rights in cohabiting relationships – The constitution provides for equality in marriage but falls short of guaranteeing equal property rights. In this constitution, cohabitation is not recognised as marriage	Uganda women's movement has been pushing for a law to guarantee women property rights in cohabitation relationships for over a decade. The Marriage and Divorce Bill, 2013, which has provisions on women's property rights is before parliament
	Section 39 of the Land Act provides for spousal consent on disposal of family property but discriminates the cohabiting couples and yet cohabiting couples may contribute equally as the married ones	Women's movement advocating for re-tableting the Marriage and Divorce Bill, 2013, which has provisions on women's property rights in parliament.
Kenya	Accordingly, the constitution as the supreme law of the land outlaws of any law, including customary law that is inconsistent with the constitution is void to the extent of the inconsistency, and any act or omission in contravention of the constitution is invalid.	Not registered
	However, this does not seem to be in operable in practice. even the basic level of women's representation has not been institutionalised	
Rwanda	No Data collected regarding existing discriminatory legislation in Rwanda	

Source: EAC GED Barometer Country Reports, EASSI

³ Source: Alternate Report on CEDAW implementation, CAFOB 2013⁴ Source: The Constitution of the Republic of Uganda 1995, Divorce Act, Land Act

2.3 Harmful Discriminatory Practices

Critical discriminatory practices still persist. These include women not being allowed to own land especially clan land, female genital mutilation (FGM), early marriages for girls, physical violence mostly against females, including marital rape, women not being allowed to make decisions at the household level; and unequal rights of widows regarding inheritance of the matrimonial home and assets.

Table 4: Examples of Discriminatory Practices in EAC

Country	Examples of Discriminatory Practices
Burundi	Unequal access to education between boys and girls
Kenya	Female circumcision
Rwanda	Girls' domestic chore burden
Tanzania	Lack of Inheritance rights of widows
Uganda	Lack of Inheritance rights of women



Burundi: Unequal Access to Education

Discrimination against women continues to challenge Burundi. One illustration is unequal access to education between boys and girls. In a situation of patriarchy, families will give priority to boys' education, because they are the natural heirs of their families and believed to be providers for their own families. In a situation of poverty, parents make decisions on which child to send to school or not on the bases of expenses to be incurred. The decision will always be against girls. The common belief is that in all cases, the girl will have to leave her family and marry. Why should then parents invest for another family? When discriminated, young girls find themselves in different undesirable situations: some are used as sex workers, others get married early (because school delays marriage), others indulge in prostitution, and others go to the cities to look for housekeeping and similar jobs. This goes against the Burundi saying which states that "Nta mwana n'ikinono"- All children are equal.



Tanzania: Widows' right to inherit property

One of the harmful practices that discriminate against women is the inheritance rights of widows in Tanzania. Currently, three sets of inheritance laws apply: a) Indian law of inheritance which is applied when the deceased is neither a follower of Moslem Kadhi's or of Customary rules and laws. b) Moslem laws of inheritance; and c) Customary Laws which are applicable if the deceased lived by obeying traditions and customs of his tribe. This last is applied in the majority of cases of inheritance in Tanzania and is resorted to even if the husband did not live according to traditional customs but did not leave a will and testament as to who should inherit and administer his property and assets. Under customary law widows get nothing. They cannot inherit the matrimonial property and movable assets or clan land (LHRC, 2016 (a)). The following case study is an example of what usually happens.

The late husband of Rose (not true name) did not execute a last will and testament. Clansmen appointed her brother in law to stand as a trustee. She decided to take the matter to the local tribunal. The case started in the local tribunal on 15th of January 2014. Relatives of the deceased husband made false presentations to the tribunal and she lost the case. The relatives grabbed all the properties, leaving the widow without any assets. She was further dispossessed of her house, and hence forced to rent a place to live. In 2015 the Tanzania Widows Association (TAWIA) supported her for an appeal to claim for her rights. The court nullified the brother-in-law's trusteeship. It was too late because all the properties were already sold and the money from the sales squandered. A Civil case to claim back her benefits is proceeding but at a very slow pace. This has led to wastage of time and money and much more importantly caused emotional distress.



Uganda: Women's Lack of inheritance rights

In a majority of the communities in Uganda, it is believed that property cannot be inherited by the women. This is because in a patriarchal society, women do not carry on the family line and so when property is being distributed, women

are left out. It is also believed that women will get married and thus the property, if they inherit it, will be taken to another family-her marital family as opposed to her natal family. Inheritance is thus not looked at as a means and mechanism for personal growth and empowerment for women.

Considering that many women are a vulnerable group of people, having no form of inheritance to cushion them economically puts women in the poverty bracket, renders them more economically weak and exposed to abuse. This has made women to become more dependent on men for provision of basic needs. It has equally forced some women to take up jobs that expose them to all forms of abuse including sexual and physical abuse.

Uganda's population is 51% female but only 14% of women own land. It is also important to note that women provide over 70% labour and production in agriculture, which is the backbone of the economy.

"As women we have to be careful not to entangle ourselves in such wrangles. If one dared, you would be reminded of your status. It does not matter whether we have been married to such men or not. Family land will always be theirs to own, unless a woman bought her own using her money. So, many of us women just look on as men battle out", (female participant, Koro-abili, IDP camp).

Although women are the major cultivators of the land, they are largely at the mercy of their spouses or male relatives when it comes to decision making on the land and its proceeds.



Rwanda: Girls' domestic chore burden

Negative cultural and patriarchal attitudes still exist especially in rural settings where the girl child is required to perform many domestic chores before and after school which hampers her ability to concentrate on academics. This gives rise to a generation of women with less professional capacity to compete equally with the male counterparts in the job market.

To address this gap, the government of Rwanda developed a Girls' Education Policy aimed at guiding and promoting sustainable action to progressively eliminate gender disparities in education and training as well as in management structures.



Kenya: Female Genital Mutilation

Female Genital Mutilation is a practice that discriminates against women. The practice has for long been in different parts of the country with the majority being the Maasai community, whose daughters in the ages between 12-14 years go through the practice. E.g. before the Maasai girls marry, they must undergo FGM in a ceremony that 99% of the time is sponsored by their prospective suitors.

The physical effect of this practice has been bleeding which at times leads to deaths, infection particularly due to poor sanitary conditions and complications during child birth. There is also a high risk of HIV transmission due to the sharing of the knives. Aside from the actual surgical procedure, the rite includes a ceremony in which the entire community comes together to celebrate the girl's passage to adulthood where this goes hand in hand with marriage. An uncircumcised woman remains a girl in the eyes of the community, however much education she may have, or whatever status she may attain in the outside world. For a woman who refuses to be circumcised, the risk of isolation is great, the chances of finding a Maasai spouse are reduced to almost nil, and her status in society will always be that of a child, a minor.

These persistent discriminatory laws and practices across the EAC point to deep seated patriarchal resistance to redistributive gender justice. It is institutionalized male privilege that make harmful practices as part of the norm, that which is desired by society for its normal functioning. For EAC to achieve the 2030 GED targets, member states will require bold transformative strategies that address institutionalized male privilege in a substantive manner.



3

Power and Decision Making



Article 10 of the EAC GED Bill provides that member states shall protect and uphold the right of every woman and man to have equal access to public services and to take part in governance, enhance the capacity and resources of men and women to influence policies, eliminate all barriers to women's equal participation including appropriate affirmative action at all levels of governance.

This chapter presents the current status in terms of distribution of decision making positions between males and females, identifies key positive milestones and identifies gaps. It is also concerned with policies, strategies and programmes for building women's capacity to effectively participate in leadership and decision making, assessing the existence of mechanisms to enhance gender mainstreaming and addressing discriminatory attitudes and norms in decision making structures. It also assesses the existence of affirmative action measures to enhance women's participation in decision making and the laws and policies put in place to enable women have equal opportunities when it comes to participation in electoral processes.

3.1 Leadership at the Top

Constitutionally the commitment of member states to gender balance would have meant gender parity in leadership i.e. 50/50 which has been reached and even surpassed only by Rwanda in the EAC. However, on the world classification for women in Parliament, EAC countries apart from Kenya belong to the top 30 (above the world average of 22%) out of 187, with Rwanda leading the world with 64% women in parliament. Indeed Rwanda and Bolivia at 51.3% are the only two countries in the world that present examples of female majority parliaments. The EAC also contributes two female speakers (Uganda and Rwanda) to the world list of 51.

Table 5: EAC on the World Scale: Women in Parliament

Country	Percentage	Speaker of the House	Rank on the World scale
Rwanda	63.8	F	1
Tanzania	36.6	M	23
Burundi	36.4	M	25
Uganda	32.0	F	30
Kenya	19.7	M	98

Source: www.ipu.org accessed on 15/1/2017

Table 7 shows a comparative picture across the region on women and men in parliaments, cabinet, parastatal leadership and public service. Parliament has been the easiest and commonest measure of gender equity in leadership and decision making. Whereas there has been relative progress in relation to parliament's other spaces, issues of decision making present critical gaps. For example, in relation to cabinet posts only Uganda presents a near 50/50 picture with 42.6% women. Parastatal and public service leadership present some of the lowest percentages in as far as women are concerned. Worthy to note is that Tanzania fares relatively well in parastatal leadership with 30% where the rest of the countries are below 20%. Rwanda, Tanzania and Kenya also fare well with 45%, 39% and 37% women's leadership of public service respectively but still below 50/50 gender parity mark.

Table 6: Women and Men in Top Decision Making

	Parliament		Cabinet		Parastatal Leadership ⁵		Public Service	
Country	% F	% M	% F	% M	% F	% M	% F	% M
Uganda	32.0	68.0	42.6	57.4	NDC ⁶	NDC	20.7	79.3 ⁷
Kenya	19.0	81.0	32.8	67.2	18.0	82.0	36.6 ⁸	63.4
Tanzania	36.8	63.2	21.7	78.3	30.0	70.0	39.1	60.9
Rwanda	64.0	36.0	37.5	62.5	19.0	81.0	45.0	55.0
Burundi	37.1	62.9	27.3	72.7	13.6	86.3	15.9	84.1

Source: EAC GED Barometer Country Reports, EASSI

⁵ This includes women in different managerial positions e.g. chief executives, senior officials, administrative and commercial managers.

⁶ NDC throughout the report represent No Data Collected. NDC will constitute the data demands across the region

⁷ This data represents only Senior public officials in Uganda i.e. Permanent secretaries, Under-secretaries, Directors and Heads of Departments.

⁸ This data represents only Principal secretaries. There was no data for senior managers and the entire public service

Women in the Judiciary

The judiciary is a key space in state processes as the overseer of respect and protection of human rights. For some countries, the baseline values for women's inclusion are encouraging. Tanzania achieves 50/50 parity with regards to the Court of appeal. In Rwanda, women constitute 43% of the judges of the Supreme Court. Kenya and Tanzania post 43% and 42% women magistrates respectively. A disaggregated picture for Kenya and Tanzania is as follows:

Table 7: Tanzania: Women in the Judiciary

% female Justices in the Court of Appeal	50.0
% of female High Court Judges	39.5
% of female magistrates	42.0

Source: LHRC, Tanzania Human Rights Report 2015 (a)

Table 8: Kenya: Women in the Judiciary

Percentage of women in the judiciary	Supreme Court: 28.6%
	Court of appeal: 30.8%
	High Courts: 39%
	Magistrates & Kadhis: 43.8%

Source: Kenya Economic Survey, 2014

At the general level, the data available indicate that the current baseline figures for women in the judiciary in at least three countries out of the five are almost at gender parity especially with regard to magistrates. This means that the increased access to education has produced a pool of women lawyers that can be available for the top appointive positions in the judiciary e.g. High court and Supreme Court judges.



Above Supreme Court Judges in session: Women comprise 43% of the Supreme Court in Rwanda: *Courtesy photo*



Above: Kenya: Judges of the Supreme Court

3.2 Local government

The local government is an important level for service delivery. The local government broad spectrum, as part of the state and yet functioning closest to the people and to organized civil society, means that it can be a good litmus test for: how far societies have changed and the extent to which society is ready to accommodate women's leadership. Over the last decade or so, the EAC countries have instituted decentralization as a core aspect of democratization and public sector reform. Within overall reform has been the rekindling of citizen participation and specifically for women as a previously marginalized group. Although data on trends in participation of women and men in local government leadership has not been consistently compiled, there are indications of expanded citizen participation which needs to be systematically analyzed. In Uganda, indicative figures in the 2006 elections indicated that women councilors constituted 46.8% of councilors¹⁹ largely due to the 30% reservation at all levels but which also meant that a number of women also stand on open seats in council elections. However, top and competitive posts are still male dominated. A complete picture of women in local government leadership is presented in the case of Rwanda and Burundi as below:

Table 9: Rwanda: Participation of Women and Men in Local Government Structures

Position	M	F
Village Executive committees	60.6%	39.4%
Cell Advisory Councils	58.3%	41.7%
Sector Advisory Councils	57.3%	42.7%
District Advisory Councils	58.3%	43.6%
District Executive Committee	62%	38%
Mayors	80.6%	19.4%
Vice Mayors (Economic affairs)	80.6%	19.4%
Vice Mayors (social Affairs)	22.6%	77.4%
Executive Committee (national Women Council)	0%	100%
Executive Committee (NYC)	63.2%	36.9%
All specialized structures (1)	35.6%	64.4%
Local council (2)	59.9%	40.1%
All Structures (1+2)	43.3%	56.7%

Source: Rwanda: National Gender Statistics Report 2014

¹⁹ Republic of Uganda (2009) African Peer Review Mechanism (APRM) Country Review Report No. 7

Table 10 Burundi: Women in Local Government/Sub National Elected Office

Position	M	% F
Province Governors	83.3	16.7%
Commune Administrators	65	35%
Hills and/or quarters Councilors	92.9	7.1%
Heads of Hills and/or quarters	93.61	6.39%

Source: Burundi: National Electoral Commission, Global report on the electoral process, 2015

As shown in the tables above (for Rwanda and Burundi) there is a relative presence of women in some local government. The example of Rwanda indicates that women's presence is evidently boosted by the women councils as special structures for women. However, key positions are still dominated by men and relative ghettoization of women still persists. For instance, vice mayor positions for economic affairs are predominantly occupied by men (80.6%) while women mostly occupy vice Mayor positions for Social Affairs (77.47%). This is a reflection of stereotyping that influences the sectors led and decisions made by women and men in local government.

3.3. Gender and Political parties

Political parties have a critical role in politics and governance, as political machines to win elections and wield government power as well as recruit key political actors. They specifically structure national political processes and political contestation, engage in competitive electoral politics and nominate prospective public representatives and political leaders.

Political parties recognize the role women play and their numerical strength. Nevertheless, they have responded in a half-hearted manner by relegating women mostly to women's wings. Most of these women's wings in ruling or opposition political parties have largely remained ineffective and adhoc without a clear role in the agenda setting and party recruitment. Available data indicates that political party leadership is still male dominated.

Table 11: Representation of Women and Men in Key Political Party Structures- Uganda, Tanzania & Burundi

Party	Chair		Treasurer		Secretary General		Fourth top position		Fifth Top position		Sixth top position	
	M	F	M	F	M	F	M	F	M	F	M	F
TANZANIA												
CCM	X		X		X		X		X		X	
Main opposition												
CHADEMA	X		X		X		X		X		X	
CUF	X		X		X			X	X			
ACT	X	X	X		X		X		X		X	
BURUNDI												
RULING	X		x		X		x		X		x	
Main Opposition	X		X		X		X		x		X	
UGANDA												
Ruling	x		x			x		x	x		x	
Main Opposition	x		x		X		x		x		x	

Source: EAC GED Barometer Country Reports, EASSI

Political party selection processes are an important indicator of gender inclusiveness in the political system. Apart from Rwanda, all countries reported male dominated party leadership in structures and in selection of candidates. In Rwanda, political parties are compelled by law to reflect diversity. Article 54 of the constitution of the Republic of Rwanda provides that political organizations are prohibited from basing themselves on social divisions, including sex, in the recruitment of members, putting in place organs of leadership and their operations and activities. Hence all political organizations in Rwanda must comply with this article with regards to gender equality.

Tanzania: Most political party constitutions affirm their commitment in principle to recognize and protect the rights of all human beings. On the surface, these documents seem to say that everyone has an equal chance to participate but in practice there are no provisions for promoting women's participation on an equitable basis. The number of female candidates nominated for elected seats increased from 693 in 2010 to 1039 in 2015, an increase of 50%. However, the overall proportion of candidates for which women were nominated was less than 10% in both years. In 2010 out of a total of 9,545 candidates nominated for elective seats at national and local level, only 693 or 7.2 per cent were female. In 2015 out of nearly 12,000 similar candidates constituted only 1039 or 8.7 per cent were women (NEC 2011; NEC, 2016).

Uganda: The two major parties, Ruling NRM and opposition FDC have gender provisions in the both parties provide for 40% women's representation, but this has remained only on paper. For instance in the 2016 elections NRM fielded 7.2% women candidates the open seats while FDC fielded 2.5% leaving the 40% requirement in their constitution as a mere figure.

3.4 Gender in Elections

Elections are generally regarded as one of the hallmarks of democracy because they symbolize popular sovereignty and the expression of the social pact between the state and the people. In this way, a political system is defined as democratic in so far as its most powerful collective decision makers are selected through periodic elections in which candidates freely compete for votes and in which virtually all the adult population is eligible to vote. More specifically elections are one key route to the occupation of public office, hence the need for constant scrutiny and strengthening of institutions to enhance inclusiveness. This section deals with the different aspects of elections including women and men as voters, political parties, election management bodies and affirmative action measures across the EAC.

3.4.1 Women and women as voters Rwanda:

Rwanda: women registered to vote are higher than the men. There are Fifty-four (54%) women registered voters compared to 46% men. This numerical advantage is coupled with the government national electoral commission affirmative action policy that reserves a 30 percent quota of women's representation in local government. The government also has structures to promote women's political participation, e.g. in 2016, the gender monitoring office provided a total of 97 female election observers during the February 2016 local government elections.

Tanzania: The voter registration at 95% of the estimated eligible population was high for both 2010 and 2015. There was no gender disaggregated data for the registration of voters in 2010 but the data for 2015 shows that more women than men registered to vote. Out of the total of 23,161,440 voters 12,159,756 (52.5%) were females and 11,001,684 (47.5) were males. Of these 29.6 per cent were in the age group of 18-35 years.

Burundi: In the last two elections 2010 and 2015, women constituted 51 % of the voters. In 2015, out of the total of 3,849,728 voters, 1,970,540 (51.2%) were female and 1,879,188 (48.8) were males. In 2010 the total was 3,558,736, of which 1,834,987 (51.6%) were females and 1,723,749 (48.4) were males.

Kenya: In 2013 election, the voters roll indicated a total of 14,300,000 voters, 7,050,000 women (49.6%) and 7,250,000 (50.4%) men hence a difference of about 0.8 in favour of men.

Uganda: in 2016 Total number of registered voters was 15,277,198. No Disaggregation by sex

Table 12: Women and Men as Voters

Country	Total voters	%F	%M	Year
Burundi	3,899,728	51.2	48.8	2015
Kenya	14,300,000	49.6	50.4	2013
Tanzania	23,161,440	52.5	47.5	2015
Rwanda	6,142,362	54	46	2016 ¹⁰
Uganda	15,277,198	NDC	NDC	2016

Source: EAC GED Barometer Reports, EASSI

On the whole, there are no major gender disparities in as far as voting is concerned. Men and women register and a substantial number do vote. The sex disaggregated data for four countries shows that in three (Burundi Rwanda and Tanzania) women form the majority voters. Even for Kenya, men are only slightly more than women by less than 1%. What seems to be at stake therefore is more of who is setting the agenda and who does what? In a number of countries politicians were said to have realized the power of women voters and have increasingly engaged them in their campaigns. Though this trend is often seen as manipulation of women it can also be turned into an opportunity for women to influence election outcomes.

¹⁰ Local government elections in February 2016

3.4.2 Election Management Bodies (EMBs)

Election management is a key factor in ensuring credible, free and fair elections. The messaging from the EMBs has the capacity to ensure women's equitable participation.

The gender composition of EMBs leadership is also critical for reflecting gender balance and fairness in electoral management

Box 1: EMBs in EAC

Kenya- Independent Electoral and boundaries Commission (IEBC) Uganda – Independent Electoral Commission (IEC)
Tanzania- National Electoral Commission (NEC)
Rwanda- Rwanda National Electoral Commission (RNEC)
Burundi –National Independent Electoral Commission (NIEC)

All chairpersons for the 5 EAC EMBs are male. There are efforts to include women at the lower levels of commissioners but the consistency of men at the helm of election management needs to be addressed.

Kenya: The Election Management Body in Kenya is the Independent Election and Boundaries Commission (IEBC), whose gender breakdown at policy-making and directorate levels is that the secretariat comprises of the Chief Electoral Officer (CEO), 2 Deputy Commission Secretaries (DCS), 9 Directors, 17 Managers, 17 Regional Election Coordinators and 290 Constituency Election Coordinators. The CEO is a male while the Deputy Commissioners, are male and female.

