



**A SCORECARD FOR THE EVALUATION OF PROGRESS MADE  
BY THE STATE IN THE IMPLEMENTATION OF THE  
PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND  
PEOPLES' RIGHTS ON THE RIGHTS OF WOMEN IN AFRICA  
(MAPUTO PROTOCOL)**



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## ACRONYMS

ACHPR	African Charter on Human and Peoples' Rights
AUC	African Union Commission
CAJ	Commission on Administrative Justice
CCGD	Collaborative Centre for Gender and Development
CDF	Consultative Dialogue Framework
COK	Constitution of Kenya
EACSO	East African Civil Society Organizations Forum
FGM/C	Female Genital Mutilation/ Cutting
GBV	Gender-Based Violence
GVRC	Gender Violence Recovery Centers
KEMRI	Kenya Medical Research Institute
KICD	Kenya Institute of Curriculum Development
KLRC	Kenya Law Reform Commission
KNBS	Kenya National Bureau of Statistics
KRA	Kenya Revenue Authority
MCK	Media Council of Kenya
NCPWD	National Council for Persons with Disability
NEMA	National Environment Management Authority
NGEC	National Gender and Equality Commission
NLC	National Land Commission
OAG	Office of the Attorney General
ODPP	Office of Director of Public Prosecution
OVC	Orphans and Vulnerable Children
PWD	Persons with Disabilities
REINVENT	Reducing Insecurity and Violent Extremism in Northern and Coastal Regions of Kenya Programme
SGBV	Sexual and Gender-Based Violence
TSC	Teachers Service Commission
WGDD	Women, Gender and Development Directorate

## FOREWORD

Kenya is a signatory to international and regional human rights instruments that protect and promote the rights of women, youth, Persons with Disabilities (PWD), minority and marginalized groups, children and older members of society among other special interest groups. Article 2(6) of the Constitution of Kenya, 2010, provides that any treaty or convention ratified by Kenya shall form part of the law of Kenya.

The National Gender and Equality Commission (NGEC) is mandated to among other functions, act as the principal organ of the State in ensuring compliance with all treaties and conventions ratified by Kenya relating to issues of equality and freedom from discrimination and relating to special interest groups. To comprehensively perform this function, NGEC and its stakeholders, as well as government agencies responsible for the implementation of the treaties and convention, requires tools to measure and track progress made over time.

Kenya is a party to the Africa Union Maputo Protocol (African Charter on Human and Peoples' Rights on the Rights of Women in Africa). Countries that have ratified the protocol are required to send periodic reports every second year to the African Commission on Human and People's Rights. This Scorecard has been developed to aid Kenya and the other East African States in providing accurate and objective reports on Maputo Protocol. The scorecard provides the reporting country with a framework for collecting data and objectively measuring its performance on specific articles and provisions of the protocol. The scorecard was prepared through an intensive participatory process. Throughout the development process of this scorecard, the National Gender and Equality Commission (NGEC) partnered with the Collaborative Centre for Gender and Development (CCGD) which acts as the non-state gender thematic lead for East African Civil Society Organizations Forum (EACSOFF-Kenya Chapter). The draft scorecard was then subjected to validation with a wide range of stakeholders, and later to a detailed review by the State Department for Gender in the Ministry of Public Service and Gender.

The introduction of this scorecard to Kenya gender implementation and monitoring fraternity re-position Kenya in the continent by joining few other countries such as Ghana and Liberia that have formulated localized Maputo Protocol Implementation Measurement Scorecard. This scorecard is also expected to complement in scope and content the proposed Maputo Protocol Scorecard and Index (MPSI) Framework: A COVID-19 Response and Recovery Monitoring and Implementation Tool currently under development within the leadership of the African Union Commission (AUC)'s Women, Gender and Development Directorate (WGDD).

I am therefore delighted to present this score card to the national and county gender mainstreaming implementation machinery and all stakeholders involved in the monitoring implementation of the Maputo Protocol. I hope that once put into use, this tool will enrich the State reporting process and assist the State in fulfilling its human rights commitments on women, and girls.



Dr. Joyce M. Mutinda (PhD)  
**Chairperson**

## ACKNOWLEDGEMENTS

I acknowledge the collective efforts of several institutions including government ministries, agencies, departments, civil society organizations, and county governments under the leadership of the National Gender and Equality Commission (NGEC) towards the development of this scorecard. This tool was developed to support the country objectively evaluate progress made by the state in the implementation of the protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol).

I am particularly indebted to the team drawn from the State Department for Gender, Ministry of Public Service and Gender, the State Department of East African Community Integration, Ministry of Eastern Africa Community and Regional Integration, Office of the Attorney General, the Office of High Commission of the United Republic of Tanzania to the Republic of Kenya, REINVENT (Reducing Insecurity and Violent Extremism in Northern and Coastal Regions of Kenya Programme), Collaborative Centre for Gender and Development (CCGD), and the East African Civil Society Organizations Forum (EACSOF-Kenya Chapter) for your invaluable contributions that enriched the structure and content of the final scorecard.

I thank the technical committee that comprised of Paul Kuria, Winfred Mutindi Wambua, Tabitha Nyambura, Josephine Kagucia from the National Gender and Equality Commission, Jacinta Makokha, the gender technical officer of REINVENT, Masheti Masinjila Executive Director and Milka Kariuki, gender lead officer from CCGD for their overall guidance and technical input in the entire process of developing this tool.

I wish to thank Dr Joyce Mutinda (PhD), the Chairperson of NGEC, Dr Chomba Munyi (PhD), the Vice-Chairperson and Commissioner Hon. Priscilla Kanyua for their policy and strategic guidance during the development process of this scorecard.

Finally, I extend our sincere gratitude to the Foreign, Commonwealth and Development Office (FCDO) through REINVENT Programme for financial support in the development of this score card. Many thanks to MasterCard Foundation through CCGD for your technical and financial support towards publishing this document.

Thank You



Betty Sungura-Nyabuto, MBS

**Commission Secretary/Chief Executive Officer**

## EXECUTIVE SUMMARY

The Maputo Protocol was adopted by the African Union on 11<sup>th</sup> July 2003 as a protocol to the African Charter on Human and Peoples' Rights. Kenya signed the Protocol on 17<sup>th</sup> December 2003 and **ratified it on October 13, 2010**. The Protocol entered into force on 25<sup>th</sup> November 2005, having been ratified by the required 15 member nations of the African Union.

Countries that have ratified the protocol are required to send periodic reports every second year to the African Commission on Human and People's Rights (ACHPR). The Commission reverts to the countries citing core concerns and recommendations to which these countries are obligated to give feedback within two (2) years.

