



SSRC



**APN Briefing Note
Number 4
January 2016**

The African Union's Gender, Peace, and Security Mechanisms: *Policy Options for Protecting Women in Conflict*

Hussaina J. Abdullah¹

RECOMMENDATIONS

- **Ensure the full signing and ratification of the Maputo Protocol** before the end of 2016, which has been declared the year for women's rights in Africa, enforce the submission of reports on the Protocol, and engage more closely with national and regional civil society organizations to monitor the domestication process.
- **Apply its gender equality principle across all the APSA pillars** to ensure that women's concerns and realities are integrated in its WPS agenda.
- **Strengthen the legal framework for SGBV** to enable the prosecution and conviction of violators and end impunity.
- **Introduce and apply gender quotas for women's participation** and representation in decision-making structures in conflict resolution and post-war governance mechanisms.
- **Develop coordinated institution-wide women's rights** and gender equality strategies and promote an enabling working environment among the various departments promoting the organization's WPS agenda.

This brief addresses the mechanisms of the African Union (AU) for protecting and promoting women's rights during conflict and their participation in post-conflict peacebuilding processes. These mechanisms can be found in the policy frameworks and structures of the Protocol Relating to the Establishment of the Peace and Security Council of the African Union (the PSC Protocol) of 2002, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol), adopted in 2003, and the Solemn Declaration on Gender Equality in Africa (SDGEA) of 2004. Other mechanisms include the AU Action Plans on Gender Mainstreaming in peace and security, as well as a special rapporteur on women's rights, appointed in 1999, a special envoy on women, peace, and security, appointed in 2014, and the AU's Five-Year (2015–2020) Gender, Peace, and Security Programme.

While the AU scores high on de jure instruments designed to improve the legal framework for women's rights and gender equality, the evidence suggests less progress in terms of the de facto practices directed toward their implementation. For example, the Maputo Protocol—the African Women's Bill of Rights—whose full ratification and enforcement were envisaged by 2015 and its domestication by 2020—has not been ratified by fourteen member states,² and two countries, Botswana and Egypt, have not even signed the instrument. Even some of the countries that ratified it did so with reservations.³

¹**Hussaina J. Abdullah** is an independent researcher and consultant. Dr. Abdullah has undertaken several consultancies and participated in research networks promoting gender equality and women's rights in various postwar societies across the African continent. She can be contacted at hussainatu@gmail.com

²Algeria, Burundi, Central Africa Republic, Chad, Ethiopia, Madagascar, Mauritius, Niger, Sahrawi Arab Democratic Republic, Sao Tome and Principe, Somalia, South Sudan, Sudan, and Tunisia.

³Article 14 on sexual and reproductive health and rights and Article 21 on land inheritance.

Furthermore, while member states are also expected to send biennial reports on the implementation processes in their respective countries, only Malawi had complied with this provision as of December 2015. And although the protocol demands the protection of women against violence in war and in peace times, reports indicate the continued perpetration with impunity of sexual- and gender-based violence (SGBV) against women in conflict-affected settings.

The PSC protocol, the normative framework on which the African Peace and Security Architecture (APSA)⁴ is based, recognizes the need to protect women from violence in conflict-affected areas, but in doing so it makes them appear as mostly passive victims of war. An approach is needed that recognizes women can be perpetrators of violence as well as agents of change promoting peace and reconciliation. The integration of an all-encompassing organizational gender strategy to guide the AU's work in conflict and post-conflict situations will strengthen effectiveness in conflict-affected societies with regard to the women, peace, and security (WPS) goals of participation in post-conflict governance; protection from SGBV and acts of impunity; prevention of the abuse of women, girls, and children; and the promotion of gender equality.

The mandate of the AU's special envoy on WPS to "ensure that the voices of women and the vulnerable are heard much more in peacebuilding and in conflict resolution" is both timely and relevant. Priority should be given to coordinating mechanisms for an Africa-centered gender, peace, and security framework and to promoting synergies among women's organizations, national governments, and peace support operations to ensure the implementation of actions that make a difference in the lives of women in conflict-affected countries. The special envoy should also engage closely with stakeholders to ensure full domestication of the Maputo Protocol is achieved by 2020.

In sum, although the AU has made some progress in establishing a gender, peace, and security framework to ensure the protection of women's rights and promote gender equality in conflict and post-conflict settings, some gaps and coordination challenges continue to limit its effectiveness. Gender mainstreaming mechanisms across the peace and security sector, including capacity building initiatives, need to be addressed critically to prevent the continued violation of women's physical and bodily integrity in conflict-affected and post-conflict countries.

TO ACCOMPLISH THIS, THE AFRICAN UNION SHOULD DO THE FOLLOWING:

- Ensure the full signing and ratification of the Maputo Protocol before the end of 2016, which has been declared the year for women's rights in Africa, enforce the submission of reports on the Protocol, and engage more closely with national and regional civil society organizations to monitor the domestication process.
- Apply its gender equality principle across all the APSA pillars to ensure that women's concerns and realities are integrated in its WPS agenda.
- Strengthen the legal framework for SGBV to enable the prosecution and conviction of violators and end impunity.
- Introduce and apply gender quotas for women's participation and representation in decision-making structures in conflict resolution and post-war governance mechanisms.
- Develop coordinated institution-wide women's rights and gender equality strategies and promote an enabling working environment among the various departments promoting the organization's WPS agenda.

⁴The collective pillars that constitute the AU's peace and security framework outlined in its 2000 Constitutive Act and the 2002 Peace and Security Protocol.