Table 13: Kenya: Women and Men Election Management Body (IEBC)

Department	Directors		Managers	
	M	F	M	F
Finance	√			√
Audit Risk & Compliance	√		√ √	
Legal & Public Affairs		√	√ √ √	√
Research & Development		√		√
Voter education & Partnership	√			√ √
Human resources & Administration		√	√ √ √	√
Voter registration & Electoral operations	√	√ √ √	√	
Information & Communication Technology	√		√ √	
Total	4	4	13	7

Source: Kenya: IEBC 2014

3.4.5 Affirmative Action

All member states have constitutions that provide for affirmative action in elections as presented below:

Uganda: Uganda was a pioneer country in the region to institute affirmative action right from the late 1980s. Affirmative action is enshrined in Article 32 of the Constitution of Uganda. In parliament, affirmative action created a district level position for women representatives. Article 78 (1) (b) provides for the election of one-woman representative for every district. Article 180 (2) (b) provides for one third of the membership of each local government to be reserved for women. This initiative was instituted to ensure equitable participation and political opportunities for women in a highly male-dominated sector. It was also designed to encourage more women to join politics.

Table 14: Women in Uganda's Legislature (1989-2016)

Year	Districts	Assembly	AA	Open seat	Others ¹¹	Total Women	Total Men	Total MPs	% Women	% Men
1989	39	NRC	39	2	9	50	230	280	18	82
1994	39	CA	39	8	3	50	236	286	17	83
1996	39	Parliament	39	8	4	51	225	276	19	81
2001	56	Parliament	56	3	6	75	230	304	24	76
2006	79	Parliament	79	14	1	100	219	319	31	69
2011	112	Parliament	112	11	8	131	244	375	35	65
2016	112	Parliament	112	18	9	139	289	428	33	67

Source¹²

Hence women's participation in electoral processes has been buttressed by the political affirmative action. Affirmative Action has increased the number of women in Parliament through the District seat. By 2014, the women constituted 35% of the total MPs. Affirmative Action in the Local Government Act (1997) also provides for one third women's representation at all local council levels. This policy environment has provided opportunities for women to contest in positions that were historically a preserve for men. For example two women candidates participated in Presidential elections in 2011 and 2016. While the female presidential candidates never won in both presidential contests, they represent an increasing number of Ugandan women who are coming up to vie for political leadership. They too, set a precedent for women to contest for political positions beyond the Affirmative Action Seats.

The flip side though is that, while this form inclusion has had great benefits, it has created an impression that there are women and men's seats where the former have to justify contesting on open and competitive seats. This has over time tended to construct women as secondary citizens in the electoral contest. Hence women have been largely ghettoized. An analysis of the recent 2016 election in Uganda clearly shows the effect of the manipulative societal interpretation of affirmative action to deny women equitable space in open and competitive seats, thereby creating a binary between women's and men's seats (with the latter ideologically constructed as superior).

Table 15: Uganda: Women and Men in Open Seats 2016

Post	Total Number of Candidates	No. of Females	No. of Males	% of Females in the race
President	8	1	7	12.5%
Open MP Seat	1,306	83	1,223	6.4 %
District City	379	7	372	1.8 %
Chairperson				
Total	1,693	91	1,602	5.4 %

Source: Electoral Commission of Uganda website 2016

As seen in the table above, out of a total of 1,693 open seat positions contested for, women stood for only 91 of the seats representing only 5.4 % of those positions. This is a major disparity in political participation. The gap that the open or direct seat creates is not only in form of numerical presence, but also in the kind of issues covered. Women's interests tend to be relegated to the marginal space of special interests.

¹¹ These include representatives of People with disabilities (PWDs), Workers, Youth and the Uganda People's Defense Forces (UPDF).

¹² Source: Madanda A. 2017 Inclusion and Exclusion in 2016 general Elections: the case of Gender Equality, in J. Oloka Onyango & J. Ahikire (eds.) Controlling Consent: Uganda's 2016 Elections, Trenton: Africa World Press.

Rwanda: Article 76 of the Rwanda Constitution plays an important role in this, establishing a quota system for women. The Rwanda example demonstrates an electoral system that compels the parties to field women in mainstream seats. Rwanda has been on a remarkably upward trend for female representation in the national parliament, reaching 48.8% in 2003 and increasing to 64% in the current period making the country number one in the world and surpassing the highly acclaimed Scandinavian mark. Women's numerical advantage as registered voters, coupled with policies on AA have boosted women's electoral participation in Rwanda. Out of the four final candidates during the 2003 presidential elections, there was one female candidate (Dr. Mukabaramba Alvera from the Party of Progress and Concord). Though she did not win the elections, she set a precedent for women to participate in elections for high political offices. Overall, women's political participation in local government has remained steady at 40% while at national level, inclusion of women increased from 43% to 56% over the last two election periods.

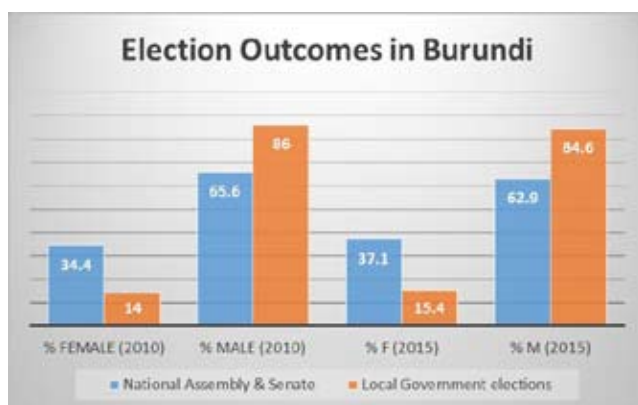
Kenya: Article 97 (b), has a national electoral commission policy that reserves women's representation from each County into the National Assembly. Article 98 (b), (c) & (d), provide for the nomination of sixteen women members, one-woman representative for youth and one woman representative for persons with disabilities respectively to the Senate. The introduction of WCR seats has meant that the constituency seats are now perceived as 'men's seats'. This perception increases the need for women aspirants to spend more money in general election campaigns and especially in party primaries, to persuade voters to support a woman interested in running for a seat that is not designated for women. The quota is only applicable at the national level for the Women County Representatives to the National Assembly and to the Senate but not at the local level.

Tanzania: Affirmative action was adopted by the government through a constitutional amendment in 2000 to increase the number of women in the legislative institutions from the national to the local council level. For the National Assembly on Mainland Tanzania, the Constitution stipulates that 30 per cent of the members of Parliament have to be women (Article 66(b) of the revised edition (2002). Also out of the ten (10) members in the National Assembly that are nominated by the President, five (5) have to be women and of the 5 representatives from Zanzibar, 2 have to be women. This affirmative action has raised the number of women MPs in the National Assembly to 36.7 per cent in 2015, from 25% and below in the previous elections.

Burundi: the 2005 Burundi Constitution adopts the principle of affirmative action by setting a minimum level of women's participation in ruling bodies to 30%. Article 180 on the composition of the senate provides for co-optation by all means to achieve the minimum of 30% women and the electoral law determines the practical modalities on a case by case basis.

Tanzania: The 2015 registration of voters indicated that of the 23,161,440 registered voters, women accounted for 52.5% compared to 47.5% men. Tanzania has also registered milestones in mainstreaming gender in voter education e.g. gender was mainstreamed in the Voter's Guide put out by the National Election Commission (NEC) for the National Elections that took place in 2010. The Guide was entitled Mwongozo kwa Wapiga Kura (English literal Translation: Guide for Voters) or Voters' Guide). Chapter 5 of the Guide was entitled: Jinsia na Uchaguzi (Gender and the Elections). In terms of election outcomes, Tanzania registered 18.4% and 19.3% women elected at the national level in 2010 and 2015 respectively representing an increase of 0.9%. At the local level, Tanzania registered 7% and 6.3% women elected at the local governance levels in 2010 and 2015 respectively¹³. In 2015 there were a number of issues that were relevant to mainstreaming gender in the elections. In CCM there were two women among the final three candidates for Presidency that were voted upon at the party level. The male candidate, (Dr John Magufuli) won the nomination of CCM but it did create a precedent. Secondly, the running mate of Dr. Magufuli was selected to be Samia Suluhu Hassan, a female candidate who later won the vice presidency. Thirdly, in the national elections there were 8 candidates contesting for the Presidency with one of the eight being a woman, Anna Mghwira from ACT. Anna Mghwira came out a distant third of the 8 presidential contestants.

Figure 5: Election Outcomes in Burundi



Burundi: Electoral processes are guided by the key legal instruments particularly the National constitution. The constitution and the electoral code provide for an election system based on "proportional representation through a closed list". This was instituted to allow the candidates to field a balanced list of candidate taking into account gender, ethnic, regional, and other characteristics which have been divisive in the past. The constitution also provides for a minimum of 30% of women in the elected bodies. Recent election results indicate an increase in the number of women representation in the national assembly and the Senate from 34.4% in 2010 to 37.1% in 2015. At the local level, women representation increased from 14% in 2010 to 15.4% in 2015 as shown below:

¹³ Both National and local level statistics are from the mainland Tanzania. No statistics are available for Zanzibar

Table 16: Elections Outcomes in Burundi

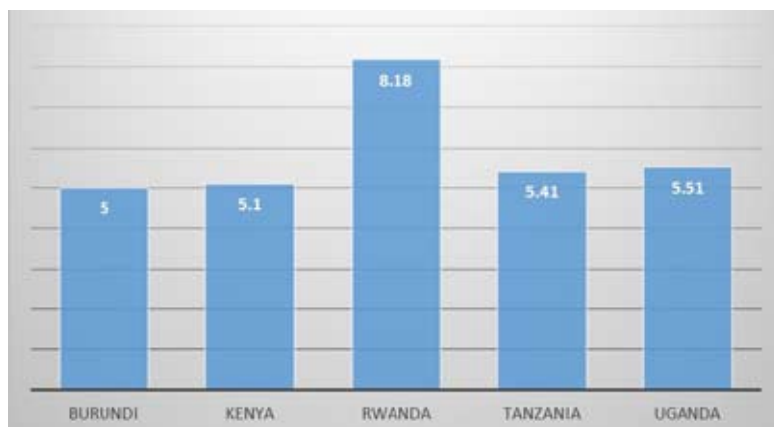
Burundi	Last two elections (2010)		Most Recent Elections (2015)	
	% F	% M	% F	% M
National Assembly & Senate	34.4	65.6	37.1	62.9
Local Government elections	14	86	15.4	84.6

In Kenya, there has been an improvement in terms of women's political participation. At the parliamentary level, the government has registered an increase from 9.8% to the current 19% women representation in the legislature. There are however no gender quotas in place. The Attorney General's request for an advisory opinion on the minimum one-third gender requirement in the National Assembly and the Senate, the Supreme Court of Kenya on 11th December, 2012 held that gender equity as an affirmative action right for women is progressive in nature and not an immediate realization. The Court gave Parliament up to August 27, 2015 to come up with legislation on how the one-third gender rule will be met in the 2017 General Election.

3.4.6 Citizens' Perceptions

The citizen score indicates that all countries are at average and above in terms of rating their governments on the existence of policies and programmes to ensure equal participation of men and women in power and decision making. Rwanda leads with 80%, followed by Uganda at almost 60%. The majority of the voices also indicate that there is a need to lift the bar to move into bold and substantive gender parity.

Figure 6: Citizens' Perceptions on Existence of Policies and Programmes on Equal Participation in Decision Making



We need not incremental change, but bold change...

Whereas the EAC member states have indeed put in place various mechanisms to level the playing field, a lot needs to be done towards gender parity. Apart from the case of Rwanda, the minimum has tended to be the maximum. There is need for bold steps, bold change. Part of that bold change is to institute clearly transformative strategies, raising the bar to equality thereby focusing not on the minimums but rather on the ideal. In this way the AU has been a pace setter with the 50/50 logic and SADC leads the way in the 50/50 campaign. This logic needs to be the norm for the EAC too.

A close-up photograph of a person's eye. The eye is light-colored and appears to be looking directly at the camera. There is visible redness and swelling around the eye, suggesting trauma or injury. The skin around the eye is dark and textured.

4

Gender Based Violence

The EAC Gender Equality and Development Bill aims at reducing current levels of gender based violence by half by 2030. It provides that by 2030 state parties shall: Enact and enforce legislation prohibiting all forms of gender based violence; ensure that GBV laws provide for comprehensive testing, treatment and care of survivors of sexual assault; review and reform criminal laws and procedures applicable to cases of sexual offences; enact and adopt specific legislative provisions to prevent human trafficking and provide holistic services to the victims with the aim of re-integrating them into society; enact legislative provisions and adopt and implement policies, strategies and programmes which define and prohibit sexual harassment in all spheres; and provide deterrent sanctions for perpetrators of sexual harassment. Hence the focus is on three core areas on GBV i.e. the evidence on gender based violence (GBV), the legal framework, and the programmes and action plans on GBV.



Figure 7: GBV Redress



4.1 GBV incidence

GBV entails all forms of violence meted on an individual or groups on the basis of the social construction of femaleness or maleness, relating to the power structures in specific situations. As such it affects both women and men. However, it is a fact that women and girls tend to be the commonest and worst victims and survivors of GBV. For example, in Burundi, the available statistics show that women constitute 94.7 % of GBV victims received by a centre known as Seruka centre from 2010 to 2015.

Table 17: Incidence of GBV across EAC Countries

	Uganda	Rwanda	Tanzania		Burundi	Kenya
			Females	Males		
Incidences of GBV e.g. Defilement, Rape, Indecent Assault, Unnatural Offences	10,163 ¹⁴	2,153 ¹⁵	9,178 ¹⁶	1,890	1,576	NDC
Human Trafficking	NDC	NDC	NDC	NDC	NDC	NDC
FGM	NDC	NDC	NDC	NDC	NDC	NDC

Source: EAC GED Barometer Country Reports, EASSI

Incidence and magnitude may relate to the population and the nature of society as to whether or not GBV lends itself to be reported. Furthermore, the statistics available may not be readily standardised as well as comparable. However, at the general level it can be argued that there is high incidence of GBV. It is also important to note that most cases of GBV especially rape and defilement are not reported for fear of stigmatization or family shame hence figures available are only indicative.

Going specifically to domestic violence indicates, that prevalence of violence is high and especially that which happens in intimate relationships. Again women are disproportionately affected in all the countries. The tables below demonstrate magnitude and prevalence.

Table 18: Domestic Violence in EAC

Status	Rwanda		Kenya		Uganda		Tanzania		Burundi	
	M	F	M	F	M	F	M	F	M	F
Have experienced physical violence within the 12 months prior to the survey.	11%	14%	12%	20%	22%	25%	-	-		
Have experienced physical violence at least once since age 15.	39%	35%	44%	45%	55%	56%	-	40%		
Have experienced sexual violence at least once in their lifetime.	5%	22%	6%	14%	9%	28%	-	17%		
Have experienced sexual violence in the last 12 months ages 15-49.	1%	8%	-	-	-	-	-	-		
Ever-married have experienced emotional, physical, or sexual violence from a spouse.	20%	40%	24%	39%	40%	60%	-	29%		
Ever-married have ever experienced spousal violence (physical or sexual), injuries.	31%	35%	9%	39%	26%	37%	-	92%		
Have sought assistance from any source for the violence they have experienced.	45%	48%	27%	44%	40%	40%	-	54%		

Source¹⁷**Table 19: Uganda Sex Related Offences**

Uganda: Sex Related Offences	Jan – June 2014	Jan – June 2015
Defilement	9,551	8,954
Rape	743	787
Indecent Assault	359	308
Incest	46	56
Unnatural Offences	70	58
Total	10,769	10,163

Source: Uganda Police Force (UPF) BI-Annual Crime Report; January to June 2015

¹⁴ Ugandan statistics are derived from a combination of Defilement, Rape, Indecent Assault, Unnatural Offences in 2014¹⁵ Refers to only rape cases¹⁶ According to Tanzania Police Force, 2016

¹⁷ <http://www.dhsprogram.com/pubs/pdf/FR264/FR264.pdf> Pg 239; Kenya:
<http://www.dhsprogram.com/pubs/pdf/FR308/FR308.pdf> Pg 291; Tanzania:
<http://www.dhsprogram.com/pubs/pdf/FR321/FR321.pdf> Pg 367; Burundi:
<http://www.dhsprogram.com/pubs/pdf/FR253/FR253.pdf> (French); Rwanda:
<http://www.dhsprogram.com/pubs/pdf/FR316/FR316.pdf> Pg 267

Table 20: Burundi: Number of Victims of GBV Received by Seruka Centre from 2010 to 2015

Year	Males	Females	Total	% females	% Males
2010	56	1341	1397	96	4
2011	62	1186	1248	95	5
2012	70	1376	1446	95	5
2013	112	1493	1605	93	7
2014	74	1381	1455	95	5
2015	66	1097	1163	94	6
Total	440	7874	8314	94.7	5.2

Source: Seruka Center Annual Report 2013 & 2015

Table 21: Tanzania: Cases of Gender Based Violence Reported to the Police, Jan to Dec 2015

Type of GBV	Number of Cases affecting Females	Number of Cases affecting Males	% Females
Rape	5,802	---	100%
Unnatural offences	157 ¹⁸	771	17%
Beatings	485	71	87%
Beatings leading to bodily harm	1,868	936	67%
Indecent Assault	480	83	85%
FGM	3	0	100%
*Impregnating girls	188	0	100%
*Preventing children from attending school	195	29	87%

Source: Tanzania Police Force, 2016.

4.2 Sign Posts on GBV

Tanzania: GBV is widespread. A national survey carried out in 2010 found that 39% of women aged 15-49 had ever experienced physical violence since the age of 15 and almost 33% had experienced physical violence in the previous 12 months. Out of a total of 68,814 cases that were reported there were 4,395 convictions or 6% conviction rate. Of the rest 23,359 or 34% were in court and 31,853 or 46.2% were being investigated. The rest were dropped. The cases successfully prosecuted in the case of rape could be in the same range or even lower since the evidence in these cases is already complicated and in some cases the victims are paid off. The pace of justice is slow, which is one of the challenges being faced by women in cases of gender violence.

Burundi: women constitute 91% of the victims against 8.8% of men. In the group of minors, the females represent 91.7% of the victims against 8.2% of male victims. The violence practiced on the largest scale is psychological which affects 98% of the female minors against 1.8% of male minor victims. It equally affects 95% of adult females against 4.9% of male adults. The next violence practiced at a large scale is physical violence. It affects 98% of the female minors against 1.8% of male minor victims 86.6 of adult females against 13.3% of male adults. Non listed GBV affect 95.4% of female minors against 4.5% of male minor victims. It affects 87.8% of adult female victims against 12.1% of adult male victims. For early or forced marriage, the female is affected 100%. Denial of opportunities affects 46.1% % of female minors against 53.8% of male minor victims. It affects 87.5% of adult female victims against 12.5% of adult male victims. From 2013, Burundi Ministry of Justice has taken strong measures to fight GBV. The socio-political crisis that started in April 2015 destabilized all actors and the positive trends reversed from then onwards.

Uganda: The highest form of sexual violence is defilement followed by rape. There was a drop in cases of defilement and indecent assault but cases of rape and incest increased over a period of one year (2015)

¹⁸ This 2013 figure does not include the 54 victims of Cibitoke Province and 76 victims of Muramvya. It gives the 2014 situation of Bujumbura, the capital city.

Kenya

Source: <https://www.google.com/search?q=Domestic+violence+in+kenya>

Kenya: Domestic violence survivors

In Kenya Physical or sexual violence was established as 39% females and 9 % of males. Also data indicates that of the women between the ages of 15-49 years, 21% had undergone FGM/C.

4.3 Structures and Mechanisms to respond to GBV

EAC countries have in place various mechanisms for response to GBV in terms of prevention and redress.

Burundi: In December 2015 the National Assembly and the Senate adopted a specific law on GBV and was enacted in 2016. There is a national strategy and national plan against GBV

Kenya: the country has several pieces of legislation for prevention and addressing GBV including those of FGM, Domestic violence and sexual offenses

Tanzania: The Ministry of Community Development, Gender and Children developed a National Plan of Action (NPA) for the prevention and Eradication of Violence against Women and Children 2001-2015

Rwanda: There are two technical working groups on gender based violence, one focusing on health aspects under the ministry of health and the other focusing on a comprehensive approach to combating GBV under the Ministry of Gender and family Promotion (MIGEPROF), which has also set up programmes to economically empower poor women and families to contribute to reducing women's vulnerability and in preventing GBV.

Uganda: There exists a national Action Plan on Women (2008) aimed at among other things, ending and curbing all forms of GBV. The Ministry of Gender Labour and Social Development is responsible for implementation of activities as the national focal point. There exist pieces of legislation to support these initiatives including law on domestic violence, FGM and trafficking in Human persons.

The outlay of the different responses in the EAC indicates that there exists commitment at the level of the state. In other words, EAC member states have all pronounced themselves on GBV as a public interest issue and non-violence as a public good. Far from what pertained hitherto, talking about GBV is no longer taboo. The stage has been set. The table below shows the different responses across the EAC countries.