This Scorecard has been developed to aid Kenya and the other East African States in reporting on Maputo Protocol. It was prepared through a collaborative effort between National Gender and Equality Commission (NGEC) and Collaborative Centre for Gender and Development (CCGD) that acts as the gender thematic lead for the East African Civil Society Organizations Forum (EACSOF-Kenya Chapter). It was then subjected to validation by key State and Non-State Actors and considered satisfactory in guiding the reporting.

The scorecard is structured in terms of a matrix of six columns: Article number, content, assessment questions, a binary YES and NO, column, score and notes. The parameters that determine the score include measures, laws and policies undertaken by a country. In terms of the score value, a scale of 1-5 is suggested where 1 represents absolutely no verifiable evidence while 5 represents the highest and best verifiable evidence. What each value score represents is described elsewhere in this report.

## BACKGROUND

The Maputo Protocol is a legal framework negotiated by Africans for Africans. On 11<sup>th</sup> July 2003 during the second summit of the African Union in Maputo, Mozambique, the AU adopted the Maputo Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. The protocol entered into force on 25<sup>th</sup> November 2005, having been ratified by the required 15<sup>1</sup> member nations of the African Union. Kenya signed the Protocol on 17<sup>th</sup> December 2003 and ratified it on 13<sup>th</sup> October 2010.

The Protocol addresses the contextual realities of girls and women in Africa. It is hailed as progressive because, for the first time in the history of women's rights, it specifically addresses violence against women in Article 3, female genital mutilation in Article 5, and the rights of women living with HIV/AIDs in Article 14 {(1) (d) and (e)}, amongst other issues.

Article 1 of the Maputo Protocol is introductory, 2-26 are obligatory Articles and 27-32 are administrative Articles with the following themes: Harmful cultural practices; Marriage; Violence Against Women; Health and reproductive rights; Property, housing right; Decision Making and public participation; Access to justice; Labour rights; The right to education; Displacement; Agriculture; and Mining.

In a continent where the gendered effects of disruptive conflict and terrorism are evident, the right to peace is an important feature of the Protocol. On the basis that harmful cultural practices, traditions and gender-specific stereotypes continue to entrench discrimination against women, the right to a positive cultural context is a unique aspect of this important instrument. In recognition that some girls and women face multiple forms of discrimination owing to their age, status and health, the Protocol covers the rights of elderly women, widows and persons with disabilities.

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<sup>1</sup> Benin, Cape Verde, Comoros, Djibouti, Gambia, Libya, Lesotho, Malawi, Mali, Mozambique, Mauritania, Namibia, Nigeria, Rwanda, South Africa, Senegal, and Togo



## THE SCORECARD

The African Commission on Human and People's Rights has the mandate to monitor implementation of the Protocol through the member States' submission of periodic reports under the African Charter. Countries are required to send periodic reports every second year to the ACHPR. The Commission is then to send back reports and core concerns and recommendations to countries that are obligated to give feedback within two (2) years on the implementation of the recommendations.

This Scorecard will be used as a performance management tool in the assessment of Kenya's enactment, enforcement and implementation of the Maputo Protocol to compare the strategic goals against results and aid in the biennial reporting obligations to the African Union's Committee on the Protocol of the African Charter on Human and Peoples Rights on the Rights of Women in Africa.

The Scorecard follows the Protocol chronology of the Obligatory articles outlined in the table below.

MAPUTO PROTOCOL OBLIGATORY ARTICLES
<ul style="list-style-type: none"><li>➤ Article 2: Elimination of Discrimination Against Women</li><li>➤ Article 3: Right to Dignity</li><li>➤ Article 4: The Rights to Life, Integrity and Security of the Person</li><li>➤ Article 5: Elimination of Harmful Practices</li><li>➤ Article 6: Marriage</li><li>➤ Article 7: Separation, Divorce and Annulment of Marriage</li><li>➤ Article 8: Access to Justice and Equal Protection before the Law</li><li>➤ Article 9: Right to Participation in the Political and Decision-Making Process</li><li>➤ Article 10: Right to Peace</li><li>➤ Article 11: Protection of Women in Armed Conflicts</li><li>➤ Article 12: Right to Education and Training</li><li>➤ Article 13: Economic and Social Welfare Rights</li><li>➤ Article 14: Health and Reproductive Rights</li><li>➤ Article 15: Right to Food Security</li><li>➤ Article 16: Right to Adequate Housing</li><li>➤ Article 17: Right to Positive Cultural Context</li><li>➤ Article 18: Right to a Healthy and Sustainable Environment</li><li>➤ Article 19: Right to Sustainable Development</li><li>➤ Article 20: Widows' Rights</li><li>➤ Article 21: Right to Inheritance</li><li>➤ Article 22: Special Protection of Elderly Women</li><li>➤ Article 23: Special Protection of Women with Disabilities</li><li>➤ Article 24: Special Protection of Women in Distress</li><li>➤ Article 25: Remedies</li></ul>

These Obligatory articles broadly cover the following thematic areas:

- (i) Harmful cultural practices;
- (ii) Marriage;
- (iii) Violence against women;
- (iv) Health and reproductive rights;
- (v) Property and housing right;
- (vi) Decision making and public participation;
- (vii) Access to justice;
- (viii) Labour rights;
- (ix) The right to education;
- (x) Displacement;
- (xi) Agriculture and
- (xii) Mining

The Scorecard is structured in terms of a matrix of six columns: Article Number, Article Content, and Assessment Questions, a binary YES or NO response column, followed by a scoring scale on a well-defined value range of 0-5 and an additional column on notes.

On this scale 1- represents absolutely no verifiable evidence available or observable while 5 represent the fullest extent of evidence available and observable. The scale captures the basis for the determination of the value score.

5	The fullest extent of verifiable evidence.
4	Good measure of verifiable evidence with less debilitating omissions
3	Moderate evidence in terms of policy and intention but limited operational procedures to match
2	Very limited verifiable evidence in both policy intention and operational procedures.
1	No observable or verifiable evidence at all

The Scorecard was prepared through a systematic and collaborative process. The National Gender and Equality Commission (NGEC) through its partnership with Collaborative Centre for Gender and Development (CCGD) that acts as the gender thematic lead for East African Civil Society Organizations Forum (EACSOF -Kenya Chapter) subjected the development process to gender sector multi- stakeholder actors to discuss and review the Maputo Protocol and its provisions to come up with the Scorecard.