Table 22: Response to GBV in EAC

	Uganda	Rwanda	Tanzania	Burundi	Kenya
Laws/Policies	Anti-FGM Act, 2010 Anti-FGM Act, 2010 Domestic Violence Act, 2010 Penal Code Act, Constitution of Uganda, 1995 Prevention of Trafficking in Persons Act, 2009 Employment & sexual harassment regulation, 2012 Sexual offences bill National GBV Policy, 2016 Land Act, Cap.227	Law No. 59/2008 on prevention & punishment of GBV National Policy against GBV, 2011 Art.28 Penalty for gender based human trafficking Art.24 Penalty for sexual harassment	Constitution with its Bill of Rights Penal code Cap. 16 Marriage Act, 1971 (Cap.29) Anti-trafficking Act, 2008 Employment and Labour Act, 2004	Law No.1/13 on GBV, 2016 National Strategy against GBV, 2015 Law No.1/28, 2014 Ministerial edict No.550/1207 to operationalise special chambers in courts for GBV, 2016	Prohibition against FGM Act, 2012 Prevention against Domestic Violence Act, 2015 Sexual Offences Act, 2006 Children's Act, 2010 Employment Act, 2007
Structures/ Programmes Action Plan	Ministry of Gender, labour and social Development coordinates GBV Programmes. National Action Plan on women, 2008. Family and child protection Unit, at police stations. Implementation of CEDAW. Different CSOs have policies on prevention of Sexual Harassment. Uganda women media association GBV Training programmes for Journalists.	Ministry of gender and family protection Gender monitoring office Anti-GBV Child protection committees Rwanda national police Gender Desks Anti-GBV Directorate Kigali piloting safe cities programme Rwanda men's Resource Center Reference manual for clinical management of GBV survivors	Police gender and Children's desk Courts of law Police Form 3 Police and immigration departments National plan of action for prevention & eradication of VAW (2001-15)	Ministry of Justice Plan of Action against GBV hearings in tribunals and courts on GBV	National Action plan to end GBV Gender desks at police stations Children's court GBV hotlines Online GBV referral map
Campaigns to Prevent GBV	16 days of activism against VAW	Anti-Human trafficking police campaigns Rwanda National police in Anti-GBV awareness campaigns (16 Days of activism)	"Say no to Violence against Women" Campaign TAMWA produced a guide on GBV reporting 16 days of activism		16 days of activism against VAW
Supportive services	GBV shelters Psychosocial counselling and legal aid by CSOs Health facilities at sub-counties offer PEP	28 Isange one-stop centers	PEP available in health units Comprehensive testing and treatment of GBV survivors STI Services available Sex education in schools Psychosocial counselling and legal aid by CSOs	PEP available in health units Comprehensive testing and treatment of GBV survivors GBV support centers i.e. Nturengaho, Seruka & Humura	GBV recovery centers in public hospitals FIDA & other CSOs offer Psychosocial counselling and legal aid services CSO-funded shelters for GBV survivors

Source: EAC GED Barometer Country Reports, EASSI

The table above also reflects a low score on the support services to survivors of GBV. While there are a number of policies, laws and institutional structures in place, across all the EAC countries, the section "supportive services" remains lean in all the five countries although Rwanda demonstrates more specificity in response.

There is a commonality in the structures that address GBV – Often; they are government ministries on Gender (national Machinery) and gender desks in police stations. There are attempts to increase the visibility and involvement of police. For instance, National Police forces work with women's rights activists to raise awareness on GBV in Uganda and Rwanda



Officers in Uniform from the Rwanda Police and Uganda Police participate in a public match towards raising awareness on GBV.

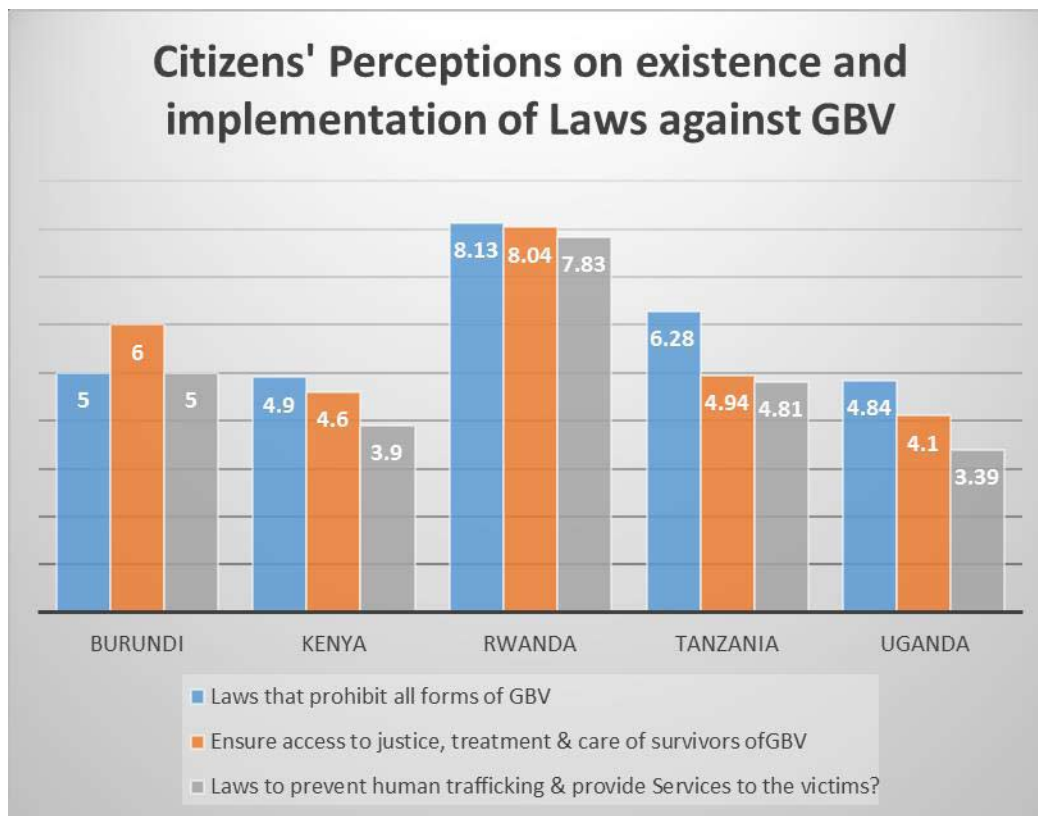
Rwanda: Since 2009 to 2016, twenty eight (28) Isange OSCs were established and provide holistic 24 hour response to victims and survivors of GBV including safe shelter, medical care, psychosocial counselling and medical-legal aid to the victims under one roof, so as to avoid re-victimization and the risk of spoiled evidence. Government target is 30 Isange One Stop Centers by the end of 2017. The

IOSC is a joint program with a Steering Committee consisting of leadership from UNFPA, UN WOMEN, and UNICEF, and the leadership of the RNP responsible for the coordination of the overall program.

Citizen's Perceptions on GBV Response

For all the countries except Burundi, the citizens indicate that there are laws as response to GBV but much less access to justice and care for the victims. The limitation in response to GBV is expounded on, in the Citizens' perceptions on GBV programmes below:

Figure 8: Citizens' Perceptions on Existence and Implementation of Laws against GBV

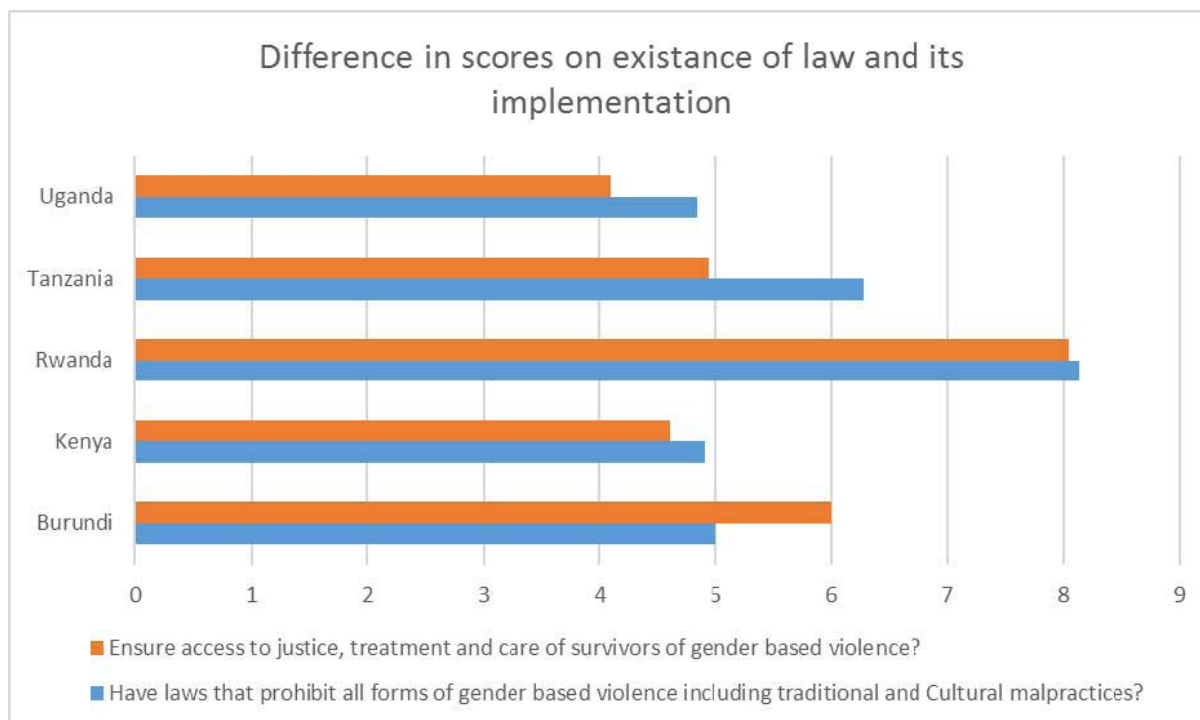


4.4 Signposts on Citizens' score of GBV response

- With the exception of Burundi, the citizens' perceptions on GBV reflects a discrepancy between the existence of laws and their implementation.
- There is a high sense across EAC that laws/ policies and programmes prohibiting GBV exist but the mechanisms of implementation are weak;
- Having gender equitable laws is different from the implementation of Laws. While countries may have registered milestones in developing laws and policies, citizens' view is that the implementation of such gender equitable laws and policies is low, as indicated in the data below. With exception of Burundi, all the other countries scored the existence of law on GBV much higher but were skeptical about access to justice, treatment and care of survivors of GBV.

- d. Uganda and Kenya seem to be the worst performers on all accounts which can be reflective of the citizens' awareness levels on the one hand and highly ineffective implementation on the other.

Figure 9: Difference in Scores on Existence of Law and Its Implementation



- e. The challenge of inadequate implementation of laws and policies can be heavily reflected in the lack of data on GBV by most of the countries.

Important lessons from Burundi

SGBV being an area where taboos abound, the collected data is on cases of victims who have the courage to face later stigma and discrimination. Victims of SGBV being blamed for having been in that situation, many will not report and will face self-destruction alone.

Psychological affection induces a lot of imbalances in the individual affected. There is therefore no wonder the female minor, victim of psychological trauma will drop out of school more quickly than the minor boy who has been luckily saved from that hard to fix trauma.

Adult females affected by psychological trauma and denial of opportunity will have no other choice than submission and self-victimization for life. No wonder then that many will consider they have no right to inheritance from their fathers, that they have no right to decision making. They will simply deny themselves their rights to everything for physical and social survival: escaping physical violence and escaping social stigma and discrimination. No wonder that in that total self-denial, women will stigmatize other women in trying to show that they are different from the victim. No wonder that in total psychological confusion, under the trauma of physical violence with no support, some mothers might transfer stress on their daughters in one way or another.

Things need to change for the sake of humanity and things will start changing if men change their behavior. Men's behavior change is a prerequisite because they represent

87.6% of perpetrators of violence outside the family against 12.4% family members. If we posit that 50% family members violence perpetrators are men, they account in total for 93.6% of perpetrators. Action should concentrate then on men in the community. If they respect women's rights to physical, psychological and moral integrity of all other members of their community, there will be no victims of SGBV.

A close-up photograph of two people's arms and hands. The person on the left is wearing a pink long-sleeved shirt and a yellow bag. The person on the right is wearing a pink shirt and blue jeans. They are holding hands, and the person on the right is wearing a green wristband and a silver chain bracelet. The background is a blurred green forest.

5

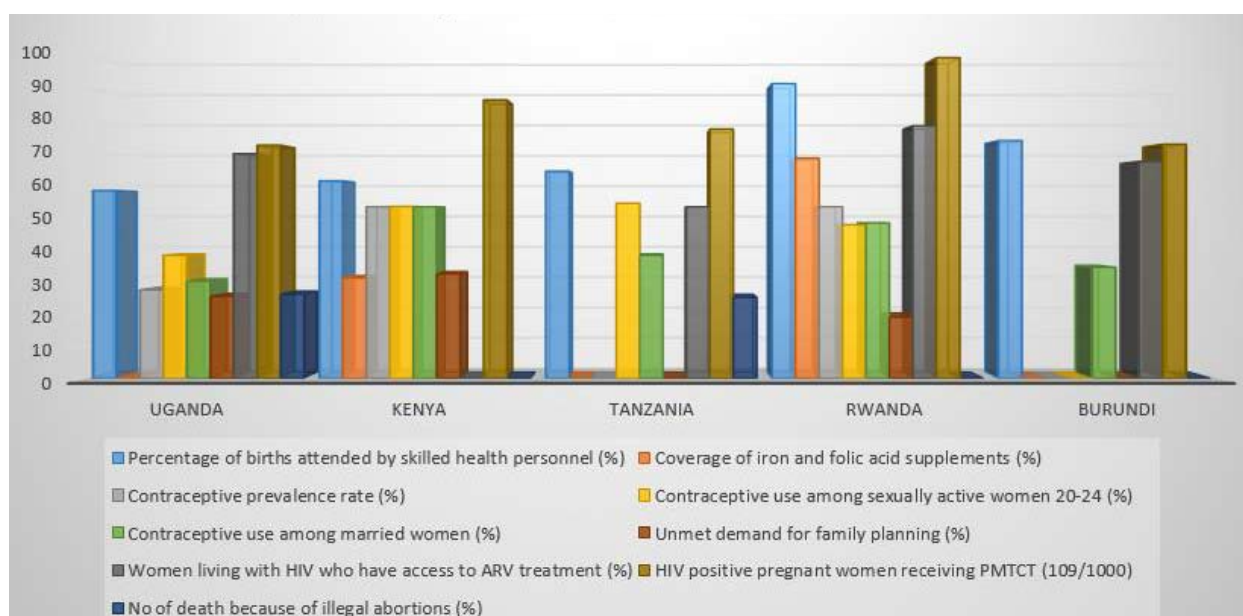
Sexual Reproductive Health, HIV and AIDS

In article 9, the EAC Gender Equality and Development Bill provides for states parties to, by 2030, adopt and implement legislative frameworks, policies, programmes and services to enhance gender sensitive, appropriate and affordable quality health care; reduce the maternal mortality ratio by 75% and ensure the provision of hygiene and sanitary facilities. Table 21 below is an overview of SRH and HIV care in EAC.

Table 23: SRH and HIV/AIDS Care in EAC

GDI (SRH & HIV) (%)	Uganda	Kenya	Tanzania	Rwanda	Burundi
Percentage of births attended by skilled health personnel	58	61	64	91	73.4
Coverage of iron and folic acid supplements	NDC	31	DNC	68	DNC
Contraceptive prevalence rate	27.3	53	NDC	53	DNC
% Contraceptive use among sexually active women 20-24	38	53.1	54.1	47.4	DNC
% Contraceptive use among married women	30	53	38	48	34.3
Unmet demand for family planning	25.3	32.3	DNC	19	DNC
Maternal mortality rate (Per 100,000 live births)	360	362	432	210	712
Women living with HIV who have access to ARV treatment	69.4	DNC ¹⁹	53	78	67
HIV positive pregnant women receiving PMTCT (109/1000)	72	86	77	99	72.3
No of death because of illegal abortions	26% of maternal deaths	2,600	13,000 ²⁰	DNC	DNC

Figure 10: SRH & HIV/AIDS Indicators in EAC Countries



Source: EAC GED Barometer Country reports, EASSI

5.2 Signposts of SHR and HIV/AIDS care

5.2.1 Green Flag in SHR and HIV AIDS care

Rwanda is well ahead of its EAC peers with regard to births attended by skilled personnel at 91% with the lowest MMR at 210. All the 5 EAC countries have made good progress on access to PMTCT services by HIV positive pregnant women as well as general access to ARV treatment: Figure 11 clearly shows the bar for PMTCT consistently high across the five countries. PMTCT has been fully integrated into the policies and guidelines for prevention, care and treatment of HIV/AIDS.

Uganda: The overall PMTCT service coverage by March 2013 was 2,138 health facilities – 48% of all health facilities in the country. By the end of 2013, all 112 districts in the country had at least one health facility providing the full scope of PMTCT services. This showed that there is a sound policy basis for integration of gender into PMTCT/ RH/ FP policies and services

¹⁹ No Data disaggregated by sex. However, the National Aids Control council of Kenya, 2015 indicates that 78.5% of adults and 43.3% of children are on ARV treatment

²⁰ Guttmacher Institute, 2013 No official country data was available for Tanzania. This estimate is based on the data for East Africa.

5.2.2.The Red Flag

On maternal Mortality with Burundi at 712 deaths per 100,000 live births, followed by Tanzania at 432, even Kenya and Uganda at 362 and 260 respectively are unacceptable figures. Rwanda with almost 100% births attended to by skilled work still posts 210 deaths. The basic Principle should be no woman should die while giving life. The root causes of this persistence of MMR must be addressed.

Table 24: Policies and Programmes on SRH & HIV/AIDS

	Policies and Programmes on SRH, HIV/AIDS	Country Policy on Abortion
Country	General policies and programs on SRH & HIV/AIDs	On Abortion
Uganda	National Policy guidelines and service standards for Reproductive Health Services Health Management Information system (HMIS Uganda Demographic Health Survey EMTCT Uganda National HIV/AIDS Policy	Abortion is illegal Ugandan Constitution, Article.22 (2) "No person has the right to terminate the life of an unborn child except as may be authorized by law." Penal Code Act (section 205) has provision for abortion if it is for the benefit of saving the life of the mother ²¹ .
Kenya	National HIV & AIDs policy, 2009 Specific programmes & interventions that focus on PMTCT Free access to HIV/AIDs Testing, treatment	No Policy Kenya Constitution Art.36
Tanzania	National Policy on HIV/AIDS PMTCT programme National Family Planning Costed Implementation Programme (2010-15)	Penal Code Cap 16 forbids abortion except to save lives of women, or if their physical and mental health is threatened
Rwanda	Demographic and Health Survey for data collection National Policy on Family Planning National Policy on HIV and AIDS Rwanda Biomedical Center with a specific Unit on PMTCT Rwanda National Strategic Plan for HIV/AIDS Universal access to ART programme	Organic law instituting the penal code No. 01/2012/OL of 02/05/2012. Chapter III, section 5, articles 162-168, amended in 2012 and now allows for abortion in cases of rape, incest and forced marriage.
Burundi	Burundi Vision 2025 The National Plan for Health development for 2011-2015 (PNDS II 2011-2015); The National Plan for Reproductive Health for 2013-2015; National Strategic Plan against HIV/Aids 2014-2017	Abortion is prohibited by law and Religions

Source: EAC GED Barometer Country reports, EASSI

Evidence from all the five countries show that EAC member states have attended to SRH and specifically have in place concrete programmes to address some of the daunting challenges in relation to SRH and HIV/AIDS. All the countries have a policy on HIV/AIDS. In very specific ways PMTCT programmes and services are in place. PMTCT has specific significance of reducing new infections to unborn babies and its success could be due to the fact that the key intervention targets women at the biological role of pregnancy and giving birth.

Despite the interventions, prevalence is still high and Uganda posts the highest prevalence at 8.3% for women and 6.1% for men, followed by Kenya at 7.6 and 5.6 respectively (See table 23). Uganda's story calls for more disaggregation and unearthing of root causes of this high prevalence given its place as a leader in the region in terms of government's forthright role in HIV awareness creation and concrete programming. The above picture also confirm what has been indicated worldwide that women and girls are two to four times more susceptible to HIV infection than men and boys²². Evidence available suggests that gender inequality plays a major role in the epidemic, where women are consistently and disproportionately affected by HIV/AIDS, UNAIDS in 2008 posted that over 60% of the population living with HIV in Sub Saharan Africa were women.