## Critical actors/key stakeholders including:

State Actors
<ol style="list-style-type: none"><li>1. Ministry of East African Community and Regional Integration</li><li>2. Ministry of Education</li><li>3. Ministry of Health</li><li>4. Ministry of Defence</li><li>5. Ministry of Housing</li><li>6. Ministry of Foreign Affairs</li><li>7. Ministry of Water</li><li>8. Ministry of Agriculture</li><li>9. Ministry of Environment</li><li>10. State Department for Labour</li><li>11. State Department for Social Protection</li><li>12. State Department for Gender</li><li>13. The National Treasury</li><li>14. Department of Children Services</li><li>15. Council of Governors</li><li>16. Judiciary</li><li>17. National Gender and Equality Commission (NGEC)</li><li>18. Commission on Administrative Justice (CAJ)</li><li>19. Kenya National Commission on Human Rights</li><li>20. Kenya Law Reform Commission</li><li>21. Teachers Service Commission</li><li>22. Office of Director of Public Prosecution (ODPP)</li><li>23. Anti-FGM Board</li><li>24. National Council for Persons with Disability</li><li>25. Anti-Human Trafficking and Child Protection Unit</li><li>26. Kenya Institute of Curriculum Development</li><li>27. Kenya Medical Research Institute (KEMRI)</li><li>28. The National Environment Management Authority (NEMA)</li><li>29. National Land Commission</li><li>30. Media Council Of Kenya</li><li>31. Kenya National Bureau of Statistics</li><li>32. Kenya Revenue Authority</li><li>33. Office of the Attorney General</li><li>34. Parliament</li><li>35. Ministry of Interior and Coordination of National Government- National Police Service (NPS) and National Government Administration Officers (NGAO) includes: Regional Commissioners, County Commissioners, Chiefs and Assistant Chiefs</li></ol>
Non-State Actors and UN Agencies
<ol style="list-style-type: none"><li>1. Nairobi Women's Hospital Gender Violence Recovery Centre (GVRC)</li><li>2. Coffey International Development Limited</li><li>3. Equality Now</li><li>4. International Development Law Organization (IDLO)</li><li>5. Law Society of Kenya</li><li>6. The United Nations Development Programme (UNDP)</li><li>7. The United Nations Entity for Gender Equality and the Empowerment of Women (UN Women)</li><li>8. The United Nations Population Fund (UNFPA)</li><li>9. The United Nations Children's Fund (UNICEF)</li><li>10. The Office of the United Nations High Commissioner for Human Rights (UN OHCHR)</li></ol>

## **NATIONAL GENDER AND EQUALITY COMMISSION (NGEC)**

The National Gender and Equality Commission (NGEC) is a Constitutional Commission established by the National Gender and Equality Commission Act, No. 15 of 2011, under Article 59 (4) & (5) of the Constitution of Kenya, 2010. The mandate of the Commission is to promote gender equality and non-discrimination for all persons in Kenya with a focus on the following Special Interest Groups (SIGs): women, persons with disability, children, youth, and older members of society, minority and marginalized groups.

The functions of the Commission are as provided in Section 8 of the National Gender and Equality Commission Act 2011, which are to:

- a. promote gender equality and freedom from discrimination under Article 27 of the Constitution;
- b. monitor, facilitate and advise on the integration of the principles of equality and freedom from discrimination in all national and county policies, laws, and administrative regulations in all public and private institutions;
- c. act as the principal organ of the State in ensuring compliance with all treaties and conventions ratified by Kenya relating to issues of equality and freedom from discrimination and relating to special interest groups including minorities and marginalized persons, women, persons with disabilities, and children;
- d. co-ordinate and facilitate mainstreaming of issues of gender, persons with disabilities and other marginalized groups in national development and advise the Government on all aspects thereof;
- e. monitor, facilitate and advise on the development of affirmative action implementation policies as contemplated in the Constitution;
- f. investigate on its own initiative or based on complaints, any matter in respect of any violations of the principle of equality and freedom from discrimination and make recommendations for the improvement of the functioning of the institutions concerned;
- g. work with other relevant institutions in the development of standards for the implementation of policies for the progressive realization of the economic and social rights specified in Article 43 of the Constitution and other written laws;
- h. co-ordinate and advise on public education programmes for the creation of a culture of respect for the principles of equality and freedom from discrimination;
- i. conduct and co-ordinate research activities on matters relating to equality and freedom from discrimination as contemplated under Article 27 of the Constitution;
- j. receive and evaluate annual reports on progress made by public institutions and other sectors on compliance with constitutional and statutory requirements on the implementation of the principles of equality and freedom from discrimination;
- k. work with the Kenya National Commission on Human Rights, the Commission on Administrative Justice and other related institutions to ensure efficiency, effectiveness and complementarity in their activities and to establish mechanisms for referrals and collaboration in the protection and promotion of rights related to the principle of equality and freedom from discrimination;
- l. prepare and submit annual reports to Parliament on the status of implementation of its obligations under this Act;
- m. conduct audits on the status of special interest groups including minorities, marginalized groups, persons with disabilities, women, youth and children;
- n. establish, consistent with data protection legislation, data bases on issues relating to equality and freedom from discrimination for different affected interest groups and produce periodic reports for national, regional and international reporting on progress in the realization of equality and freedom from discrimination for these interest groups;
- o. perform such other functions as the Commission may consider necessary for the

- promotion of the principle of equality and freedom from discrimination; and
- p. Perform such other functions as may be prescribed by the Constitution and any other written law.

### **EAST AFRICAN CIVIL SOCIETY ORGANIZATIONS' FORUM (EACSOF)**

The East African Civil Society Organizations' Forum (EACSOF) Kenya Chapter is a membership Non-Governmental Organization for civil society organizations operating in Kenya. Its primary mission is to provide a platform and catalyse a critical mass of organized civil society to engage in need-driven, people-centred East Africa integration and cooperation process effectively and proactively for equitable and sustainable development.

EACSOF envisions a future for people built on self-determination with citizens in control of the social, economic and political capital. EACSOF is recognized as a representative body under the Consultative Dialogue Framework (CDF) adopted by the East African Community (EAC) Council of Ministers for Private Sector, Civil Society and Other Interest Groups during its 26th Meeting (EAC/CM26/DECISION 06). This decision aimed to create an enabling environment for Private Sector and Civil Society Participation in the integration process.

## PART ONE: OBLIGATORY SECTION

### ARTICLE 2: ELIMINATION OF DISCRIMINATION AGAINST WOMEN

States Parties shall combat all forms of discrimination against women through appropriate legislative, institutional and other measures:								
The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes	
<b>2 (a)</b>	Include in their national constitutions and other legislative instruments, the principle of equality between women and men and ensure its effective application;	(i) Does the constitution uphold the principle of sex/gender equality?						
		(ii) Are there specific laws addressing gender/sex inequality?						
		(iii) Do the legislative instruments uphold the constitutional provisions on gender/sex equality?						
		(iv) Do the laws provide for appropriate measures to discourage the promotion of inequality practices and behaviour?						
		(v) What are examples of punitive measures contained in the law that discourage discrimination?						
		(vi) Is there data on cases?						
		(vii) Are there cases/ convictions recorded in the past 2 years (before the reporting period)?						
<b>2 (b)</b>	Enact and effectively implement appropriate legislative or regulatory measures, including those	(i) Are there general laws against general or gender-specific harmful practices?						
		(ii) Are there laws against practices that endanger the health of women and girls?						

	prohibiting and curbing all forms of discrimination particularly those 5 harmful practices which endanger the health and general well-being of women;	(iii) Do the laws provide for punitive measures against perpetrators commensurate with crimes committed?				
		(iv) Are there records of any cases in the past 2 years against perpetrators of harmful practices against women (before the reporting period) Convictions?				
<b>2 (c)</b>	Integrate a gender perspective in their policy decisions, legislation, development plans, programmes and activities and in all other spheres of life;	(i) Is a national gender policy that mandates obligatory gender mainstreaming across sectors in place? (ii) Is the national policy matched by commensurate funding and/ or budgetary provision? (iii) Does the gender policy have an implementation/action plan? (iv) Does the policy have a monitoring and evaluation framework? Is it funded? (v) Does the policy provide for an information system and reporting that tracks the status of policy implementation and outcomes?				
<b>2 (d)</b>	Take corrective and positive action in those areas where discrimination against women in law and fact continues to exist;	(i) Is there a government department/commission or special court or other mechanisms specifically mandated to deal with cases of (gender-based) discrimination on a day to day basis? (ii) Are there spelt out mechanisms that identify and deals with inconsistencies in LAWS that address gender discrimination? (iii) Are there affirmative action policies and programmes in place to address past discriminations?				
		(iv) Do such mechanisms have the authority to take corrective action?				
<b>2 (e)</b>	Support the local, national, regional and continental	(i) Is there a national legal framework to address discrimination against women in all spheres of life?				

	<p>initiatives directed at eradicating all forms of discrimination against women.</p>	<p>(ii) Is the government signatory to regional and international protocols and treaties against gender/sex-based discrimination?</p> <p>(iii) Has it ratified and domesticated them?</p> <p>(iv) Is there any evidence of the implementation of the protocols?</p> <p>(v) Does the government effectively participate in international symposia/conferences on such treaties?</p> <p>(vi) Does the government comply with reporting requirements?</p>				
<p><b>2.2</b></p>	<p>States Parties shall commit themselves to modify the social and cultural patterns of conduct of women and men through public education, information, education and communication strategies, to achieve the elimination of harmful cultural and traditional practices and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or stereotyped roles for women and men.</p>	<p>(i) Are there public education, information, education and communication strategies, that seek to eliminate harmful cultural and traditional practices?</p> <p>(ii) Is there a specific budget for such communication activities?</p> <p>(iii) Is there information on the number of people reached?</p>				



### ARTICLE 3: RIGHT TO DIGNITY

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>3.1</b>	Every woman shall have the right to dignity inherent in a human being and to the recognition and protection of her human and legal rights.	(i) Does the constitution uphold the principle of sex/gender equality?					
		(ii) Are there specific laws addressing gender/sex inequality?					
		(iii) Do the laws uphold the constitutional provisions on gender/sex equality?					
		(iv) Do the laws provide for appropriate measures to discourage the promotion of inequality practices and behaviour?					
		(v) What are examples of punitive measures contained in the law that discourage discrimination?					
		(vi) Is there data on cases?					
		(vii) Are there, cases/ convictions recorded in the period before the reporting)?					
<b>3.2</b>	Every woman shall have the right to respect as a person and to the free development of her personality.	(i) Are there general laws against general or gender-specific harmful practices?					
		(ii) Does this include initiatives for the development of women concerning her right to respect as a person and the free development of her personality?					
		(iii) Are there special institutions for this purpose?					
		(iv) Is there adequate information and documentation on the number and extent of women's realization of these rights?					

<b>3.3</b>	States Parties shall adopt and implement appropriate measures to prohibit any exploitation or degradation of women.	<p>(i) Does the national gender policy mandate the adoption and implementation of appropriate measures to prohibit any exploitation or degradation of women across sectors in place?</p> <p>(ii) Does the gender policy have an implementation/action plan?</p> <p>(iii) Does it have a monitoring and evaluation framework?</p> <p>(iv) Is it funded?</p> <p>(v) Does it provide for a reporting system and status reports?</p>			
<b>3.4</b>	States Parties shall adopt and implement appropriate measures to ensure the protection of every woman's right to respect for her 6 dignities and protection of women from all forms of violence, particularly sexual and verbal violence.	<p>(i) Are there specific laws that describe and prohibit SGBV?</p> <p>(ii) Are there policies/guidelines action plans and mechanisms for combating SGBV and are they adequately funded?</p> <p>(iii) Are there special bodies set up to look into different aspects of SGBV under different circumstances?</p> <p>(iv) Are there laws and policies against sexual harassment?</p> <p>(v) Are there other special IEC against sexual harassment?</p>			

## ARTICLE 4: THE RIGHTS TO LIFE, INTEGRITY AND SECURITY OF THE PERSON

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
4.1	Every woman shall be entitled to respect for her life, integrity and security. All forms of exploitation, cruelty, inhuman or degrading punishment and treatment shall be prohibited	<p>(i) Are the norms and practices in traditional, cultural, public and private space in alignment with this article?</p> <p>(ii) Are these practices verifiably identified and documented both in the rural and urban setting.</p>					
4.2 (a)	Enact and enforce laws to prohibit all forms of violence against women including unwanted or forced sex whether the violence takes place in private or public;	<p>(i) Are there laws specific to the forms of violence? Are the laws purposively enacted to address SGBV/VAWG or are they part of a larger body of laws of general violence?</p> <p>(ii) Is the content adequate and does it responds to the demands of this article?</p> <p>(iii) How many articles are there? List them or identify thematic coverage.</p>					
4.2 (b)	Adopt such other legislative, administrative, social and economic measures as may be necessary to ensure the -prevention, punishment and eradication of all forms of violence against women;	<p>(i) Are there SGBV Policies, rehabilitation and recovery programmes? If yes identify and specifically list them as itemized.</p> <p>(ii) Are there measures in place to prevent, punish and eradicate cases of SGBV?</p>					