Table 25: HIV Prevalence in EAC Countries, by Sex

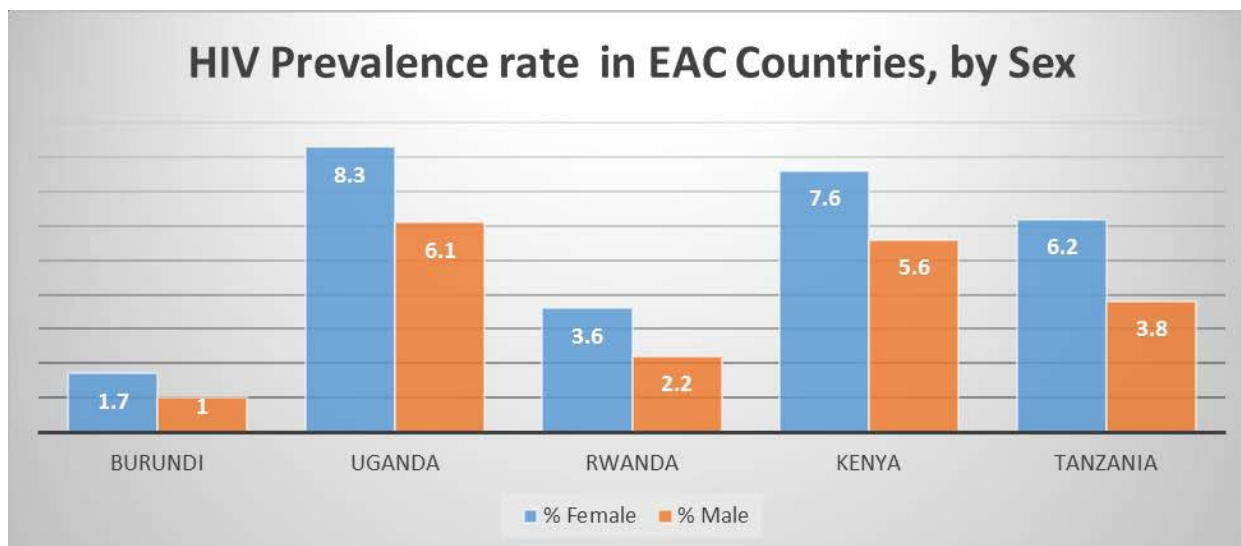
Country	% F	% M
Burundi	1.7	1
Uganda	8.3	6.1
Rwanda	3.6	2.2
Kenya	7.6	5.6
Tanzania	6.2	3.8

Source: EAC GED Country reports, EASSI

²¹ The National Policy Guidelines and Service Standards for Sexual and Reproductive Health and Rights, 2006 provides that pregnancy termination is permissible in cases of fetal anomaly, rape and incest, or if the woman is HIV positive. (Guttmacher Institute Fact Sheet, 2013)

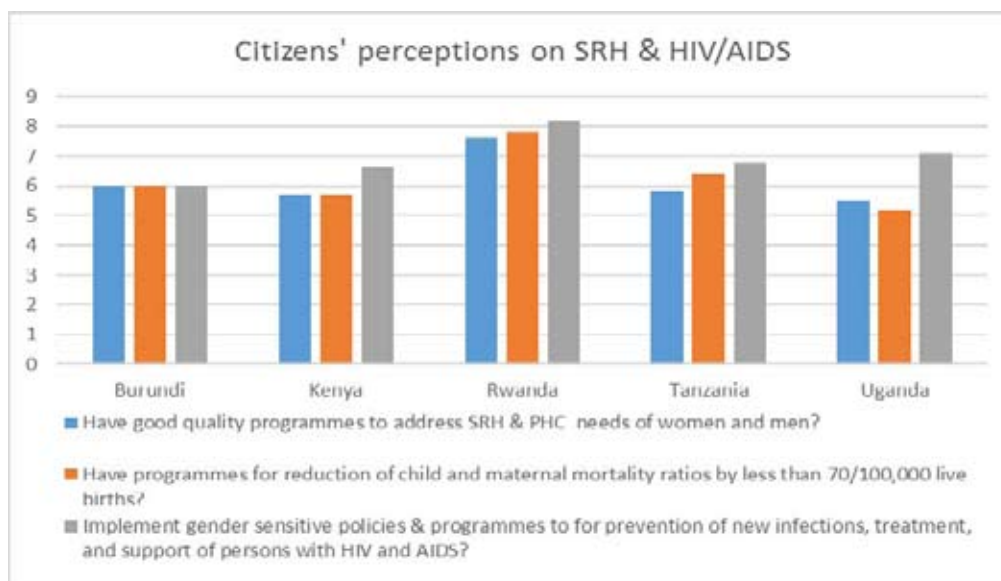
²² Pan-American Health Organization, "Gender and HIV/AIDS," Women, Health and Development Programme, Fact Sheet, June 2007.

Figure 11: HIV Prevalence Rate in EAC Countries by Sex



Part of the explanation for this seemingly feminization of HIV/AIDS is the low status of women and girls, coupled with gender based violence. For example coerced or forced sex increases the risk of HIV infection. A growing number of studies show that amongst young women, the first sexual experience is often coerced and that such coercion is often viewed as a routine part of a relationship (Republic of Uganda (RoU, 2011; UNAIDS 2008). Poor women in particular are often denied basic human rights, including access to education, health care, safe sex, economic and physical security. Additionally, discrimination and violence, render women and girls far more susceptible to HIV infection. The high prevalence of HIV amongst females is therefore undoubtedly a gender issue.

Figure 12: Citizens' Perceptions on SRH and HIV/AIDS



In the figure above perceptions around HIV/AIDS programme implementation is ranked highly compared to SRH and Child and maternal mortality programmes. The highest perceptions around effective HIV programme implementation are registered in Rwanda followed by Uganda.

One of the issues around which a sober conversation is required is abortion. Illegal abortions seem to continue unabated and tend to contribute a substantial part to maternal deaths especially those related to teenage pregnancies. This will require dialogue between CSOs, religious and cultural entities. Long term perspectives should look at protection and empowerment of girls and women to eliminate unwanted pregnancies.



6

Education

Article 8 of the EAC GED Bill provides that EAC member states recognize that education is a fundamental right for all people in the community and will: meet the basic learning needs of every person; ensure access to education by all at all levels; ensure gender equality and equity in teacher pupil ratios; ensure elimination of all gender stereotypes and biases in all school curriculum; strengthen adult literacy and promote international cooperation in education.

Educational access has been a subject of debate worldwide since the 1960s. Specifically the last three decades have seen renewed focus on education in terms of equality and quality. The 1990 Education for All (EFA) Conference noted that the most urgent priority is guaranteeing access to and improving the quality of education for girls and women. The declaration further indicated that, this commitment implies eliminating all obstacles to girls and women's participation in education. The above global commitment has remained significant and especially as emphasized in the 1995 Beijing Platform for Action (BPFA) and the millennium declaration of 2000 or Millennium Development Goals (MDGs). The Beijing Platform for action in particular, called on all state parties to ensure equal access to education, eradicate illiteracy among women, improve women's access to vocational training, science and technology, and continuing education as well as allocating sufficient resources for and monitor the implementation of educational reforms.

Access questions primarily relate to exclusion and discrimination in educational opportunities. Article 1 of the UNESCO Convention Against Discrimination in Education

(1962) defined discrimination to include 'any distinction, exclusion, limitation or preference which, being based on race, colour, sex, language, religion political or other opinion, national or social origin, economic condition or birth, has the purpose or effect of nullifying or impairing equality of treatment in education. Education access has three main aspects and these are: entry, opportunity and education outcome²³.

Table 26: Unpacking Education Access

Level	Aspects	Outcome
Entry	Openness of the system	Enrolment Numbers
Equal opportunity	Equity in education system	Attendance, quality and quality (retention)
Equal education Achievement	Equality in performance	Numbers and Quality (performance)

Source²⁴

Entry is the basic level and the beginning point of one's interface with the education system, usually measured by enrolment rates. Entry indicates the level of openness of the system to the diversities that exist in a specific society. With regard to girls education opportunities, entry is therefore an important quantitative landmark. The second area of education access is the school environment and whether or not it offers equal opportunity to boys and girls to take part or share in the system. This aspect encompasses quantitative aspects such facilities and supplies but much more importantly involves highly qualitative indicators of how the school environment is socially constructed. For example this level of access raises questions about the curriculum whether or not it is conducted in a gender fair manner, how boys and girls are treated by those in positions of authority, such as teachers and administrators. It also poses questions of whether or not the school offers a safe and secure environment for all. This second level is normally measured by retention rates/drop out, although other factors such as the home and community environment also have an impact. The third aspect of education access is the ultimate outcome of entry and participation. This relates to the education results and whether or not there are equal educational results between males and females in this case, usually measured by performance rates. In effect therefore, what is at stake is numerical representation as well as outcomes of inclusion. The three levels of education access therefore mean that strategies to address gender inequality have to be holistic in terms of targeting both the quantitative and qualitative aspects of gender equality in the education system, taking into account the three levels of education access.

6.1 Education Access

Evidence across EAC countries indicates that progress has been made at the level of entry at primary level. Gender parity has been surpassed in all except Kenya. In Uganda and Burundi females stand at 50.1 enrollment at primary school level hence indicating a slight gender disparity in favor of girls at this level²⁵. There is an indication that universal access at primary level is yielding relative benefits in terms of increased primary school enrolment in general and that of girls in particular.

Rwanda: Over recent years Rwanda has made great strides toward achieving universal education for girls and boys. It has the highest primary school enrolment rates in Africa²⁶ with free primary school education and compulsory education for the 12 years between the age of 7 and 18.

²³ Kwesiga, C. J (2002) *Women's Access to Higher Education in Africa: Uganda's Experience*, Kampala: Fountain Publishers

²⁴ Adapted from Kwesiga, C. J. 2002 *Women in Higher Education*, Fountain Publishers, Kampala

²⁵ This statistic would evidently require more disaggregated evidence to establish whether or not boys are disadvantaged in some situations or that girls are simply more than boys as the population structure in the countries indicates.

²⁶ www.unicef.org/rwanda/education.html

Kenya: Primary school education is free and compulsory for both boys and girls in Kenya, with schools being given a capitation grant for each child for purchase of learning and teaching materials, repairs, maintenance, water sanitation and conservancy expenses. As a result, enrolment in public primary schools rose from 5.9 million in January 2003 to 9.4 million in 2010, an increase of 59.32%.

Uganda: Universal Primary Education (UPE) introduced in 2007 expanded access to education for boys and girls, that has now been up scaled to secondary level. Total enrolment has increased. Near gender parity in enrolment has been achieved especially at primary school level.

Tanzania: In 2000 Benjamin Mkapa the then President of Tanzania, abolished all fees for primary education and made primary education mandatory. As a result of this policy popularly known as UPE, enrolment increased significantly in 2001.

Table 27: Education Access in EAC by Sex

Indicators	Sector	Rwanda		Kenya		Tanzania		Uganda		Burundi	
		% F	% M	% F	% M	% F	% M	% F	% M	% F	% M
Enrolment	Primary	50.5	49.5	49.2	50.8	50.6	49.4	50.1	49.9	50.1	49.9
	Secondary	52.8	47.2	47.3	52.7	47.9	52.1	47.4	52.6	41.0	59.0
	University	43.4	56.6	41.2	58.8	36.5	63.5	44.3	55.7	17.0	83.0
	Vocational	41.8	58.2	35.5	64.5	46.8	53.2	43.8	56.2	NDC ²⁷	NDC
Drop out	Primary	11.1	9.6	49.4	50.6	46.4	53.6	NDC	NDC	NDC	NDC
	Secondary	7.2	4.5	46.4	53.6	44.6	56.4	NDC	NDC	NDC	NDC
	University	NDC	NDC	40.5	59.5	NDC	NDC	NDC	NDC	NDC	NDC
	Vocational	NDC	NDC	NDC	NDC	NDC	NDC	NDC	NDC	NDC	NDC
Pass rate	Primary	84.1	85.6	NDC	NDC	64.6	71.6	84.0	88.0	63.0	61.0
	Secondary	86.7	92.1	NDC	NDC	64.5	72.3	90.0	92.0	NDC	NDC
	University	NDC	NDC	NDC	NDC	NDC	NDC	NDC	NDC	NDC	NDC
	Vocational Education	NDC	NDC	NDC	NDC	NDC	NDC	NDC	NDC	NDC	NDC

Source: EAC GED Barometer Country Reports: EASSI

The levels of quality of access, participation and outcome are reflected in retentions/drop out, completion and pass rates. Beyond the primary school level, the success story begins to break variably in the different countries. All except Rwanda post a huge gender disparity in secondary school enrolment in favour of boys. Also Kenya and Tanzania post a higher drop-out rate for boys than girls.

Kenya: Drop-out rates for boys/men is due to the pressure exacted on boys by the society in providing for the family and since marriage has been commercialized, the boys have to start earning early in order to meet the demand for bride price. This can also be attributed lack of mentorship in our society where the fathers are busy earning a living for the family and also peer pressure pushing them to drugs, alcoholism and radicalization.

Quality of participation and outcome are specifically reflected in performance. There is a difference in the performance of boys and girls. Indicative pass rates in the region show generally low performance on the part of girls apart from Burundi which posts more for girls at primary level. Important to note though is that performance rates improve generally at secondary level. A significant data demand in this area is on performance at tertiary level which would indicate the ultimate educational attainment.

Table 28: Indicative Pass Rates in EAC

Country	Primary		Secondary		Source/ Year
	F	M	F	M	
Rwanda	84.1	85.6	86.7	92.1	Education statistical yearbook, 2015
Burundi	63.0	61.0	NDC	NDC	National Education Profile, 2014
Uganda	84.0	88.0	90.0	92.0	Education and Sports Sector Fact
Tanzania	64.6	71.6	64.5	72.3	LHRC 2016
Kenya	NDC				

²⁷ NDC stands for No data Collected

The example of Kenya shown in the table below shows that the percentage of girls scoring A and higher grades is much lower than for boys. Girls representation keeps growing as grades get lower peaking at 47% in grade C+.

Table 29: Kenya: KCSE Pass Rates for Boys and Girls in 2014 and 2015

KCSE Grade	M	F	M	F	TOTAL	% Females
A	2,133	940	1,976	660	5,709	28%
A-	7,644	4,124	7,615	4,003	23,389	35%
B+	12,606	7,208	12,912	8,254	40,980	38%
B	17,941	11,378	19,238	13,468	62,025	40%
B-	21,997	16,318	24,768	19,020	82,103	43%
C+	25,978	21,450	29,024	24,828	101,280	47%

Source: Kenya Economy Survey, 2016

There is also a disparity in terms of subjects where the majority of the boys excel more in science and technical oriented subjects while the majority of the girls excel in humanities. This disparity is easily reflected in university placement (see example of Rwanda and Makerere University, Uganda).

Table 30: Rwanda: Women and Men in University Faculties

Faculty	No. of women	No. of men	Total	% women	% men
Arts and Humanities	1042	2607	3,649	28.6%	71.4%
Science	3038	6577	9615	31.6%	68.4%
Social sciences, Business and law	20433	17506	37939	53.9%	46.1%
Health and welfare	3350	3355	6705	50.0%	50.0%
Education	5375	9006	14381	37.4%	62.6%
Engineering, Manufacturing and construction.	1249	5462	6711	18.6%	81.4%
Agriculture	1430	3253	4683	30.5%	69.5%

Source: Rwanda: Education statistical yearbook, 2015

In very specific ways, the example of Makerere university the biggest and oldest university in Uganda and in the region generally clearly shows a disparity in subjects that determine fields for university admissions (see table...) with 27% and 58% females in natural sciences and humanities respectively. This is one of the areas that represents a data demand to establish the actual status across the region. While the academic faculties may not be uniform across all the EAC countries for possible comparison, there are aspects of comparison that can be drawn on e.g. along science vis-à-vis humanities courses.

Table 31: Uganda: Women and Men in Makerere University Admissions 2012/13

Faculty	No. of women	No. of men	Total	% women	% men
Humanities and Social Sciences	2,495	1,805	4,300	58%	42%
Natural Sciences	167	440	607	27%	73%
Business and Management Sciences	968	1,182	2,150	45%	55%
Law	151	296	447	34%	66%
Health Sciences	150	264	414	36%	64%

Source: Makerere University Admissions Fact Book Year: 2012-13

Gender differences in educational attainment are partly attributed to stereotypes where sciences and technical subjects are believed to be more masculine while humanities are believed to be feminine. Performance is also attributed to the roles and responsibilities the girls are subjected to while at home as the boys are left free and use this time for their academic work. The difference in performance is also impeded by cultural and religious attitudes and practices and inadequate policy guidelines, community awareness as well as lack of adequate female role models especially in the rural areas and male role models in the urban schools attribute to difference in performance.

6.2 Women and Men in Education Management

Gender in education is also measured by the representation of women and men in teaching and school management bodies. Available data shows over representation of females as primary school teachers. Only Kenya posts a 50/50 picture at this level. At secondary school level all available data shows low representation of females: Rwanda 27.5%, Kenya 39.7 and Tanzania 32.5%. At tertiary level, Uganda posts 27.6% females. Hence the pyramid for female teachers is still bottom heavy. Elaborate data posted by Burundi shows a very low representation of women in leadership and decision making in the education sector. Apart from the minister and the inspector general of education who are female, the bulk of the management levels such as director and provincial inspector posts have female representation that is much less than 20%.

Red Flag: Burundi Gender Disparities in Education Management

- Burundi: 0% women in the position of Education Provincial Director, (17men)
- 0% women at the position of regional inspectors of secondary general, public and private education, (4 men).
- 5.5% women at the position of Provincial Inspector for Public and Private Basic Education (17men)
- 5.8% women at the position of Director of Secondary and Technical Schools (1,825men)
- 11.6% women at the position of Communal Education Directors, (129men)²⁸. 7% participation of women in the management of responsibilities in the sector

Table 32: Composition of Teachers in the EAC

Sector	Rwanda		Kenya		Tanzania		Uganda		Burundi	
	% F	% M	% F	% M	% F	% M	% F	% M	% F	% M
Primary school Teachers	53.8	46.2	50 ²⁹	50	51.8	48.2	NDC	NDC	NDC	NDC
Sec. School Teachers	27.5	72.5	39.7	60.3	32.5	67.5	NDC	NDC	NDC	NDC
Univ. Lecturers	NDC	NDC	NDC	NDC	NDC	NDC	27.6	72.4	NDC	NDC
Vocational	NDC	NDC	NDC	NDC	NDC	NDC	NDC	NDC	NDC	NDC
Principals									21.1	78.8

Source: EAC GED barometer, EASSI

Table 33: Burundi: Women's Representation in Education Decision Making Bodies

Position	Male	Female	Total	% F
Minister	0	1	1	100
Assistant of the Minister	1	0	1	0
Permanent Secretary	1	0	1	0
Inspector General of Education	0	1	1	100
Director General	4	1	5	20
Director of Directorates and Bureaus	15	4	19	21.0
Provincial Director of Education	17	0	17	0
Communal Director of education	114	15	129	11.6
Primary School Principals	1727	463	2190	21.1
Director of Secondary and Technical Schools	1718	107	1825	5.8
Chief Inspector of Basic Public and Private Education	1	0	1	0
Chief Inspector of General, Pedagogic Education, Vocational Education, Public and Private Professional Training	1	0	1	0
Regional Inspector of Secondary General Public and Private Education	4	0	4	0
Provincial Inspector of Basic Public and Private Education	17	1	18	5.5
Communal Inspector of Basic Public and Private Education	103	19	119	15.9
Total	3723	309	4332	7.1

Source: Beijing +20 national review Report, Burundi June, 2014

²⁸ These are community level responsibilities where people notoriety is built. This figure shows that women are denied notoriety in their community.

²⁹ These refer to only Public primary school teachers and Public secondary school teachers

Challenging stereotypes

The EAC Gender Equality and Development Bill requires that by 2030 state parties adopt and implement gender sensitive educational policies and programmes addressing gender stereotypes in education and gender-based violence.

A study on gender roles in textbooks conducted in Tanzania established that:

Female compared to male characters were frequently under-represented in appearance and power related aspects such as leadership, ownership of property and association with technology, leisure and sports activities;

The depiction of reproductive and productive roles were biased towards traditional femininity and masculinity; Personality traits were differentiated between traditional masculinity and femininity groupings

Sydney G.V. Mchuku (2004) *Gender Roles in Textbooks as a Function of Hidden Curriculum in Tanzanian Primary Schools*.

Stereotypes still exist in the community as well as in school materials on the basis of what society constructs as feminine and masculine. Gender stereotypes are reinforced through the choice of subjects in schools where the science subjects are associated with masculinity while the humanities are associated with femininity. Females' participation and performance in science is worse than that of males at all levels of education, although in general terms performance in science is less than in humanities in most EAC countries. The typology often begins with the unwritten policy of training male teachers or instructors to teach science subjects and upper level classes, reinforced by socialization that is designed to prepare girls for domestic chores and roles as caregivers.

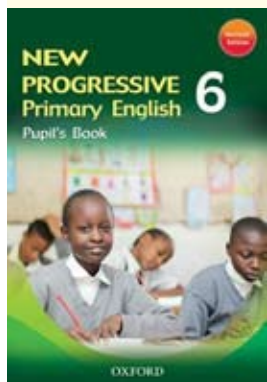
The problem lies not just in the difference but on the fact that the feminine is regarded as the negation of the masculine, largely constructed as inferior. Because science is associated with industrialization and progress, it goes without saying that males will occupy a prestigious and superior position in the education system.