<b>4.2 (c)</b>	Identify the causes and consequences of violence against women and take appropriate measures to prevent and eliminate such violence;	<p>(i) Is there State-sponsored or private sponsored research that has been conducted to respond to this article?</p> <p>(ii) Is there any evidence that the data is being used to fight SGBV?</p> <p>(iii) Are there measures, legal and other adequate means that have been taken based on the data to eliminate SGBV? (Give examples of these measures)</p>			
<b>4.2 (e)</b>	Punish the perpetrators of violence against women and implement programmes for the rehabilitation of women victims;	<p>(i) Are there measures to punish perpetrators of SGBV?</p> <p>(ii) How many cases were reported in the reporting year?</p> <p>(iii) How many reported cases were prosecuted in the reporting year?</p> <p>(iv) How many reported cases were convicted and for what crimes?</p> <p>(v) Are there rehabilitative measures in place for the survivors?</p> <p>(vi) What are the measures?</p>			
<b>4.2 (f)</b>	Establish mechanisms and accessible services for effective information, rehabilitation and reparation for victims of violence against women;	<p>(i) Do you have policies/guidelines on the care and rehabilitation of survivors?</p> <p>(ii) What types of rehabilitation facilities do you have? How many of each type do you have, who owns/runs them and where are they located?</p> <p>(iii) Are there measures in place to inform people on where to seek help? In what form?</p> <p>(iv) Are there measures to ensure that victims speak out and are not stigmatized? What are the measures?</p> <p>(v) Are there service centres for counselling, recovery and rehabilitation of SGBV victims both in urban and rural communities?</p> <p>(vi) How many women/girls have been rehabilitated in the last two years?</p>			

<b>4.2 (g)</b>	Prevent and condemn the trafficking of women, prosecute the perpetrators of such trafficking and protect those women who are at risk.	<p>(vii) What proportion of these is from reported cases?</p> <p>(i) Are there specific laws against human trafficking?</p> <p>(ii) Are the provisions adequate and spelt out punitive &amp; protection/rehabilitation/restitution/ measures?</p> <p>(iii) Are there institutions or agencies set up to deal with issues relating to human trafficking?</p> <p>(iv) Are there awareness programs both at the national and sub-national level that prevent and dissuade young women from trafficking?</p> <p>(v) Are there rehabilitation programs and policy for victims of trafficking?</p> <p>(vi) Are there records of the number of women saved from trafficking?</p> <p>(vii) Are there victim care services for those saved from trafficking?</p> <p>(viii) Are there records of prosecution of perpetrators and victims recovered and rehabilitated?</p>			
<b>4.2 (h)</b>	Prohibit all medical or scientific experiments on women without their informed consent	<p>(i) Are there medical ethics, regulations and controls that speak to this article specific to women?</p> <p>(ii) Are there measures in place to inform medical workers of this clause?</p> <p>(iii) Identify/ list the measures in place to inform medical workers of this clause</p> <p>(iv) Are there measures in place to inform study/research participants on clause?</p> <p>(v) If yes, list them.</p>			
<b>4.2 (i)</b>	Provide adequate budgetary and other resources for the implementation and monitoring of actions aimed at preventing	<p>(i) Is the SGBV budget a priority to the government? Is it identified under specific sector budget lines?</p> <p>(ii) What is the amount/percentage of budgetary allocation to SGBV programmes and what proportion does this represent in the agency budget?</p>			

	and eradicating violence against women;	(iii) Is there a monitoring mechanism within the government agency implementing laws and policies around SGBV?					
		(iv) Are there laws/policies measures to account for SGBV programs to parliament or/and other accountability organs?					
		(v) (Specify laws, Policies, accountability institutions/ measures.					
<b>4.2 (j)</b>	Ensure that, in those countries where the death penalty still exists, not to carry out death sentences on pregnant or nursing women	(i) Are there provisions within the criminal laws of the country that deal with this article/death penalty?					
		(ii) Are there other (including administrative) measures in place to guarantee fair hearing for women in those countries where the death penalty still exist?					
<b>4.2 (k)</b>	Ensure that women and men enjoy equal rights in terms of access to refugee status determination procedures and that woman refugees are accorded full protection and benefits guaranteed under international refugee law, including their own identity and other documents.	(i) Are there laws/policies on the protection of refugees and internally displaced persons?					
		(ii) Are there specific provisions specific to women/girls?					
		(iii) Are there other measures to take care of specific interests/circumstances of women?					
		(iv) Are the policies/laws implemented?					
		(v) What measures are taken to guarantee the protection of women in the refugee and internally displaced persons (IDP) camps?					
		(vi) (list specific laws/ policies/institutions/facilities/ measures)					

## ARTICLE 5: ELIMINATION OF HARMFUL PRACTICES

**State Parties shall prohibit and condemn all forms of harmful practices which negatively affect the human rights of women and which are contrary to recognized international standards. States Parties shall take all necessary legislative and other measures to eliminate such practices, including:**

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>5 (a)</b>	Creation of public awareness in all sectors of society regarding harmful practices through information, formal and informal education and outreach Programmes;	(i) Are there public education, information, education and communication strategies, that seek to eliminate harmful cultural and traditional practices?					
		(ii) Are they implemented through specific action plans and campaigns? List the specific action plans and campaigns					
<b>5 (b)</b>	Prohibition, through legislative measures backed by sanctions, of all forms of female genital mutilation, scarification, medicalization and para-medicalization of female genital mutilation and all other practices to eradicate them;	(i) Are there laws specifically prohibiting FGM and punishing all perpetrators including medical officers/personnel?					
		(ii) Are these prohibition and legislative measures backed by punitive sanctions such as arrests and prosecutions as well as deregistration of practitioners and facilities found culpable?					
		(iii) Is there a record of any such cases and deregistered facilities?					
		(iv) Is FGM specifically prohibited in the medical regulations of health staff?					
<b>5 (c)</b>	Provision of necessary support to victims of harmful practices through basic services such as health services, legal and judicial support, emotional and psychological counselling as well	(i) Are medical staff trained to deal with the health effects of FGM including treatment and psycho-social support?					
		(ii) Is there provision for both clinical and psycho-social support for victims of FGM?					

	as vocational training to make them self-supporting;	(iii) Are there special services such as safe houses for victims of FGM? (iv) Are there institutions set up to support the communities in reinforcing the criminalization?					
<b>5 (d)</b>	Protection of women who are at risk of being subjected to harmful practices or all other forms of violence, abuse and intolerance.	(i) Are there policies and guidelines for the protection of women at risk of harmful practices and other forms of SGBV? (ii) Is there provision of appropriate facilities such as safe houses? (iii) Are law enforcement officers` trained to offer special protection to women at risk of harmful traditional practices? (iv) Is there support for appropriate community mobilization and education measures against harmful practices?					