There are efforts to challenge stereotypes across the region. All the EAC governments have in place efforts to challenge stereotypes especially in instruction materials.



Figure -: **The First Female Marine Pilot in Kenya**
(Source: [https://www. marine+kenya](https://www.marine+kenya))

Signposts on Challenging stereotypes



Kenya: the education policy challenges the stereotype by the Government being very instrumental in redressing these historical disadvantages through provision of grants for construction of laboratories and supply of equipment to girls' schools. Curriculum review is ongoing as is capacity building of teachers to equip them with pedagogical skills that emphasize use of participatory and interactive teaching methods which tend to support girl learners in science subjects. The "New Progressive Primary English", pupils' book 6 challenges gender stereotype by giving a story of a thirteen-year-old class seven pupil, titled "Musa's new role". Musa, with his two siblings, eleven-year-old sister and six-year-old brother, are orphaned. Though they live with an aunt, Musa does much of the house chores as the sister and the brother play outside with the other children. The book displays Musa's picture as he prepares 'Ugali' for his siblings as the sister dries the utensils. The same book gives profile of two great people in the country, one being the First President of Kenya, Mzee Jomo Kenyatta and other a great environmentalist and Nobel Peace Prize winner, Prof. Wangari Mathaai.

Uganda: The Uganda National Curriculum Development Centre (UNCDC) has been revising primary education curriculum since 1992 to make it more gender responsive as part of the Primary Education Reform. This has the aim and potential to eliminate stereotypes.

Tanzania: The Education and Training Policy 1995 challenges stereotyping in schools and specifically outlaws it. Chapter 3 of the policy states that: “Education and school system shall eliminate gender stereotyping through the school curricula, textbooks and classroom practices (Ministry of Education and Culture, 1995, p.9).

Gender Based violence in schools

Gender based violence in school remains a key challenge in the EAC region as elsewhere in SSA. GBV affects learning and achievement for all but tends to affect the girl child severely. EAC countries have several policies to address the vice but the implementation is still far from satisfactory.

Rwanda: though the education policy does not directly address gender based violence in schools, Article 7 of Law No.59/2008 on the Prevention and Punishment of Gender-Based Violence (GBV) in Rwanda states that “the parent, trustee or any other person responsible for a child shall protect the latter against any gender based violence.” Article 16 of the same law states that “any person who is guilty of rape shall be liable to imprisonment of ten (10) to fifteen (15) years, and where rape has resulted in bodily or mental harm, the guilty party shall be liable to imprisonment for fifteen (15) to twenty (20) years and bear the medical care fees incurred by the victim. Where rape has resulted in a terminal illness or death, the guilty person shall be liable to life imprisonment. These sanctions apply for sexual GBV cases in schools that involve rape whether the perpetrators are government employees such as teachers, principals, officials or any other individual.

Uganda: Sanctions taken against perpetrators of GBV who are government employees such as teachers, principals are articulated in legal and policy documents. Ministry of Education warned that a breach of the guidelines would attract punishment by law in accordance with the Education Act 2007, The Public Service (Teachers) Act, the Children’s Act Cap 59, amongst other Acts enshrined in the constitution. In addition to that, perpetrators are liable to be punished under the provisions in the sanctions listed in the Penal Code Act, Cap 120; The Children Act Cap 59 and The International Criminal Court Act 2010. Policies that address the issue of teachers molesting students include the Children’s Act Cap 59; the Education Act 2007,

The Public Service (Teachers) Act in addition to what is enshrined in the constitution, and in the August 2015 letter from the Ministry of Education banning all forms of gender based violence. The actions that need to be taken to address GBV in educational institutions is to enforce existing laws enacted by government to prosecute perpetrators. More awareness needs to be created on the Teacher’s Professional Code of Conduct (2012), The Teaching Service Commission Regulations (2012), MoES Circular NO. 15/2006 on Ban on Corporal punishment.

Tanzania: In cases of sexual offences against students, teachers can be prosecuted under the existing laws. Penal Code Cap 16 prohibits all types of gender based violence: rape, unwanted touching, or abusive lewd teasing. In many cases teachers are sacked or even transferred but not really punished according to the existing laws against gender violence. In the case of non-teaching perpetrators such cases can be reported to the police but in many cases not much is done for lack of evidence or because the victims lack the ability and power to pursue the cases as they ought to.

6.3 Citizens’ perception on access to and quality of Education in EAC countries

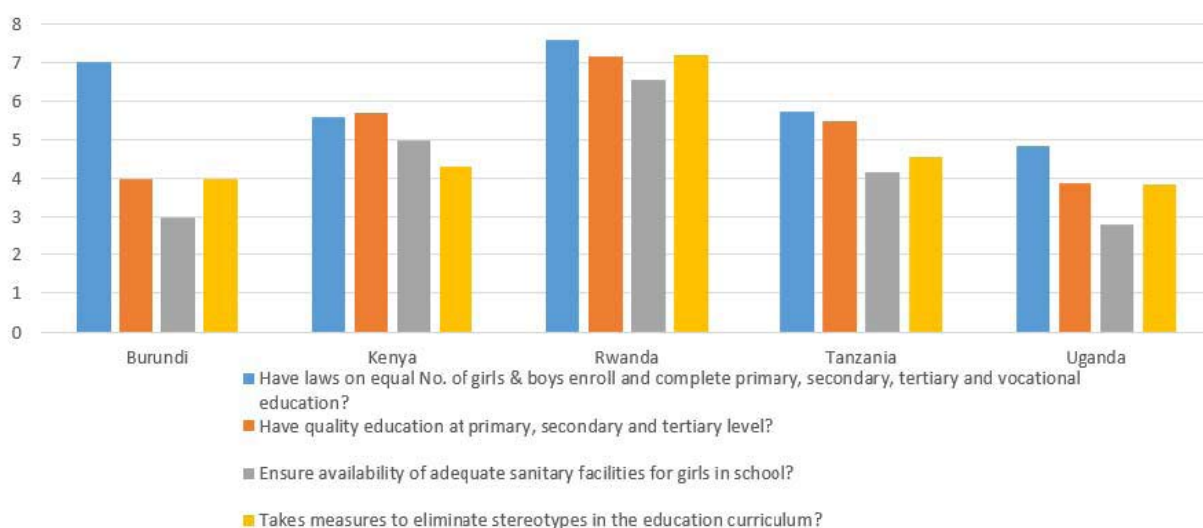
Across all countries there is a gap between issues of access (quantitative progress) and quality. While in all countries there is a high perception of achieving access to education for girls and boys, citizens are still dissatisfied with the quality of education e.g.

- a. Access to education is ranked highly across all countries but quality of education is ranked low across the board – pointing out persistent gaps in improving quality education. Poor quality raises gender issues in that whereas all may be affected, poor quality tends to exacerbate the existing disparities. Other qualitative indicators that are ranked low compared to quantitative access to girls’ and boys’ education include; availability of adequate sanitary facilities for girls in schools and elimination of stereotypes in the education curriculum.
- b. Unique trends are indicated in the education sector where the existence of laws on gender equitable education is ranked highly but improving quality education and elimination of stereotypes in education curriculum are given low ranks as indicated below:

Table 34: Citizens' Perceptions on Equitable Education

Citizens' perceptions on Equitable Education	Burundi	Kenya	Rwanda	Tanzania	Uganda
Have laws which ensure that an equal number of girls and boys enroll and complete primary, secondary, tertiary and vocational education	7	5.6	7.59	5.73	4.84
Have quality education at primary, secondary and tertiary level	4	5.7	7.16	5.49	3.89
Takes measures to eliminate stereotypes in the education curriculum	4	4.3	7.2	4.57	3.86

Figure 13: Citizens' Perceptions on Equitable Education



In all the EAC countries, existence of laws to ensure equal numbers of girls and boys enrol and complete primary, secondary, tertiary and vocational schools is ranked higher than all the other indicators of equitable education. Indicators that have to do with actual availability of equitable facilities, quality education and implementation of measures to eliminate gender stereotypes in education are ranked low by the citizens. This further re-emphasises the existing discrepancy between having the laws and the actual implementation of the laws.

7

Peace and Security



Women are the most affected group during armed conflict. To a large extent they are violated through rape and other forms of GBV, framed as victims of rape, crime and as victims of loss of economic opportunity. Women experience the double burden of productive and reproductive labour, large numbers of dependents, and increases in GBV/VAW, while patriarchal gender norms which lie at the heart of gender equality also fuel conflict and violence, particularly where militarized notions of masculinity are prevalent such as in communities that practice the bride price system.

In 2000, the United Nations Security Council Resolution 1325 on Women, Peace and Security (UNSCR 1325) was signed. The resolution calls on all parties to a conflict to respect international treaties applicable to the rights and protection of women and girls, take into account their special needs during repatriation and resettlement and increase their representation at all decision making levels for the management and resolution of conflict. The resolution was later consolidated by the UNSCR 1820 which stresses that sexual violence, when used or commissioned as a tactic of war in order to deliberately target civilians or as a part of a widespread or systematic attack against civilian populations, can significantly exacerbate situations of armed conflict and may impede the restoration of international peace and security. In 2005 the Security Council called on state parties to develop National Action Plans to operationalize the implementation of the resolutions. The NAPs are supposed to identify priority areas as well as the requisite resources for implementation.

Article 15 of the EAC GED Bill provides that Member States shall promote peace, security and stability in order to guarantee the protection and preservation of life and property, and the well-being of the people and their environment. It also calls on states to take all appropriate measures and actions to eliminate incidences of human rights abuses especially against women and children in conflict affected areas, reinstate those affected by the conflict, especially women and children and ensure that women and men have equal representation and participation opportunities in key decision making levels in conflict resolution and peace building processes as required by the United Nations Council Resolutions 1325 and 1820.

The EAC has been a relatively volatile region with various forms of conflict and is host to considerable numbers of refugees, except for Tanzania which is noted for peace and stability apart from some sporadic incidences of unrest and killings particularly over land disputes. Still Tanzania has been a participant in peace negotiations, as well as a host to refugees and hence the issue of participation of women is still relevant.

Burundi: the unending conflicts have haunted the country. One indicator of failure to address the real issues affecting peace is the level of sexual and gender based violence ongoing in Burundi and the region. Also, initiatives which were on their way to improve participation in the Burundi security forces have stopped because of the ongoing crisis. Implementing adequately the EAC gender equality and Development Bill proves therefore to be the best framework for action.

Four of the five EAC countries, Rwanda, Burundi, Uganda and Kenya have national Action Plans which indicate basic commitments. Table –shows the efforts across the EAC region. These efforts need to be harmonized and strengthened in order to realise meaningful participation of women in peace building which has the potential to establish lasting peace.

Table 35: EAC GDI Relating to Peace and Security

Country	GDI relating to Peace & Security	Structures/Programmes / Plans of action on Peace and security.
Rwanda	Women constitute 16% of women in Police force and 50% representation amongst mediators, negotiators, and technical experts in all peace negotiations.	- Women constitute over 30% of the 160,000 Gacaca (Transitional Justice System) - Launched a National Action Plan (NAP) on UN SCR 1325 in May 2010 - National taskforce comprised of national commissions, and CSOs on the implementation of NAP on UNSCR 1325
Kenya	NDC	- Launched the NAP on UNSCR 1325 in March 2016 - Constituted a steering committee on Peace building and Conflict Management - Established a Truth, Justice and Reconciliation Commission to address historical injustices - Kenya National Focal Point on Small Arms and Light Weapons to enhance disarmament programmes - Sexual and GBV offences Division office of the DPP
Tanzania	6% of women in Peace Keeping Forces No data on women representation among mediators, negotiators, and technical experts in all peace negotiations.	- Has no NAP on the implementation of UNSCR 1325 and UNSCR 1820 - In October, 2015, Tanzania committed³⁰ to; - Fully domesticate all women's rights treaties and develop a stand-alone act on violence against women. - Promote and support financing for the sustainable implementation of national and local authority plans to end VAW and children - Ensure that the principle of 50-50 representation of women and men — gender equality — in all key decision-making positions is achieved. - Continue its dedication to the implementation of the UNSCR 1325 (2000).
Burundi	- Women comprise 2.9% of the total police force - Women comprise of 10% of the National Army. 2% of women participated in Peace talks during the Arusha Peace Accord of which year?	- A plan of action to implement the UNSC resolution 1325 which engage all Government partners to contribute to peace promotion and consolidation has been developed and implemented. - A steering committee to monitor implementation and propose actions to fill potential gaps in policy and action has been set as well. - Key partners like churches and civil society organisations have been sensitised and mobilised to plan for peace and security in general and the mitigation of the impacts of conflicts in particular. - Developing a gender mainstreaming strategy in the ministry of defence.
Uganda	NDC	Uganda has a UNSCR Action Plan Published in 2008 by the MGECW as well as on Implementation of the Goma Declaration. There are also some CSO reports on implementation of the Action Plan.



Rwanda Police women attend 6th convention on GBV in Kigali, Rwanda.

³⁰ See commitments on www.peacewomen.org/member-states

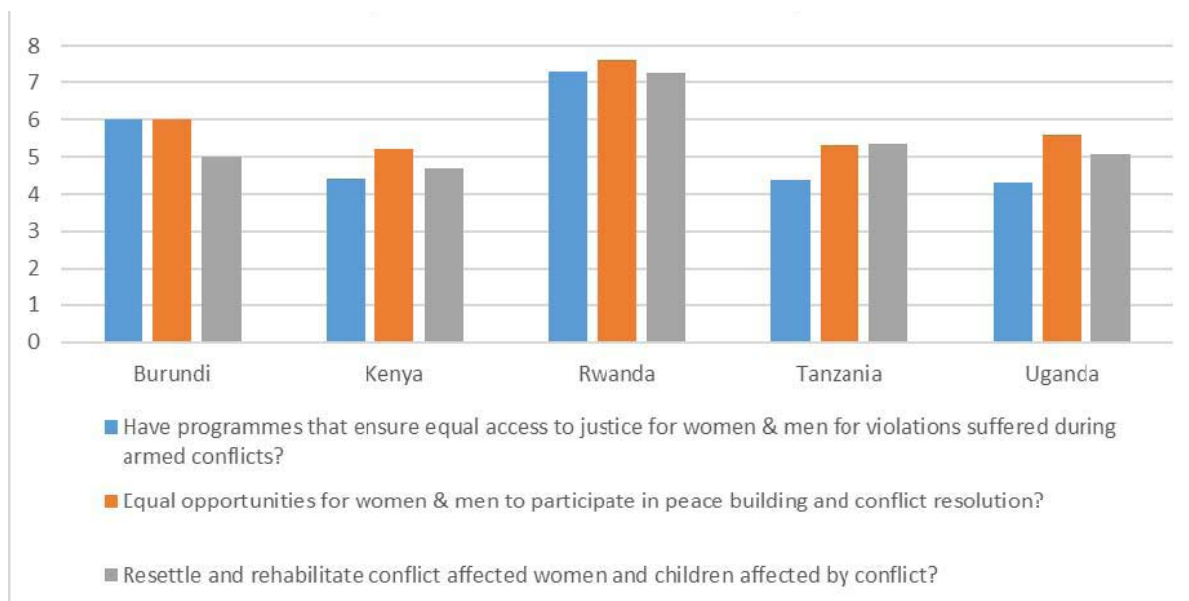
7.1 Signposts on Peace and Security

Rwanda: there is political will enabling a favourable policy climate and the Constitution which observes the principle of gender inclusiveness. Rwanda has a 1325 National Action Plan that was launched in May 2010 by the Ministry of Gender and Family Promotion. The National Action Plan also takes into consideration UNSCR 1820. Rwanda also has a task force comprised of 10 ministries, various national commissions including the National Women Council and the Forum for Women Parliamentarians. Civil society organizations are represented under the umbrella organizations Profemme-Twese Hamwe and the Collectif et Ligue des Associations des Droits de l'Homme (Umbrella of Human Rights Associations) – CLADHO. With a total membership of 60 between the two umbrella organizations (Profemme has 55 organizations and CLADHO has five) represent 74% of the Task Force. With a conducive gender policy already in place under the stewardship of the Ministry of Gender and Family Promotion, the CSO's and other women's organizations were instrumental in pointing out the gaps and possible remedies leading to the National Action Plan.

Kenya: In recognition that the inclusion of women and gender perspectives in decision-making strengthens the prospects for achieving sustainable peace, Kenya launched its National Action Plan on UNSCR 1325 on 8th March 2016 and in doing so, joined the 48 other countries around the world who have heeded the UN Security Council's call. Kenya has in place a National Steering Committee on Peace building and Conflict Management and has established a Truth, Justice and Reconciliation Commission to address historical injustices. In addition, there is existence of Kenya National Focal point on Small Arms and Light Weapons that enhances the disarmament programmes. The formation of Peace Building and Conflict Management Committees, IPOA, Sexual and GBV Offences Division office of the DPP among others.

7.2 Citizens' Score on Peace and Security

Figure 14: Citizens' Perceptions on Peace and Security in EAC Countries



The citizens' score show average performance of government in this field but on the whole the information system is not well developed as to allow proper monitoring and comparison.

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8
The Media



The Media is a very important part of the social, economic and political milieu of the communities in East Africa. It has often been referred to as the “Fourth Pillar” of society. The media not only provides critical information on violations of human rights including women’s rights but also contributes to bringing about change through raising awareness of what others are doing to address such violations. It is therefore critical to gender equality and development.

Article 7 of the EAC Gender Equality and Development Bill provides that Member States shall take appropriate measures to mainstream gender in all communication, information materials, media policies, programmes and laws while eliminating all gender based stereotypes, promoting training for journalists on human rights and gender and legislating against cyber-crime.

Table 36: Women’s Participation in Media and Structures to mainstream gender in EAC

	GDI relating to Media	Structures/laws/Programmes to mainstream gender in the media
Rwanda	29% women representation in decision making in the media fraternity	Art.9 of Law No.03/1013 determines the roles of the Media High Council Formation of Rwandese Association of women in the media Specialised programme in print media called “Urubuga rwa’bagore” or Women’s forum Media high council developed a gender mainstreaming strategy to ensure balanced and non-stereotyped portrayal of women in the media.
Kenya	NDC	- Film classification board supposed to ensure that balanced and unbiased programmes go on air - Article 28 of the constitution talks about human dignity which is universal.
Burundi	□ 36% women representation in decision making in the media fraternity □ 39% female staff in institutions of media learning. □ 57% female students in institutions of media learning □ 31% women employees in media training institutions □ 21% of media houses have sexual harassment policies. □ 22% of women as news sources □ 3% of stories in the media are on GBV as well as HIV/AIDs	- Constitution with a Bill of Rights that enshrines gender equality; □ Media Council: The Media Council of Tanzania has issued two codes of conduct to protect gender reporting including advertising. □ Gender and Development Policy (2000); a regulatory body. □ There is a media code of ethics, 2009. □ There is a code of ethics for media professionals (2010) in which section 1.8 deals with gender sensitivity. □ There is Tanzania communications regulatory authority (TCRA) □ There is Gender media code of conduct □ Tanzania media women association.
Uganda	NDC	NDC

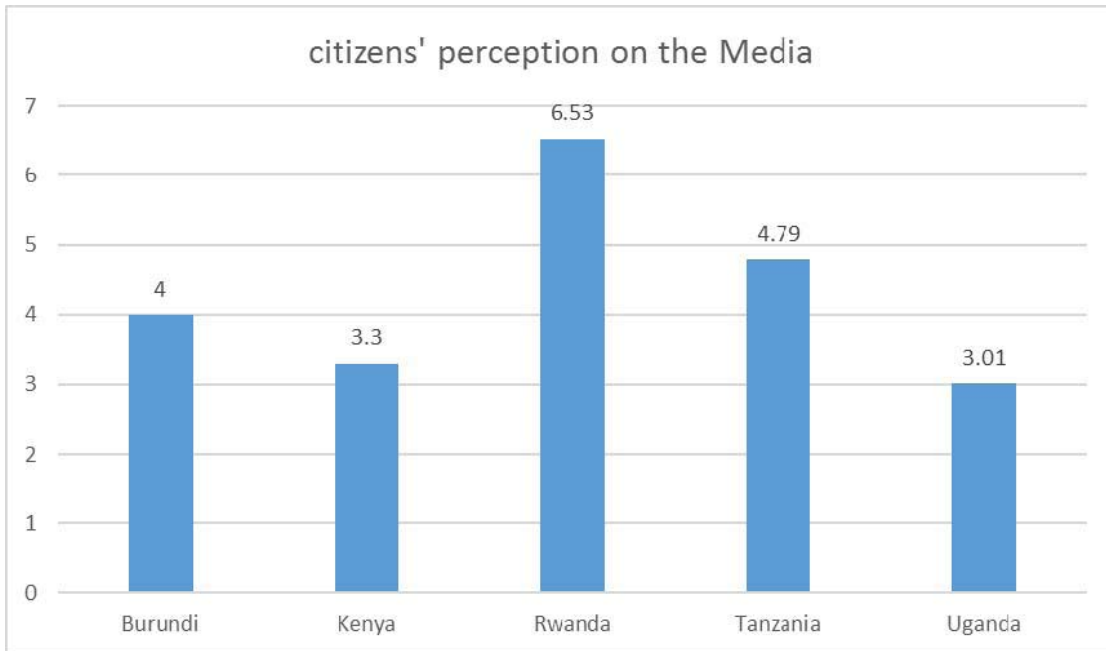
Source: EC GED Barometer Country reports, EASSI

Available data shows that there is relative presence of women in the media fraternity. However much more needs to be done in terms of decision making as well as coverage of what is considered newsworthy. In very specific ways all governments were scored very low with regards to protection of women and children from cybercrime, pornography and biased reporting.

8.1 Citizens' perceptions on Governments' commitment to Gender

Equality in the Media

Figure 15: Citizens' Perception on the Media



According to citizens' perceptions on Gender Equality across sectors in EAC, perceptions around media are among the three lowest ranking sectors on availability and implementation of laws to protect women and girls.

Rwanda: which is one of the EAC countries with high positive perceptions on government commitment to gender equality, when asked about laws that protect women and children from pornography, cyber-crime and all forms of gender biased reporting, respondents provided an average ranking that was relatively lower than other sectors (6.6 by Females and 6.5 by Males). This might reflect limited knowledge regarding legislation on media and its effect on gender. It could also simply imply that most respondents especially those from rural areas were not familiar with concepts such as pornography, cyber-crime and gender biased reporting.



9

Extractive Industries

Article 17 of the EAC Gender Equality and Development Bill provides that: Member States shall cooperate to ensure proper and beneficial exploitation and use of the proceeds from the extraction of natural resources; ensure that there are mechanisms to effectively protect the rights of indigenous communities especially women including land and property rights in areas where extractive industries are established; and ensure that contracts for exploitation of extractives are awarded and implemented in a gender responsive manner. The following table shows participation for women in extractive industries across the EAC countries.

Table 37: Participation of women in Extractive Industries

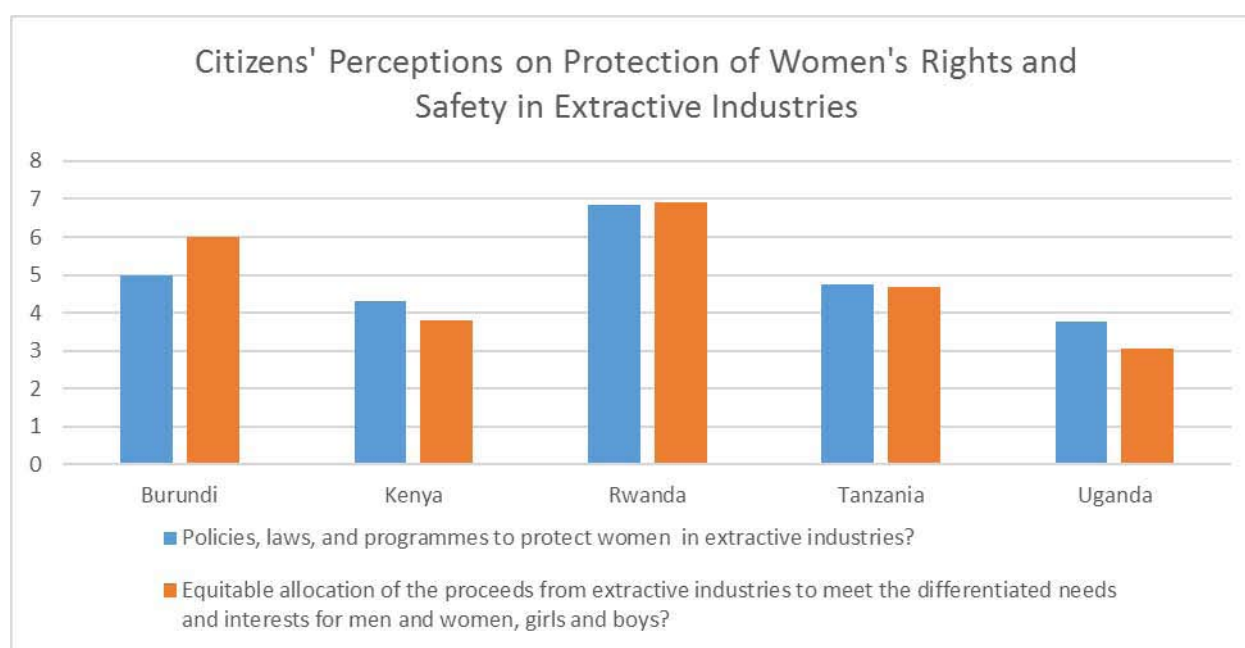
Percentage of women and men in Decision making in Extractive Industries		
	% Female	% Male
Rwanda	33.3	66.7
Kenya	NDC	NDC
Tanzania	NDC	NDC
Burundi	36.1	63.9
Uganda	NDC	NDC

Table 38: Laws and Programmes to Protect Rights of Women in Extractive Industry

Country	GDI relating to women in Extractive industries	Structures/laws/Programmes to protect rights of women in extractive industries.
Rwanda	• Mining is the leading contributor of export earnings (52%) • Only 14% women are employed in the extractive industries • 33.3 % women are in decision making structures in the mining sector.	No data available
Kenya	No data available	• The Mining Act 2016 • Was developed in accordance with the Constitution of Kenya 2010 with principle of non-discrimination • Article 10 of the constitution on equity, social justice, equality, non-discrimination and protection of the marginalized groups, • Article 21(3) that places duty on state actors to address the needs of vulnerable groups in society. • Mining Act, 2016: The company is required to spend 1% of their planned budget to aide in development of the community • The Mining Act 2016 is supported by several regulations that set out all these requirements. These regulations include but are not limited to; 1) The Licencing and permitting regulation 2) Regulation on the Award of mineral rights by tender 3) The regulation on Employment and Training. 4) The regulation on the National Mining Corporation.

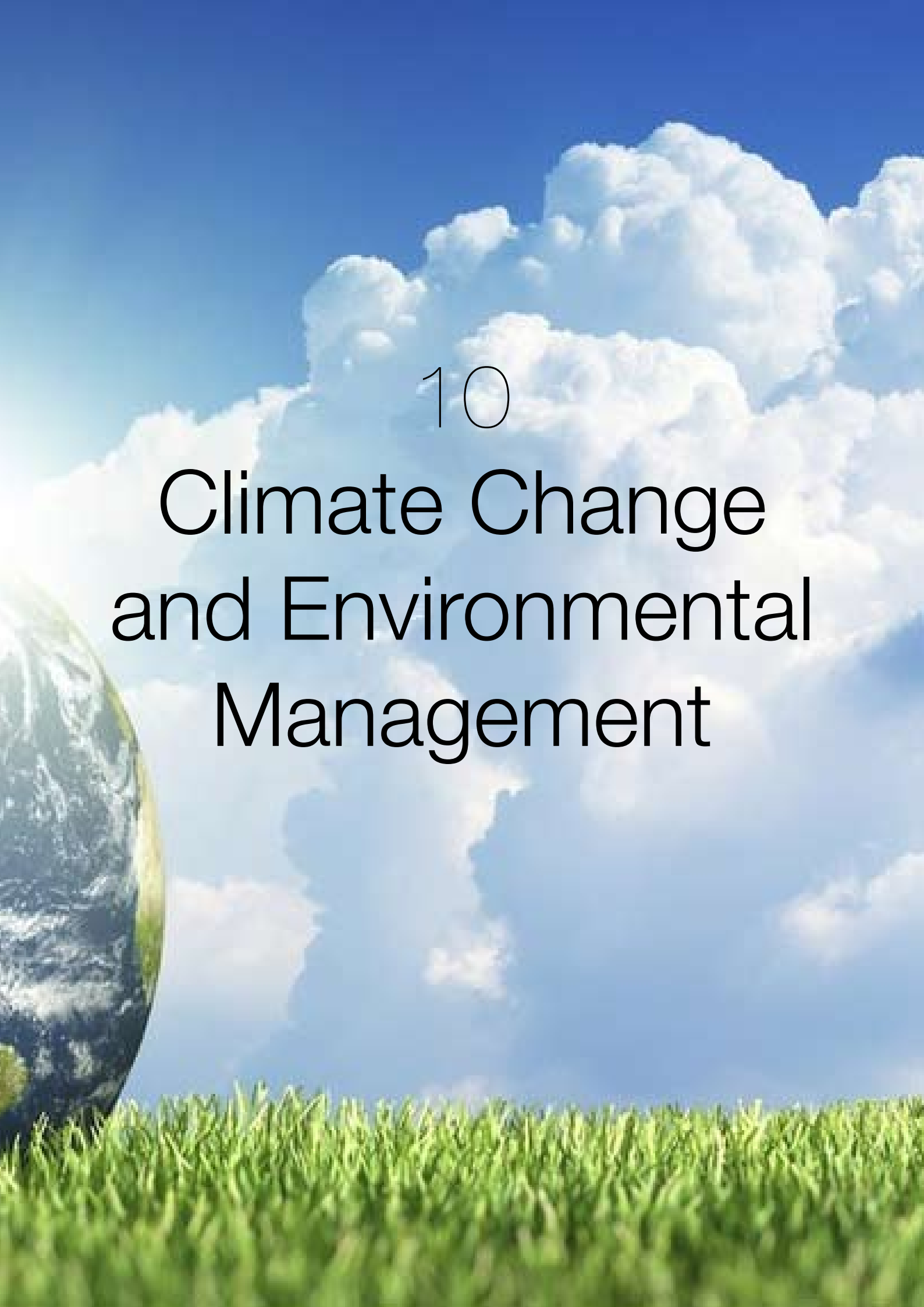
Country	GDI relating to women in Extractive industries	Structures/laws/Programmes to protect rights of women in extractive industries.
Tanzania	No data available	• Mining Act No.14 of 2010 but the rights of women and men are completely left out. • Tanzania has enacted an Extractive Industries Transparency Initiative (EITI) and legislation, the Tanzania Extractive Industries (Transparency and Accountability) Act, no. 25 of 2015. • Land Acquisitions Act of 1967 which provides for fair compensation and Land Acts (Land Act of 1999, and Village Land Act 1999) • Programmes e.g. the Centre of Excellency (COE) for Skills Development in the Extractive Industry was established at the Vocational Education and Training Association (VETA) Institute in Moshi with support from the Australian government in 2015. • Employment and Labour Relations Act, No.6 of 2004 but it does not have a provision for ensuring that highly skilled labour have access to employment opportunities in the extractive industries. • Provision on equal pay for equal work e.g. in the Constitution (section 23 (i) and (2) and more precisely in the Employment and Labour Relations Act (ELRA), 2004 (section 27(1). • The Mining (Safe Working and Occupational Health) Regulations, 2010 and more generally in the Occupational Health and Safety Act, 2003 as well in the ELRA 2004 Section 61(1).
Burundi	• 36.1% women are in decision making structures in the mining sector.	• A Mines Code enacted in October 2013. • No clear strategies to ensure that men and women have access to education and training opportunities to develop and acquire skills appropriate for engagement in different extractive industries in the Community • Discrimination against women on the grounds that Mines and quarries are dangerous sites for women
Uganda	No data available	

Source: EC GED Barometer Country reports: EASSI

Figure 16: Citizens' Perceptions on Protection of Women's Rights and Safety in Extractive Industries

Data on extractive industries will require more mining and systematic standardization across the EAC but the indicative figures demonstrate that this is an area that requires targeted focus to ensure equality of participation as well as equitable distribution of benefits not just among women and men, but also across social class. This is one of the areas where governments were accorded very low scores by the citizens.





10

Climate Change and Environmental Management

The EAC Gender Equality and Development Bill provides that Member States shall enact laws and policies to reverse the negative effects of climate change and ensure sustainable environmental management and implement laws, policies and programmes that take cognizance of the roles of men and women in environmental management and preservation and shall provide to further enhance their contributions and capacities.

Table 39: Laws and Policies to Promote Sustainable Environmental Management

	GDI relating to climate change & environmental management	Structures/laws/Programmes to promote sustainable environmental management
Rwanda	15% of the population use charcoal (of these, 16% are in urban areas) 71.8% Urban and 9.1% rural population use reliable electricity 90% Urban and 83.7% rural population use safely managed water. 93% urban and 81.3% of the rural population use safely managed sanitation services.	- Institutions e.g. Ministry of Environment and Natural Resources and Rwanda Environmental Management Authority monitor and champion environmental protection - National environmental Policy - National Domestic Biogas Programme (NDBP), 2008 - Rwanda women trained on solar energy equipment production, installation and maintenance at Barefoot College (India)
Kenya	NDC	- National Environmental policy - Ministry of environment and Mineral Resources promotes, monitors and conserves Environment and natural resources - National environmental education and awareness initiative (EEAI) raises awareness on environmental challenges to all Kenyans - Government promotes use of alternative energy including geothermal, wind, solar and mini-hydro power generation - The County Governments Act, 2012 calls for environmental and Spatial Planning. - Kenya Vision 2030 targets the planting of at least seven billion trees to address food, water and energy security - National Disaster Management Authority - National environmental Management Authority, (NEMA) Kenya.
Tanzania	- Biomass (wood fuel) is still being used by 90% of the population while renewable energy is being used by only 0.5% of the population (NBS, 2014) 4.3% of the urban and 0.5 % of the rural population use modern cooking solution 37% of the urban and 3.6% of the rural population use reliable electricity 78% urban and 52.5% rural population use safely managed water 74.2% urban and 53.6% rural population use safely managed sanitation - The latest HBS (2011/2012) found that only 47% of the households fetched water that was 500m away	Gender incorporated in the National Climate Change Strategy 2012 as a cross-cutting issue.
Burundi	NDC	- National Environmental code - Forest code No 1/02 of 1985 - Capacity building manual on training/sensitisation on climate change (2009) - National Plan of Action for Resilience to Climate Change (2007)
Uganda	NDC	

Source: EAC GED Barometer Country Reports, EASSI

10.1 Alternative energy sources



Wind Farm in Ngong Hills, Kenya (left) and cooking using Biogas in Rwanda (right)

The indicators on climate change and environmental management perform poorly across all the countries. There is a lot of data missing on the existing laws, policies and institutional structures that promote environmental management, including on the integration of gender in climate change and environmental management.

Table 40: Government Performance on Climate Change and Environmental Management

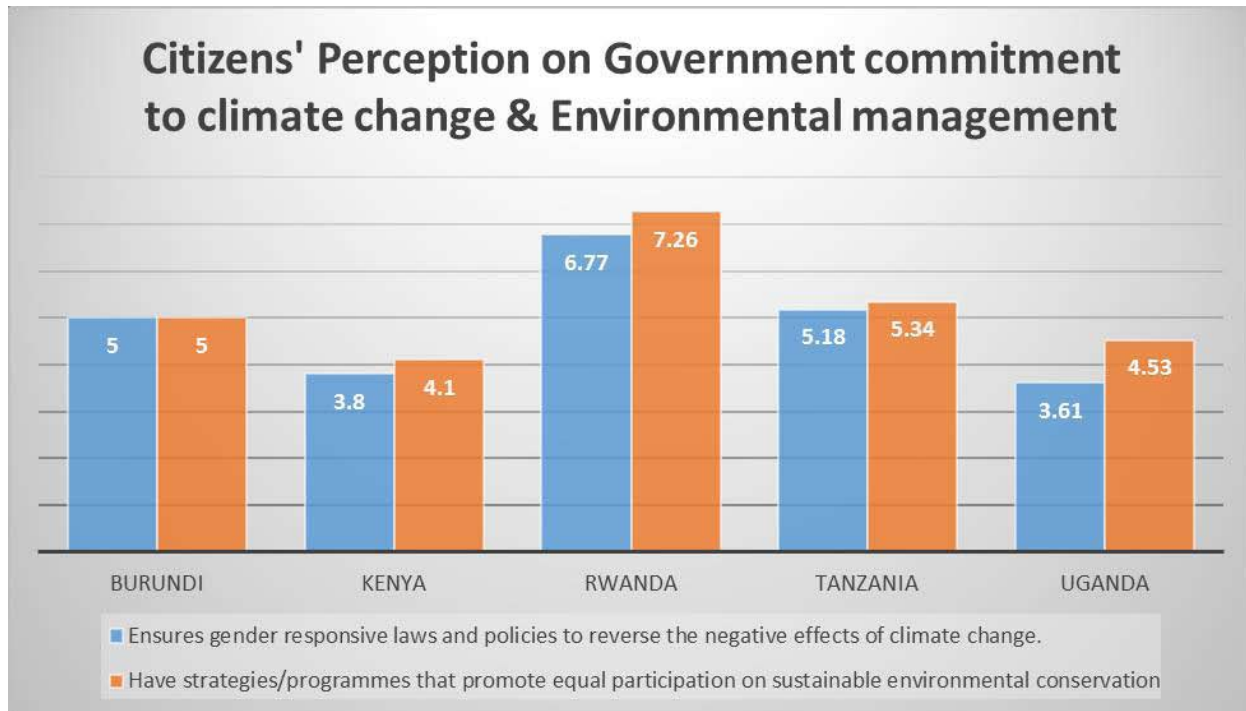
General Provisions on Climate change and Environmental Management	Gov'ts Performance (1-10)				
	Tanzania	Burundi	Kenya	Rwanda	Uganda
National laws and policies shall take cognizance of the roles men and women in different communities undertake in environmental management and preservation and shall provide to further enhance their contributions and capacities	6	4			
Promote sustainable environmental conservation taking into consideration the appropriate gender dimensions of access to alternative energy sources to reduce dependence on wood-fuel and enhance access to clean and safe water.	4	5			
Develop and promote capacity building programmes for men and women to integrate sustainable management of natural resources in their daily lives.	4	5			
Enact laws and policies to reverse the negative effects of climate change and ensure sustainable environmental management	5	5			
Ensure proper and beneficial exploitation and use of the proceeds from the extraction of natural resources that exist within the EAC area and the extractive industries shall include mining, quarrying, oil and gas extraction and dredging industries	5	4	3		
Take appropriate measures to reverse the effect of climate change and ensure sustainable use of the natural resources	5	5	5		
Establish mechanisms to reduce the time spent by women and girls in search of water and firewood at the expense of their security, welfare, and development related activities such as education and training opportunities;	6	5	3		
Protect and enable the development of women and men's indigenous knowledge systems to equally protect women and men from exposure to hazardous waste through the establishment of proper standards for the management, processing, storage, transportation and disposal of toxic waste including domestic waste	4	6	2	No score	No score

Harmonise their agricultural and food security laws and policies by 2020 to recognize and strengthen the role of women and men, particularly youth participation in the agricultural sector	5	No data	3	No score	No score
Incorporate gender considerations to the overall objectives of achieving food security and rational agricultural production in the Community:	4	No data	5	No score	No score
Create a Community system that effectively provides information on demand and supply, surpluses and deficits, trade opportunities and procedures, scientific research findings and the state of food nutrition and market prices	4	No data	3	No score	No score
Harmonise the quality and standards of inputs and products including food additives and their effects on the health of men and women	5	No data	4	No score	No score
Provide and maintain strategic food reserves at national and regional levels and efficient mechanisms to access nutritious foods to the most needy populations within the Community and population groups that are most vulnerable during emergency situations	6	4	4	No score	No score
Develop alternative sources of food production taking into consideration the role of traditional knowledge of the men and women in the different communities within the Community	5	4	3	No score	No score
Provide extension services and appropriate information to farmers, taking into Consideration the varied levels of educational attainment of women and men engaging in agriculture	5	4	4	No score	No score
Encourage increased agricultural productivity by supporting effective agricultural markets and agro processing in regional trade	5	No data	3	No score	No score
Initiate and maintain strategic food reserves at national and regional level	6	4	4	No score	No score
Ensure the adoption of internationally accepted quality standards for food processing	4	No data	3	No score	No score
Put in place laws and policies to guide the choice of priority considerations for each Member State for the investment opportunities within the agricultural sector	No data	No data	No data	No score	No score
Undertake joint regional effort to combat drought and desertification	No data	No data	4	No score	No score
Ensure that environmental awareness on trans-boundary ecosystems is treated as an integral part of education in the Community at all levels	No data scoring	No data	5	No score	No score
Ensure environmental assessments of proposed projects or activities which may significantly affect the environment or use of natural resources in trans-boundary ecosystems and ensure that such projects uphold the principles of gender equality and equity and human rights protection of all persons affected	No data was	No data	6	No score	No score
Promote international cooperation between the Community and other regional organisations in the management of trans boundary ecosystems	No data	No data	6	No score	No score

Source: EAC GED Barometer Country reports, EASSI

10.2 Citizens' Perceptions on Governments' commitment to Gender equality in Climate Change

Figure 17: Citizens' perceptions on Government Commitment to Climate Change and Environmental Management





11

Economic Justice



The EAC Gender Bill provides that state parties shall, by 2030, ensure equal participation by women and men in policy formulation and implementation of economic policies. In this case economic justice is measured against areas of employment, land trade and agriculture.