## ARTICLE 6: MARRIAGE

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

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>6 (a)</b>	No marriage shall take place without the free and full consent of both parties. This means that forced marriage is prohibited; parents cannot compel their daughter to marry a man against her will.	(i) Are all marriages registered/recognized in law?					
		(ii) Are there laws specifically prohibiting forced marriages and prescribing punishment? List these laws?					
		(iii) Is there accurate data on all marriages?					
		(iv) Are there specific steps the State is taking to regularize marriages and ensure they comply with the law?					
<b>6 (b)</b>	The Minimum age for women shall be 18 years. Marriages shall not be concluded based on physical development or growth but rather based on age. Child marriage is therefore prohibited	(i) Does the law or policy specify the minimum age for marriage?					
		(ii) Are these 'marriages' recognized under customary/religious practice that are not legal?					
		(iii) Are there marriages of girls below the legal age of consent that are not reported and go unpunished?					
		(iv) Do other laws or actions support the enforcement of marriage laws?					
<b>6 (c)</b>	Monogamy is encouraged as the preferred form of marriage and that the rights of women in marriage and family, including in polygamous marital relationships are promoted and protected;	(i) Does the law guarantee the protection of equal rights of women in marriage and family whether in monogamous or polygamous marital relationships?					

<b>6 (d)</b>	Every marriage shall be recorded in writing and registered under national laws, to be legally recognized;	(i) Are all marriages recorded in writing and registered under national laws, to be legally recognized? (ii) If not, what is the national practice? (iii) Are there mechanisms for monitoring enforcement?			
<b>6 (e)</b>	The husband and wife shall, by mutual agreement, choose their matrimonial regime and place of residence;	(i) Are there mechanisms to protect the rights of women in marriage concerning the choice of matrimonial regime and place of residence? (ii) If not, what is the national practice? (iii) Are there sanctions or guidelines for seeking redress?			
<b>6 (f)</b>	A married woman shall have the right to retain her maiden name, to use it as she pleases, jointly or separately with her husband's surname;	(i) Are there guidelines governing women's right to choice of surname whether maiden or husbands? If not, what is the practice?			
<b>6 (g)</b>	A woman shall have the right to retain her nationality or to acquire the nationality of her husband;	(i) Are there guidelines governing women's right to choice of retaining or acquiring the nationality of husband? If not, what is the practice?			
<b>6 (h)</b>	A woman and a man shall have equal rights, concerning the nationality of their children except where this is contrary to a provision in national legislation or is contrary to national security interests;	(i) Are there guidelines governing women's right to choice of retaining or acquiring the nationality of husband concerning the nationality of their children? If not, what is the national practice?			
<b>6 (i)</b>	A woman and a man shall jointly contribute to safeguarding the interests of the family, protecting and educating their children;	(i) Are there guidelines governing joint contribution and safeguarding the interests of the family, on protecting and educating their children? (ii) Are there sanctions or mechanisms to protect the rights of women?			

<b>6 (j)</b>	During her marriage, a woman shall have the right to have her property and to administer and manage it freely	(i) Does the state party have laws that provide for women/wives' autonomy to own and manage their property?					
		(ii) What laws and/or administrative measures are in place/being put in place to protect married women's right to own properties?					

## ARTICLE 7: SEPARATION, DIVORCE AND ANNULMENT OF MARRIAGE

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

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>7 (a)</b>	Separation, divorce or annulment of a marriage shall be effected by judicial order	(i) Are there existing laws specifically for marriage, separation, divorce and annulment?					
		(ii) Are there accompanying policies /guidelines affecting the implementation of these laws?					
		(iii) In practice, is it mandatory for people to follow the law?					
		(iv) Are there records (data) for marriages and divorces to help in monitoring the law?					
		(v) Are there sanctions for not obeying the law?					
		(vi) Has all the marriage, divorce and separation laws been harmonized?					
<b>7 (b)</b>	Women and men shall have the same rights to seek separation, divorce or annulment of a marriage:	(i) Does the law guarantee equal rights before, during and after marriage?					
		(ii) Are there other kinds of laws (formal, customs, religious, and community, informal) that affect constitution and statutory laws?					
		(iii) Does the law guarantee equal rights despite the existence of parallel systems?					
<b>7 (c)</b>	In case of separation, divorce or annulment of marriage, women and men shall have reciprocal rights and	(i) Are there existing laws that guarantee reciprocal rights towards children rights?					
		(ii) Does the law protect or uphold the best interests of the child?					

	responsibilities towards their children. In any case, the interests of the children shall be given paramount importance;	(iii) Are there competing laws (customs, traditions, and practices, religious) and whether the law protects those rights from such parallel systems? (iv) Is the law implemented? (v) Is there reliable data on marriage, divorce, separation and annulment?				
<b>7 (d)</b>	In case of separation, divorce or annulment of marriage, women and men shall have the right to an equitable sharing of the joint property deriving from the marriage.	(i) Does the law guarantee equal rights in sharing of joint property between men and women? (ii) Are there policies and guidelines that support the administration of this law? (iii) Are these policies/guidelines in place? (iv) Does judicial precedence give a harmonious implementation of the law? (v) Is there a mechanism to ensure that alternative systems comply with the principle of equitable sharing of joint property?				

### ARTICLE 8: ACCESS TO JUSTICE AND EQUAL PROTECTION BEFORE THE LAW

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

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>8 (a)</b>	Effective access by women to judicial and legal services, including legal aid;	(i) Does the law guarantee effective access of women to judicial and legal services including legal aid?					
		(ii) Does the constitution uphold the principle of sex/gender equality?					
		(iii) Are there specific laws addressing gender/sex inequality?					
		(iv) Do the laws uphold the constitutional provisions on gender/sex equality?					
		(v) Do the laws provide for appropriate measures to discourage the promotion of inequality practices and behaviour?					
		(vi) What are examples of punitive measures contained in the law that discourage discrimination? Is there data on cases?					
		(vii) Are there cases/convictions recorded in the past 2 years?					
		(viii) Are there policies, guidelines, mechanisms that support the implementation of the law?					
		(ix) Are there mechanisms to ensure equitable access to (quality) legal aid by women?					