There have been various efforts in the EAC relating to gender and economic justice and

specifically focused on women's economic empowerment. An overview of the available evidence shows that there is indeed a need to address women's economic disadvantage

as it tends to aggravate the unequal power relations. One of the key responses to mainstream gender in economic justice has been in the area of gender budgeting. Gender budgeting in principle stems from the realisation that gender mainstreaming cannot just happen as a separate venture but must be part of parcel of the planning process in which priorities are set and resources allocated.

Table 41: GDI and Efforts to Mainstream Gender in Economic Justice

Country	GDI relating to Economic Justice	Structures/laws/Programmes to mainstream gender in economic justice
Rwanda	39.1% of the Population living below the national poverty line & below the extreme poverty line is 16.3%. 44.8% of female headed HH live below poverty line 71.7% women and 75.6% men participate in wage employment 12 consecutive weeks of maternity leave and 4 days of paternity leave 26% of female headed households own land. 82% women employed in agricultural labour force 22% women own SMEs and 58% women own informal business enterprises	Ministry of Finance and economic development Ministry of Gender and Family Protection Law No 13/2009 of 27/05/2009 regulating labour in Rwanda Women & Youth Access to finance Strategy Gender Budgeting Programme initiated in 2003 The Organic Budget Law, Art.32 provides for gender budgeting statement Rural private sector federation & the chamber of women entrepreneurs.
Kenya	45.9% of the population lives below the poverty line. 47.9% women & 52.1% men participate in wage employment 12 consecutive weeks of maternity leave from the date of birth 33.9% of households are female headed 1-5% of women own registered land - 1% registered in a woman's name, 5% registered jointly in name of woman and a spouse There are 71% women in agriculture labour-force Women constitute 40% of small holders farm managers, yet they have access to less than 10% of the available credit and less than 1% of agricultural credit.	- Kenyan Constitution on Non-discrimination on basis of sex; stipulates women & men's equal treatment including the right to equal opportunities in political, economic, cultural & social spheres. - The constitution provides that "not more than two-thirds of the members of elective or appointive bodies shall be of the same gender" - Employment Act, 2007 provides for maternity leave - Public Financial Management Act (2012) on gender budgeting Constitution: Article 27(1) on the Bill of Rights and gender equity in public finance in Article 201 (b). - Gender Mainstreaming Implementation Plan of Action (2007) & the Monitoring and Evaluation Framework for Gender Mainstreaming (2009) - No known policies on time use

Tanzania	• 20% women in key economic decision making positions • 27.1% of FHH living below the poverty line • 35.5% females and 64.5% males participate in wage employment • Women granted 12 consecutive weeks of maternity leave • 33.4% females head households • 13% women own land • 54.33 % of women own businesses –(Micro, Small and Medium Enterprises) • 69.9% of women in agricultural labour force	• SADC Protocol on Gender and Development, 2008 • Employment and Labour Relations Act, 2004 • Tanzania Gender Networking Programme initiated Gender Budgeting • Time use module introduced for the first time in the Integrated Labour Force Survey (ILFS) carried out by the National Bureau of Statistics in 2006
Burundi	Out of 3,000 registered enterprises in Burundi, women own 320 enterprises (10.6%) No Adequate data on women ownership of SMEs, women in agricultural labour force, women who own land, women living below poverty line. No adequate documentation on Time use	No data on existing laws and policies/programmes to promote gender and economic justice.
Uganda	• 37.3% women work in employment sector. • 14% of women own land • 70% of women in agricultural labour force • Women granted 12.8 weeks (90 days) of maternity leave and men have 4 days paternity leave.	• Uganda Gender Policy (2007) focuses on Gender and Macro-economic development • Ministry of Finance, planning and Economic Development & Ministry of Gender, Labour and Social Development Implement Gender Budgeting • Public Finance and Management Act, 2016 – on Gender & Equity Certificate. • Civil Society Budget Advocacy Group (CSBAG) • FOWODE Gender Responsive Budgeting Programme • Women Enterprise Fund • The National Trade policy (2007)

Source: EAC GED Barometer Country Reports, EASSI

Gender Budgeting in Action

Tanzania: has been at the forefront of “gender-responsive budgeting” (GRB) through the work pioneered by the Tanzania Gender Networking Programme (TGNP). The initiative was launched during its Annual Gender Studies Conference in 1997. Following the launch, the Gender Budgeting Initiative (GBI), analysed macro-economic planning and budgets and their impact on women, men and youth. The GBI focused on four key ministries: the Planning Commission, the Ministry of Finance, the Ministry of Education and the Ministry of Health. A Book entitled Budgeting with a Gender Focus was produced as an easy to understand guide to gender budgeting (TGNP 1999). Between 2000 and 2004, TGNP was actively engaged with the high level engagement with government. The GBI has had three main results: (i) It has led to gender being one of the cross –cutting issues stated in the national Budget Guidelines for preparation of the Annual National Budgets. This provision has remained until now (See Budget Guidelines, for 2016/17). (ii) It has led to the establishment of gender focal points in all sector ministries. These focal points have the responsibility to ensure that gender specific concerns are included in their sector budgets and monitored during implementation.

Uganda: The Ministry of Finance, Planning and Economic Development (MoFPED) has since 2003 integrated gender responsive budgeting in collaboration with the Ministry of Gender, Labour and Social Development (MoGLSD). These ministries ensure that all sectoral ministries align their budgets in a gender responsive manner, and currently the Ministry of Finance is focusing on training stakeholders in these ministries on gender budgeting. It is also looking at the different ministerial policy statements to check that they are gender responsive and currently has a pass mark of 40% which all ministries must meet. MoFPED included gender and equity in the Budget Call Circular and therefore all government accounting officers have to indicate how government funds will address gender issues in their respective sectors. The significant moment of success is the Gender and Equity Certificate in the Public Finance Management Act (2015) that requires sectors to demonstrate this sensitivity before their budgets are considered and passed.

Rwanda: Gender budgeting initiatives in Rwanda started in 2003, through a comprehensive gender mainstreaming program championed by the then Ministry of Gender and Family Promotion. The main objective of the program was to integrate gender equity into the country's development agenda and processes. The country initially faced difficulty in gender responsive budgeting since most sectors did not have gender disaggregated baseline data to begin with, there were no gender budgeting guidelines to be used by budgeting stakeholder, lack of training on the process of GRB Little or no evidence of ownership in ministries due to a lack of strong focal points on gender but these were since resolved. Gender-responsive Planning and Budgeting (GRB) is a now requirement in all sectors and districts and has been institutionalized through the promulgation of the Organic Budget Law, implemented and spearheaded by the Ministry of Finance and Economic Planning. Article 32 of this law provides for a "Gender Budget Statement" as a mandatory annex of the Budget Framework Paper to be submitted to both chambers of Parliament. All public entities are required to submit to the Ministry of Finance, with a copy to the Prime Minister, an annual activity report on how plans for gender equality have been implemented. Revised gender-sensitive budget instruments including Budget Call Circulars and Gender Budgeting Guidelines support the institutionalization of GRB.

Kenya: the Public Financial Management Act (2012) makes special provisions that support gender responsive budgeting by providing that the principle of equity be adhered to in the budget making process at the national and county level governments. Several policy documents relating to gender have also been developed and adopted, key among them: the National Gender and Development Policy (2000); the Sessional Paper No. 2 of 2006 on Gender Equality and Development; the Gender Mainstreaming Implementation Plan of Action (2007) and; the Monitoring and Evaluation Framework for Gender Mainstreaming (2009). Another important initiative was the establishment of gender desks in every ministry to sensitize staff on gender and push for gender mainstreaming in policymaking, planning, budgeting, implementation, monitoring and evaluation. The impact that gender budgeting has had is that, in terms of specific gender responsive budgeting initiatives, the Kenyan experience shows that progress has been achieved mainly in terms of raising awareness and pushing for the government's accountability, but there has not been much success in pushing for change in the budget making process.

Burundi: Gender budgeting has been advocated by gender analysts, civil society NGOs and United Nations Agencies including UN Women. To date, no serious move has been observed, since documentation on gender budgeting was found. It is commonly and wrongly believed that gender budgeting consist of allotting budget to gender institutions and no serious analysis has been done on the practices of the Government, the Parliament and the Ministries when preparing the national budget.

Tanzania, Uganda and Rwanda have been able to institutionalise gender budgeting while Kenya and Burundi are still a distance off. Burundi in particular seems to be at the very beginning stage of awareness with little in the direction of mechanisms to support gender budgeting.

Beyond Special projects

It is still a fact though, that even with GRB initiatives, economic justice has often been translated into special projects for women. Special projects tend to works to construct them as clients. This specialness seems to undermine conversations on substantive citizenship as women's interests may not get to be articulated within mainstream development conversation. Hence special projects may have the long term effect of blocking meaningful conversation on challenging the patriarchal policy and development models.

Burundi: The IFAD funded project on post conflict reconstruction included a component on " Boosting livelihood means for rural women", on a total amount of 70 390 000 Burundi francs credit, women got 78.42% and men got 21.57%. The number of men who benefitted from the initiative was 173 and that of women 629. As it can be seen, this project based strategy cannot be sustainable because the target is too low to make significant change in the life of Burundi women at large.

11.1 Gender and Land Rights

Across all EAC countries, women constitute a higher percentage of the agricultural labour force yet the majority do not own and control land as an agricultural resource.

Table 42: Women in Agricultural Production and Ownership of Land

Sector	Rwanda	Kenya	Burundi	Tanzania	Uganda
% of Women in agricultural labour force	82	71	NDC	69.9	70
% of Women who own titled land	26	6	NDC	13	14

Source: EAC GED Barometer country reports, EASSI

It is important to note however, that the terrain of land is complex and will require research to standardise what is being tracked. For example, the meaning of ownership of land is not the same across the various ethnic communities. In land matters it is also important to distinguish between individual and group rights.

11.2 Signposts on Gender and Land in EAC

Member states have laws in place that guarantee women equal rights with men on land ownership and utilization. However, a small proportion of women own land despite their remarkable contribution to agriculture and food production.

Rwanda: up to 26% of all female headed households own land as compared to 18% of male headed households. The RDHS 2014-2015 shows that the pattern of land use options in urban and rural settings in Rwanda do not vary significantly. However, comparison of land use options by sex shows that most land purchases are performed by men while more women will either rent their land out or engage in sharecropping. In addition, there are persisting land ownership challenges faced by women in polygamous marriages, informal marriages and women with children out of wedlock. These issues lead to family conflicts and land disputes.

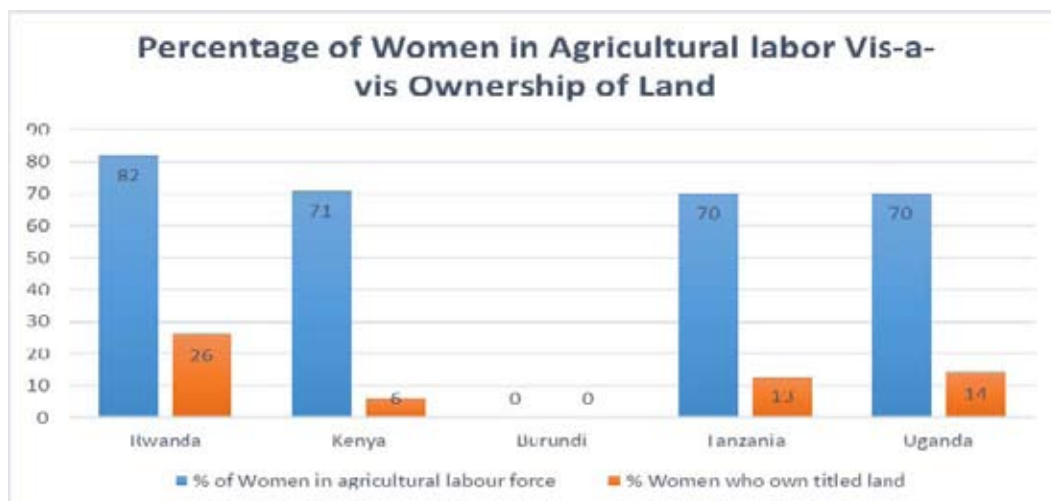
Kenya: the 2010 constitution Article 60(1) includes gender provisions which state that land in Kenya shall be held, used and managed in a manner that is equitable, efficient, productive and sustainable and in accordance with the following principles: equitable access to land; Security of land rights and; sustainable and productive management of land resources. The support provisions that exist for women in food production initiatives in Kenya is in the Kenya Constitution, 2010, Article 60 guaranteeing equal rights for women. Women can now inherit property and own land. But in Kenya's rural areas, many people are unaware of the provision in the new constitution. Entire communities live under the old system that puts women and girls at a disadvantage, particularly concerning property rights.

Burundi: the biggest resources are primarily land and it undergoes a lot of pressure due to the size of the population. Ownership of land is essentially governed by customary laws. The latter give no chance to the woman to own land. Women organizations have conducted relentless advocacy for a law which would govern succession, but all the governments kept failing women. However, more advocacies are still being conducted.

Tanzania: Data on ownership of land in Tanzania disaggregated by sex is very difficult to be accessed although it is the sector that provides the most employment and the largest contribution to the GDP. The Land Policy of 1995 and the Land Act of 1999 as well as the Village Land Act of 1999 give women extensive rights to access, own, control, mortgage and dispose of land on the same basis as men.

Uganda: although land is a vital resource for over 90% of households, women own only 14 % of the registered land (Uganda Gender Policy, 2007a). As such, innovation through increased production is hindered by lack of control over land. Worse still, women are more disadvantaged due to gender biases such as limited rights to inheritance of land. Culture and custom continue to support the transmission of land to men in inheritance, as women's inheritance rights to land are tenuous and at the mercy of their male relatives. Section 39 of the Land Act as amended in 2004 provides for spousal consent in relation to disposal of family land but this has limited protection for women's land rights and has a weak implementation framework.

Figure 18: Percentages of Women in Agricultural Labor Vis-a-vis Ownership of Land



Left: Kenyan Woman farmer at work in the Mount Kenya region (1)

Below: women harvesting Tea in Rwanda (2)

Source : (1) <https://www.women+enterprise+fund+kenya>,
(2) courtesy photo, Rwanda



In terms of economic decision making none of the EAC countries is closer to the 30% critical mass of women as recommended by the UN Economic and Social Council (ECOSOC) on promoting women in leadership and decision making positions.

11.3 Women in Economic Decision making

Table 43: Women in Economic Decision Making

Country	% Women	% Men
Rwanda	14	86
Burundi	20	80
Kenya	16.7	83.3
Uganda	17.6	82.3
Tanzania	20	80

Source: EAC GED Barometer Country Reports, EASSI

11.4 Trade

The EAC Gender Equality and Development Bill provides that state parties shall by 2030 adopt policies and enact laws which ensure equal access, benefits and opportunities for women and men in trade and entrepreneurship, taking into account the contribution of women in the formal and informal sectors; review national trade and entrepreneurship policies to make them gender responsive; Introduce affirmative action measures to processes.

Available data reveals that states have trade policies as guiding principles to create opportunities for equal participation in trade through entrepreneurial development, giving priority to society and economically disadvantaged groups in society. However there is still a gender inclusiveness challenge. Women face more challenges than men in this sector as they are hindered by lack of capacities, skills and resources. EAC governments have endeavored to put policies in place to boost the capacities of the socially and economically disadvantaged sections of the community to trade though implementation remains a challenge.

Rwanda on Trade

Rwanda is implementing a number of programs aimed at reducing poverty and economic inequalities between men and women. These include the initiatives listed below:

- Creation of several banks that offer loans to small and medium size women-owned businesses such as the Women's Branch of "Bank Populaire" as well as micro-credit and savings cooperatives such as Coopedu & Duterimbere that are run by a women's association among others.
- Business services and training in business skills and management are provided for women by various institutions such as Business Development Fund and the Business Incubation Centre to enhance the capacity of women in entrepreneurship and facilitate them to acquire financial services especially loans.
- The Chamber of Women Entrepreneurs in Private Sector federation is well organised and has promoted numerous women owned businesses;
- Women and Youth Access to Finance guarantees women & youth up to 75% funding for projects.
- Women are the majority of informal traders (e.g 78% of traders between Gisenyi and Goma are women according to International Alert 2014);
- Umurenge Sacco increased the number of access to finance for entrepreneurship for both men and women beneficiaries (47.3% Male and 42.7% Female)
- Women savings in formal & micro financial institutions improved from 29% in 2008 to 47% in 2012 in banks and from 24% in 2008 to 42% in 2012 in micro finance institutions.
- Percentage of poor women-headed households reduced from 66.3% in 2001 to 47% in 2010/11.

11.5 Citizens' perceptions on Economic Justice

Overall, citizens across all the five countries point out their countries' low commitment to putting laws and policies in place to enable access to, control and ownership of land amongst women and girls. This perception is closely linked to citizens' view on their governments' inadequate efforts to repeal customary laws and practices that prohibit equal access to, control over land & other productive resources.

Table 44: Citizen's Scorecard

		Burundi	Kenya	Rwanda	Tanzania	Uganda
	Specific targets to be achieved by 2030	Average Score	Average Score	Average Score	Average Score	Average Score
1	Laws & policies to ensure women and men's equal access to wage employment	6	4.8	7.84	4.95	5.27
2	Policies that protect and promote women's rights in all employment sectors	6	4.6	7.60	4.82	5.10
3	Policies & laws to ensure equal access, & benefits for women and men in trade and entrepreneurship	6	5.1	7.20	4.91	5.52
4	Policies & Laws on access to, control and ownership of land and other productive resources	4	4.5	7.36	4.99	5.06
5	Customary laws and practices that prohibit equal access to, control land & other productive resources repealed?	4	4.3	7.58	5.05	4.53
6	Have agricultural and food security laws and policies that recognize and strengthen the role of women in the agricultural sector?	6	4.3	8.08	4.74	4.70
7	Ensure that women and men benefit equally from agricultural extension services	6	4.7	8.16	4.74	4.80
8	Promote equal participation of women and men in regional cross border trade	5	4.5	7.79	4.87	5.05

Source: EAC GED Barometer Country Reports, EASSI

12

Looking Forward



This Pilot barometer for the EC has indicated that EAC countries have without doubt made considerable progress on gender equality and women's empowerment. Tremendous progress has been made in the area of constitutional provisions, laws and policies as well as in some aspects related to education, health and political participation. Critical challenges remain at implementation of the laws and policies as well as in areas to do with ingrained male privileged such as gender based violence, equality of participation and economic justice.