<b>8 (b)</b>	Support to local, national, regional and continental initiatives directed at providing women access to legal services, including legal aid;	(i) Is there a specific /adequate budget for supporting local, national, regional and continental initiatives directed at providing women access to legal services including legal aid? (ii) Are there mechanisms to support local, national, regional and continental initiatives?				
<b>8 (c)</b>	The establishment of adequate educational and other appropriate structures with particular attention to women and to sensitize everyone to the rights of women;	(i) Are there policies for the establishment, coordination of adequate educational and other appropriate structures with particular attention to women? (ii) Are there mechanisms by the state to ensure that women are aware of their right to legal aid?				
<b>8 (d)</b>	That law enforcement organs at all levels are equipped to effectively interpret and enforce gender equality rights;	(i) Are there policies that ensure law enforcement organs have the requisite awareness of gender equality at all levels? (ii) Are there mechanisms and guidelines that support implementation? (iii) Is the enforcement of gender equality by law enforcement monitored? (iv) Is there a curriculum as a subsidiary?				
<b>8 (e)</b>	That women are represented equally in the judiciary and law enforcement organs;	(i) Are there policies/laws specific to the judiciary that guarantee equal representation of women? (ii) Have these laws been implemented? (iii) Is the implementation monitored (data)? (iv) Are there sanctions for noncompliance with the law?				
<b>8 (f)</b>	Reform of existing discriminatory laws and practices to promote and protect the rights of women.	(i) Is there a requirement in law to review existing discriminatory laws and practices? (iii) Are there mechanisms that assist in making laws and review recommendations on the law? (ii) Have they been monitored?				

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(iii) Is there data to support the implementation of this law (effectiveness)?



### ARTICLE 9: RIGHT TO PARTICIPATION IN THE POLITICAL AND DECISION-MAKING PROCESS

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

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>9.1 (a)</b>	Women participate without any discrimination in all elections;	(i) Are there policies and laws that guarantee the participation of women in elections?					
		(ii) Are there mechanisms/body in place to ensure women participate without any discrimination?					
		(iii) Are these mechanisms effective?					
<b>9.1 (b)</b>	Women are represented equally at all levels with men in all electoral processes;	(i) To what extent have the existing laws, policies and legislative actions brought gains in the participation of women?					
		(ii) Are there mechanisms/body in place to ensure women participate without any discrimination?					
		(iii) Are these mechanisms effective?					
<b>9.1 (c)</b>	Women are equal partners with men at all levels of development and implementation of State policies and development Programmes.	(i) Does the law guarantee/ enforce equality of women and men in all levels of development and implementation of State policies and development Programmes?					
		(ii) Are there specific mechanisms within the policies and development programmes to ensure that women are equal partners with men?					
		(iii) Are there deliberate measures to invest resources into promoting equal participation of women in politics?					

States Parties shall ensure increased and effective representation and participation of women at all levels of decision-making							Notes
9.2	The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)
9.2			<p>(i) To what extent are the laws and policies that ensure increased and effective representation and participation of women at all levels of decision making being implemented?</p> <p>(ii) Is there reliable data to show the status/Does the state keep data?</p> <p>(iii) Are there sanctions for not including women in development Programmes? If yes, to what extent are they being implemented?</p>				

## ARTICLE 10: RIGHT TO PEACE

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
10 (a)	Women have the right to a peaceful existence and the right to participate in the promotion and maintenance of peace.	(i) Are there laws, policies that ensure women have a peaceful existence and participate in the promotion and maintenance of peace? Are there specific laws and policies that address peace?					
		(ii) Does the law guarantee effective access of women to judicial and legal services including legal aid?					
		(iii) Does the constitution uphold the principle of sex/gender equality?					
		(iv) Are there specific laws addressing gender/sex inequality?					
		(v) Do the laws uphold the constitutional provisions on gender/sex equality?					
<b>States Parties shall take all appropriate measures to ensure the increased participation of women:</b>							
The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
10.2 (a)	In Programmes of education for peace and a culture of peace;	(i) Are there programmes for education on peace and culture?					
		(ii) Do women participate equitably in such programmes?					
		(iii) Are there plans, mechanisms (UNSCR 1325 national action plans for peace)?					

<b>10.2 (b)</b>	In the structures and processes for conflict prevention, management and resolution at local, national, regional, continental and international levels;	<p>(i) Are there programmes for education on peace and culture?</p> <p>(ii) Do women participate equitably in such programmes?</p> <p>(iii) Are there plans, mechanisms (UN 1325 national action plans for peace)?</p>			
<b>10.2 (c)</b>	In the local, national, regional, continental and international decision making structures to ensure physical, psychological, social and legal protection of asylum seekers, refugees, returnees and displaced persons, in particular women;	<p>(i) Does the law recognize international, regional protocols on peace, refugees, asylum seekers, internally displaced persons particularly women?</p> <p>(ii) Have these protocols been domesticated in local national policies?</p> <p>(iii) Are there specific services for refugees, displaced persons particularly women addressing their physical, psychological, social and legal needs?</p>			
<b>10.2 (d)</b>	In all levels of the structures established for the management of camps and settlements for asylum seekers, refugees, returnees and displaced persons, in particular, women;	<p>(i) Are there policies for the management of camps and settlements to ensure increased participation of women?</p> <p>(ii) Do the laws protecting women in national conflicts apply to refugees, asylum seekers, returnees and the displaced particularly women?</p> <p>(iii) Is the law enforced or implemented in refugee camps and settlements?</p>			
<b>10.2 (e)</b>	In all aspects of planning, formulation and implementation of post-conflict reconstruction and rehabilitation.	<p>(i) Are women involved in all aspects of planning, formulation and implementation of post-conflict reconstruction and rehabilitation?</p> <p>(ii) Is there a way of monitoring this involvement?</p> <p>(iii) Is there a binding code of conduct for officials/workers to treat refugees under the laws and policies particularly women?</p>			
<b>10.3 (f)</b>	States Parties shall take the necessary measures to	<p>(i) Has the state been reducing military expenditure in favour of women?</p>			

	<p>reduce military expenditure significantly in favour of spending on social development in general, and the promotion of women in particular.</p>	<p>(ii) Are the savings channelled in social development and promotion of women?          (iii) Is there data to monitor this reduced expenditure in favour of social development and promotion of women?</p>					
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## ARTICLE 11: PROTECTION OF WOMEN IN ARMED CONFLICTS

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>11.1</b>	State Parties undertake to respect and ensure respect for the rules of international humanitarian law applicable in armed conflict situations, which affect the population, particularly women.	(i) Have the states domesticated and ratified international humanitarian law applicable in armed conflict situations which affect the population particularly women?					
		(ii) Has the state put in place policies and measures to implement the law?					
<b>11.2</b>	States Parties shall, under the obligations incumbent upon them under international humanitarian law, protect civilians including women, irrespective of the population to which they belong, in the event of armed conflict.	(i) Are there laws in place to protect civilians particularly women?					
		(ii) Have state parties committed to accounting to local and international bodies to access the population to which they belong?					
		(iii) Do the states account for whether the state parties have committed to accounting to local and international bodies to access the population?					
		(iv) Is there any evidence to show that the states account to local and international bodies to access the population to which they belong?					
		(v) Are there mechanisms in place for the protection of women?					
		(x) Are there services for the victims such as safe houses, medical services, and sexual reproductive health practices?					