Table 46: EAC Citizens score their governments on 2030 Targets

#	Specific Targets to be achieved by 2030	Burundi	Kenya	Rwanda	Tanzania	Uganda
		Average Score	Average Score	Average Score	Average Score	Average Score
1	Include gender equality in the constitution	5	5.8	8.87	5.16	5.06
2	Have strategies and programmes that promote women's rights	5	5.8	8.59	5.81	5.92
3	Have laws, policies and programmes that ensure equal participation of women and men in decision making positions in the public and private sector	5	5.1	8.18	5.41	5.51
4	Have laws that prohibit all forms of gender based violence including traditional and Cultural malpractices	5	4.9	8.13	6.28	4.84
5	Ensure access to justice, treatment and care of survivors of gender based violence	6	4.6	8.04	4.94	4.10
6	Have laws to prevent human trafficking and provide holistic services to the victims	5	3.9	7.83	4.81	3.39
7	Have good quality programmes to address the sexual and reproductive health and primary health care needs of women and men	6	5.7	7.58	5.80	5.50
8	Have programmes for reduction of child and maternal mortality ratios by less than 70/100,000 live births	6	5.7	7.81	6.43	5.17
9	Implement gender sensitive policies and programmes for quality health care for prevention of new infections, treatment, and support of persons with HIV and AIDS	6	6.6	8.18	6.79	7.09
10	Have laws which ensure that an equal number of girls and boys enrol and complete primary, secondary, tertiary and vocational education	7	5.6	7.59	5.73	4.84
11	Have quality education at primary, secondary and tertiary levels	4	5.7	7.16	5.49	3.89
12	Ensure availability of adequate sanitary facilities for girls in school	3	5.0	6.57	4.17	2.81
13	Take measures to eliminate stereotypes in the education curriculum	4	4.3	7.20	4.57	3.86
14	Have laws and policies that ensure women and men's equal access to wage employment in all sectors of the economy	6	4.8	7.84	4.95	5.27
15	Have policies that protect and promote women's rights in all employment sectors including the informal sector	6	4.6	7.60	4.82	5.10
16	Have policies and laws that ensure equal access, benefits and opportunities for women and men in trade and entrepreneurship including public procurement processes	6	5.1	7.20	4.91	5.52
17	Have policies and laws that determine access to, control of, use of and ownership of land and other productive resources for both women and men	4	4.5	7.36	4.99	5.06
18	Ensure that customary laws and practices that prohibit equal access to, control of, use of and ownership of land and other productive resources for both women and men are repealed	4	4.3	7.58	5.05	4.53
19	Have agricultural and food security laws and policies that recognize and strengthen the role of women in the agricultural sector	6	4.3	8.08	4.74	4.70

#	Specific Targets to be achieved by 2030	Burundi	Kenya	Rwanda	Tanzania	Uganda
		Average Score	Average Score	Average Score	Average Score	Average Score
20	Have strategies to ensure that women and men benefit equally from agricultural extension services and appropriate information on increasing agricultural productivity	6	4.7	8.16	4.74	4.80
21	Promote the equal participation of women and men in regional cross border trade, taking into consideration gender dimensions, access to information and opportunities	5	4.5	7.79	4.87	5.05
22	Have programmes that ensure equal access to justice for women and men for violations suffered during armed conflicts?	6	4.4	7.28	4.38	4.32
23	Ensure equal opportunities for women and men to participate in peace building and conflict resolution	6	5.2	7.58	5.30	5.60
24	Resettle and rehabilitate conflict affected women and children including refugees, asylum seekers and Internally Displaced People (IDPs)	5	4.7	7.25	5.34	5.06
25	Have laws that protect women and children from pornography, cyber-crime and all forms of gender biased reporting	4	3.3	6.53	4.79	3.01
26	Ensures gender responsive laws and policies to reverse the negative effects of climate change	5	3.8	6.77	5.18	3.61
27	Have strategies/programmes that promote equal participation on sustainable environmental conservation taking into consideration the gender dimensions of access to information, appropriate technology and alternative energy sources	5	4.1	7.26	5.34	4.53
28	Develop policies, laws, and programmes to protect the rights of women to safety, equal wage employment and compensation in extractive industries	5	4.3	6.85	4.75	3.75
29	Ensure equitable allocation of the proceeds from different extractive industries to meet the differentiated needs and interests for men and women, girls and boys	6	3.8	6.93	4.67	3.06
30	Develop and implement policies, strategies and programmes to protect male and female socially excluded groups including their equal access to social services, protection of their rights and wellbeing	6	4.2	6.89	5.74	5.14
	Total Average Score	158	143.3	226.68	155.95	140.09
	Percentage Score ($X/300 \times 100 = y \%$)	52.66	47.76	75.56	51.98	46.69

12.1 Overview: Green Lights, red lights and actions required

Understandably the countries have attained varied levels of success in different areas but there exists critical consistencies across the region. Below is a broad mapping of the green and red flagged areas and actions required to address the latter for each country.

Table 47: Overview: Green Lights, Red Lights and Actions Required

Result Area	Green Lights	Red Lights	Actions required
Legal and state Obligations	□ formal alignment with international & regional frameworks (ratification) □ Constitutional provisions that outlaw discrimination on the basis of gender in all the countries □ legal provisions e.g. on domestic violence, political participation, land (with varied success across the countries) □ sector policies □ national machinery with potential for institutionalization of gender equality	- Claw back clauses still exist in the legal framework - Poor implementation framework	- review of legal framework to weed out claw back clauses - repeal contradictory laws where they exist
Power & decision making	-Women increased representation in parliament Rwanda 64%, Tanzania 36.8% Burundi 36.4: Uganda: 32% - Women and men are voting almost in equal numbers	-Kenya on women in parliament lags behind with 19.7 -Political parties still largely male dominated s norm -Top positions in government still male dominated at national and local levels -Masculine political culture -Affirmative action breeding ghetto for women - Abuse and Sexual violence in elections	-Develop gender strategy for EMBs to address practical and strategic gender needs - establish mandatory code of conduct for political parties - specifically criminalise SGBV in elections - mount issue based conscientisation campaigns across the region
Gender based Violence	-Legal framework to address GBV -CSO efforts	-High prevalence -social tolerance of violence buttressed by sticky norms; -Weak implementation	-accountability channels for implementation -Clear monitoring framework -Conscientisation to undermine tolerance for violence
SHR & HIV/AIDS	- Initiatives to provide care - Increased awareness on SHR - Access to ARVs -High maternal mortality esp. Burundi, Uganda, Tanzania and Uganda - HIV prevalence persistently high in majority countries - reversal of gins e.g. for UfUganda	-Rights framework yet to be institutionalized	-Identify and design mechanisms to address root causes surrounding the MMR - strengthen the social aspects of the HIV response -women's empowerment
Education	-high enrolment rates for girls & boys esp. at primary level -Initiatives targeted at addressing gender disparities -Best practices e.g. in Uganda with a fully integrated gender unit that influences the policy of the sector -Attempts at addressing gender stereotypes	- quality still of concern across the region in classroom and sanitation -GBV in schools especially sexual violence -Persistent stereotypes in real & hidden curriculum - Completion rates for girls lower than for boys	- conscientisation to buttress efforts to value girl child education -Address quality through innovative ways of teaching & resource mobilization -Formal & Firm integration of gender in teacher education
Peace & Security	- Signatory to UNSCR 1325 - Attempts at inclusion of women in peace talks	-Male dominance persists in form and substance – beyond numbers -Reconstruction efforts largely oblivious of women's interests	-Review the peace and security framework -Develop Gender strategy for the security sector

Result Area	Green Lights	Red Lights	Actions required
The Media	-Increased presence of women as key actors in the media fraternity	-Low representation of women in decision making -Gender stereotypes and negative portrayal -normalization of pornography & cyber crime	-clear gender regulation for the media sector in relation to employment and programming -institute media watchdog to track , document & report
Economic Justice	-Gender budgeting institutionalized -awareness about the significance of economic justice esp. women's economic empowerment Programmes and structures for gender mainstreaming in government planning process	Macroeconomic framework still largely impervious to gender and equity concerns Sticky norms around property rights e.g. land No clearstanding on extractive industries & climate change	-Mobilise the economic fraternity for regional impact -More research and data on gender and land, as well as extractive industries -establish clear strategies in relation to concrete conditions in EAC countries

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Annex i

Burundi operationalization of special chambers in courts for GBV Cases

Gender based violence is a horrendous crime. It affects the physical and mental integrity of the victim, the harmony and happiness of the victim's family and the social cohesion of the community. It is always exacerbated by conflicts. Many African Countries have been trying to fight against that crime but results remained mitigated. A recent initiative by the International conference on the Great Lakes region-ICGLR might be a good strategy to deal quickly with GBV cases. Burundi which is the pilot country has achieved good results in hearing GBV cases. This practice is good to be shared and extended to many countries.

The operationalisation of the special chambers in courts and tribunals is one of the strategies adopted by the Heads of States of 12 Member states of the ICGLR adopted eradicate GBV. As the Kampala Declaration indicates it, the 12 leaders wanted to be "united to prevent, end impunity and assist victims of sexual and gender based violence in the Great Lakes region. Operationalizing special chambers in courts for GBV cases is one of the 19 decisions of the Kampala declaration of December 16, 2011. The Ministers in charge of gender and justice met six months after the heads of states to decide together on the implementation modalities of the decision 8 on eradication of GBV in the region. Burundi accepted to conduct the pilot activities.

Objectives

The Heads of State tasked the pertinent Ministers to achieve the following objectives in twelve months after their summit and special session on SGBV. That was in December 2011: Create and reinforce special tribunals, special sessions and proceedings in order to accelerate the treatment of GBV cases at the level of jurisdictions and security. This would go through availing financial means, adequate infrastructures and gender sensible agents. The end result was to improve access to justice and to protect victims/survivors of SGBV in compliance to article 6 of ICGLR protocol.

Targets

Burundi accepted to set up a special tribunal and organize special sessions and proceedings for SGBV cases. The aim was to accelerate treatment of SGBV cases proceedings which usually take too long to end.

Process

Burundi did not create special tribunals. This would have required a lot of funds which was not available in the country. The process went through the following steps:

Setting the framework

Two Ministerial orders were enacted in November 2013 to define the mission, composition and operation of special chambers for minors and sexual violence victims for one and to designate the magistrates for special chambers for minors and sexual violence victims for the second.

Identification of pilot provinces: four out of 17 have been selected (23.5%): Bujumbura the capital city, Ngozi, Kirundo and Muramvya.

Conduct of an audit of the system to identify challenges and obstacles and prepare beforehand solutions

Organization of special sessions in those provinces in April and May 2014: collecting data on cases, training of the magistrates, sensitization of actors in SGBV and booking rooms for the special sessions, mass communication to inform the public in general and the victims in particular on the planned sessions to repress SGBV.

Key results:

45 magistrates trained on national and international instruments to fight SGBV, causes that hinder quick treatment and closure of SGBV cases.

89 hearings in the whole process; 12 in Bujumbura, 18 in Ngozi, 22 in the capital city, 18 in Kirundo and 21 in Muramvya.

318 cases out of 392 closed after the proceedings, which represents 81%. The whole proceedings lasted 2 months from preparation to closing.

Genuine acceleration of the treatment. As a matter of fact, out of the 392 cases, only 10 were on crimes committed in 2013, 21 cases in 2012, 78 cases in 2011, 107 cases in 2010, 32 cases in 2009, 30 cases in 2008, 18 cases in 2007, 10 cases in 2006, 5 cases in 2005, 3 cases in 2004 and 1 case in 2003

Challenges

Some challenges are believed to be issues if the initiative was to be extended.

Lack of reference to international and regional instruments on SGB that Burundi has ratified

Poor resources to address SGBV

Perpetrators who are not penalized because the victims refuse to get involved

Difficulties in recovering compensation in the case of perpetrators who do not show up in courts or who are assisted by lawyers.

Risk of reduced quality of results due to the internal organization of jurisdictions where magistrates must close a given number of files per period.

Lessons learnt

Special tribunals for minors and SGBV victims can give access to justice to victims in a timely manner and save the mental integrity of victims

Special tribunals and special sessions constitute an act of accountability for the Ministries of Justice and will induce trust between the Ministry and the seekers of justice

Replication and sustainability

This initiative can be replicated all over Burundi and in the region because it is within the mandate of the Ministries in charge of justice. It is a requirement by Heads of State and bears testimony of their commitment to the issue. The cost of infrastructures can be avoided by using other community infrastructures.

Annex ii: Kenya: Women Enterprise Fund



Women entrepreneurship plays a critical role in the economic development of societies. In its smallest manifestation, it enhances livelihoods within the family while on larger and deeper levels, national wealth accrues. However, for long women entrepreneurs have low business performance compared to their male counterparts. This has been attributed to factors such as lack of credit, saving, education or training and social capital. Kenya is among developing countries which faces similar problems. Microfinance, which emerged in response to the failure of the formal financial system

to reach the poor, has been able to boost her business. The Government of Kenya's introduction of the women enterprise fund was geared towards creating affordable access to finance for Kenya's women facing difficulties accessing existing micro finance institutions (MFIs) and banks. It is a step towards ensuring that funds reach the marginalized populations. Women form part of this marginalized population. Microcredit is firmly associated with the poor women who are the principal borrowers and therefore the principal beneficiaries of such programmes

In Kenya, Women are not only tasked with feeding their families but are also involved in food production through subsistence and smallholders agricultural production, this is confirmed by the Kenya millennium goals status report (Kenya MDG status report, 2009) which states that

70% of the country's marketed agricultural production is contributed by smallholder farmers depending largely on household labour inputs by women. The objective was to create employment and provide supporting services to women entrepreneurs in informal sectors so as to grow them into large business

This case study is in relevance to Article 11 on Economic Empowerment. Member States shall promote and protect the right of every person in the community to employment and an adequate standard of living for the health and well-being of every woman and man and their families, including access to food and necessary social services, the right to security in the event of unemployment, sickness, disability, widowhood and old age. They shall ensure access to credit by women and men, a right to security for all persons working in the formal and informal sector and develop subsidized programmes for creation and sustainability of women's entrepreneurial skills.

The process through which the women enterprise fund (WEF) came to be is that it was initiated in august 2007 through a gazette notice according to the fund's 2009-2012 strategic plan. Each constituency was allocated one million shillings to be shared among women groups under the constituency women enterprise scheme during the 2007/2008 financial year

As part of her efforts to empower its women economically the Kenya government established the fund targeting enterprising women organized in an existing registered groups or individual women with a business idea and supporting them financially. The sector plan for labour, youth and human resources development 2008-2012 produced by the ministry of labour stipulates that the women enterprise fund was established as an initiative to reduce poverty through economic empowerment of women by providing alternative financial services at very reasonable interest rates without the requirement of cumbersome collaterals and other bureaucratic process (Mol, 2009). This confirm that the women enterprise fund is an economic empowerment program initiated by the Kenya government targeting women from two hundred and twenty constituencies in Kenya as at the year 2007. The fund was set up via a legal notice according to the fund's strategic plan (WEF strategic plan 2009-2012), which states that, the Women Enterprise Fund (the Fund) was established through Legal Notice No. 147: Government Financial Management (Women Enterprise Fund) Regulations, 2007 and began its operations in December 2007. The fund materialized when the Kenya government allocated a total of one billion shillings from the exchequer to be disbursed to Kenyan women entrepreneurs organized in a group and individual business women. The establishment of the fund was an essential effort since it has the significance of not only providing finances but also creating employment opportunities for the women enabling them to exploits factors of production such as land which would further enhance food security helping them overcome poverty by earning them a guaranteed regular income.

Challenges faced by Women Enterprise Fund in Kenya are such as microcredit from WEF is normally delayed, where the Ministry of Finance delays in disbursing the money to the constituencies. At the fund level, the fund manager has to wait for other women making payments so as to give the money to other women since it is a revolving loan fund. WEF faces the challenge of inadequate field officer. The WEF officers usually cover large areas spanning several constituencies. Social development assistants are in charge for every division, the social development assistants and the field officers are volunteers who leave after getting better jobs.

Annex iii: Rwanda Amends Law on Maternity Leave

The government of Rwanda in March 2015 approved a law establishing and governing the organization of Maternity Leave Benefits scheme, which is an insurance plan under which working women going on a 12-week maternity leave will be paid their full salary in the last six weeks of their leave³¹.

According to the previous law, mothers were only allowed the right to their full salary during the first half of their maternity leave, while in the second half they were required to surrender 80% of their salary or return to work³². In accordance with the new law, salaries will be calculated through the Maternity Leave Benefits scheme within the existing Rwanda Social Security Board (RSSB), regardless of the type of contract or size of the salary. The social security administration will pay a mother's monthly maternity leave benefits equal to her net salary based on average remunerations declared for her previous last months on work. Under the new law, the total contribution amounts to 0.6% monthly per employee. Every employee, either private or public, will contribute 0.3% of their salary and the employer also contributes 0.3% to the mother's insurance scheme. In case an employee has more than one employer, each of them will make contributions to social security administration based on the salary of the employee. The money in this scheme will be destined to cover the second half of maternity leave of every working mother in the country. In this half which is 6 weeks the mother only used to get 20% of her salary. The law also provides the right to justice whenever the mother is not given what is prescribed for her.

Commenting on the Cabinet resolution, the Minister of Finance and Economic Planning Claver Gatete said that "the Maternity Leave Benefits Scheme comes in to ensure that mothers on Maternity Leave receive their full salaries. It allows mothers to stay home longer to attend to their new-born babies." This will indeed allow mother's more time to care for their babies.

In an interview with Igihe Ltd, Ms Yvonne Mujawabega, the Director of Maternity Leave Benefits Division of the RSSB said that allowing the payments of salaries for the first 12 weeks of maternity leave will enable mothers concentrate on proper upbringing of their babies unlike the past where mothers would be pressured to return to work before their kids were strong enough.

Dr Stevenson Musime, a consultant Pediatrician at King Faisal Hospital explained to Rwanda Today (a regional publication by The East African Newspaper) that the first months of a baby are very crucial adding that the baby is too small and needs a lot of care from its mother and this care is not limited to breastfeeding. He added that the first amendment was not inclusive as it did not support mothers to provide enough care to their babies.

Upon hearing news of the newly amended and approved bill, employed mothers and fathers across the country welcomed the move and spoke of it as a major step in the right direction.



Courtesy photo

Yvonne Uwayisenga, the Deputy Vice-chairperson of the Chamber of Deputies' Committee on Political Affairs and Gender said, in an interview with the Rwanda Focus, that this new law is an advantage to employees who were receiving 20% of their salary in accordance with the previous bill. "This is good news for new

A mother breastfeeds her baby: The new Law on Maternity mothers who will no longer Leave is expected to allow more time for mothers to better struggle with the low pay of care for their babies (including breastfeeding). only 20%. Even the final six weeks of the leave will be paid for in addition to the 30 days recommended by the doctor," said Hon. Uwayisenga.

In an interview with The New Times, the Executive Secretary of Pro-Femmes Twese Hamwe, a women associations' umbrella group in Rwanda, Emma Busingo, said that most mothers used go back to work in the second half of their 12-week maternity leave because they couldn't afford to lose 80 per cent of their monthly pay. "The Fund will help mothers to take a longer rest and take care of their newly born babies. Everyone is waiting for the Fund to start working," she added.



Maria Kaitezi, a mother and an employee Rwanda noted that the new amendment is exciting news for mothers this will help mothers to plan well and provide quality care to their young ones instead of leaving them at home at six weeks when they are still tender and vulnerable at the expense of work.

When asked about what men think of the new law, Edward Musoni, a business owner in Kigali said that today's decisions greatly determine the future of citizens we raise. It is therefore important that the government has made such a good decision in preparation for a better tomorrow. "If we want to raise healthy citizens for our nation, then we should indeed start by encouraging mothers to breastfeed them well at a tender age. The amended law now supports mothers to stay home and take care of their

babies, in the right way without compromising their economic situation," Musoni emphasized.

³¹ http://www.rlrc.gov.rw/fileadmin/templates/photo_gallery/2016/April/ikiruhuko.pdf

³² http://www.mifotra.gov.rw/fileadmin/user_upload/Laws/Sitati_nshya.pdf

ANNEX iv: Uganda: On Return of Bride Price

In Uganda the customary law for a number of communities requires a man to pay bride price before he is given his bride. This practice takes place in traditional marriages and usually until bride price has been paid, the marriage is not recognized. Bride-price and dowry differ. Bride price is a payment usually made by the groom or his family to the family of the bride, whereas dowry is typically paid to the bride or the married couple. (*Mifumi v Attorney General and Kenneth Kakuru*, supra.) Typically, bride-price consists of a contract where material items (often cattle or other animals) or money are paid by the groom to the bride's family in exchange for the bride, her labour and her capacity to produce children (Oguli Oumo, 2004; Hague and Thiara, 2009). It is a culture that has been upheld so much that even today, one needs to ensure he has dowry, as part of the traditional marriage requirements. It is normal to see traditional functions today where the groom and his family bring all sorts of gifts to 'buy' their wife. The perception here is that the man then 'buys' the woman and in so doing 'owns' her. In this regard, when a customary marriage is being dissolved, there is a demand on the return of the bride price, meaning that the family of the girl has to return everything that her suitor had brought to her family as gifts or in this case as 'payment' for the bride.

It is against this that MIFUMI, an NGO and women's rights agency petitioned the Constitutional court on the paying of bride price to validate a customary marriage and the return of bride price upon the dissolution of such a marriage, deeming it as unconstitutional. The argument here was that these conditions were contrary to Article 31 (3) of the Constitution of Uganda, which provides that marriage shall be entered into with the free consent of a man and a woman intending to marry. They also argued that the issue of returning bride price gives men the leeway to treat women as mere possessions. This clearly exacerbates the power struggle, with women in the subordinate position, and is against article 21(1) and (2) of the constitution. MIFUMI also noted that a woman in such a case is portrayed as an item for sale which is prohibited by Article 24 of the constitution.

The position of MIFUMI in this case therefore, is that bride price should be considered optional and not as a key requirement in a customary marriage, and neither should it be refunded. One of the MIFUMI had initially made this petition before the constitutional court in 2007 with the argument that bride price broods gender inequality and domestic violence. The Justices of the court ruled however that there are other causes of violence and that it cannot be pinned solely on the payment of bride price. MIFUMI estimates that 68% of women in Uganda have experienced domestic violence in one way or another and they maintain that bride price contributes highly to this. On the flip side, the judges agreed that refunding bride price compromised the dignity and contribution of a woman in that marriage.

On the 4th of August 2015, the Supreme Court finally gave its ruling on the practice, and ruled in a majority judgment of 6:1 that the practice on refunding of bride price at the dissolution of a customary marriage is unconstitutional and worse still, is "dehumanizing to women". The lead justice Jotham Tumwesigye said it was "unfair" to demand for a refund of bride price from the family of the bride, and further still that chances were high they did not have that property with them or that it could have "changed hands". One of the Justices who consented to the ruling, Justice Bart Katureebe also noted, "The return of bride price connotes that the woman in marriage was some sort of loan. But even in sale, the cliché is that goods once sold cannot be returned or goods once used cannot be refunded. If that cannot be done in respect to common goods like cows, why should it be applied to a woman in marriage?"

This ruling could also mean that women no longer have to stay in abusive relationships as they wait for their parents to refund the bride price. After several years, more hope for gender equality and a means to an end of all forms of violence against women.



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