<b>11.3</b>	States Parties shall take all necessary measures to ensure that no child, especially girls under 18 years of age, take a direct part in hostilities and that no child is recruited as a soldier.	(i) Are there laws specifying the minimum age limit for recruitment into the military?  (ii) Are there laws specifically prohibiting the recruitment of children in the military especially girls?  (iii) Does the state have data on children in conflict?				
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## ARTICLE 12: RIGHT TO EDUCATION AND TRAINING

This article provides for several educational rights for women and girls: States Parties shall take all appropriate measures to:							
The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>12.1 (a)</b>	Eliminate all forms of discrimination against women and the guarantee of equal opportunity and access in the sphere of education and training	(i) Is there any law or education policy and programmes that guarantee/ promote equal opportunities and access for boys and girls/men and women to education and training?  (ii) Is the law/policy implemented?  (iii) Is there data to support the enforcement of such a law/policy?					
<b>12.1 (b)</b>	eliminate all stereotypes in textbooks, syllabuses and the media, that	(i) Is there any law or education policy or guidelines on eliminating all stereotypes in textbooks, syllabuses and the media to guarantee uptake of education by women and girls without discrimination?					

	perpetuate such discrimination;								
<b>12.1 (c)</b>	The protection of women and especially girls from all forms of abuse, including sexual harassment in schools and other educational institutions	(i) Are there specific laws/policies addressing SGBV in schools/educational institutions? (ii) Is there any institutional policy and medium for addressing sexual harassment in schools and other educational institutions? (iii) Are there clear mechanisms for addressing SGBV in educational institutions? (iv) Do professional ethical provisions for teachers/lecturers/tutors/workers specifically prohibit conduct that promotes SGBV and punish misconduct? (v) Are there provisions to ensure teachers/workers who engage in SGBV misconduct do not get back into the training system? (vi) Is there data on SGBV in education institutions including on teachers and other care workers who engage in it and what action is taken?							
<b>12.1 (d)</b>	Provide access to counselling and rehabilitation services to women who suffer abuses and sexual harassment;	(i) Are there laws/policies that guide on provision and access to counselling and rehabilitation services to women who suffer abuses and sexual harassment? (ii) If not, what is the practice? (iii) If yes, is there public sensitization on the availability of this service? (iv) Are there mechanisms for monitoring enforcement? (v) Is there data?							
<b>12.1 (e)</b>	Integrate gender sensitization and human rights education at all levels of education curricula	(i) Are there guidelines on integrating gender sensitization and human rights education at all levels of education curricula including teacher training? (ii) If yes, are these effective? (iii) If not, are there culturally acceptable alternatives? List examples							



**States Parties shall take specific positive action to:**

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>12.2 (a)</b>	Promoting literacy among women	(i) Is there any law, policy or programme that promotes literacy among women?					
		(ii) What has been done to promote literacy among women?					
		(iii) What is the response among targeted women?					
		(iv) Is there data on participation in literacy programs?					
<b>12.2 (b)</b>	Promoting education and training for women at all levels and in all disciplines, particularly the fields of science and technology	(i) Are there education programmes to promote science, mathematics and technology among girls and women?					
		(ii) What is these education programmes for girls and women and what is the participation?					
		(iii) Is there progressive data on girls' participation performance in science, mathematics and technology?					
<b>12.2 (c)</b>	Promote the enrolment and retention of girls in schools and other training institutions and the organization of Programmes for women who leave school prematurely.	(i) Are there policies/guidelines/programmes on enrolment and retention of girls in schools?					
		(ii) What else has been done to promote the enrolment and retention of girls in schools?					
		(iii) Are these policies/ guidelines/programs/measures monitored and findings used to improve participation?					
		(iv) Are there training programs and/or skills in place to promote women and girls who drop out of schools prematurely?					

### ARTICLE 13: ECONOMIC AND SOCIAL WELFARE RIGHTS

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

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>13 (a)</b>	Promote equality of access to employment;	(i) Are there laws in place promoting and protecting women's access to employment?					
		(ii) Does the labour law recognize gender equality or is it gender blind or gender neutral?					
		(iii) Does the labour law recognize an equal pay package for women and men in employment?					
<b>13 (b)</b>	Promote the right to equal remuneration for jobs of equal value for women and men;	(i) Are there labour practices that work against this article in private and public institutions?					
<b>13(c)</b>	Ensure transparency in recruitment, promotion and dismissal of women and combat and punish sexual harassment in the workplace;	(i) Does the Public Service Career management system contain all the elements of this article?					
		(ii) How is sexual harassment handled in public institutions?					
		(iii) Is there a complaint and redress mechanism in place?					

<p><b>13 (d)</b></p> <p>Guarantee women the freedom to choose their occupation, and protect them from exploitation by their employers violating and exploiting their fundamental rights as recognized and guaranteed by conventions, laws and regulations in force;</p>	<p>(i) Are there professional practices or associations that discriminate against women?</p> <p>(ii) Is there professional or career entry barriers targeted at women?</p> <p>(iii) Are there labour practices that prevent women from exercising their rights?</p> <p>(iv) Is there any agency in place set up to review unethical practices?</p>			
<p><b>13 (e)</b></p> <p>Create conditions to promote and support the occupations and economic activities of women, in particular, within the informal sector;</p>	<p>(i) Are there initiatives, programmes and policies targeted at women in business especially the informal sector such as women credit support programmes, training in entrepreneurship development, women cooperative societies?</p> <p>(ii) Are women able to access these services with ease?</p> <p>(iii) Are there special programmes for women in rural areas?</p>			
<p><b>13 (f)</b></p> <p>Establish a system of protection and social insurance for women working in the informal sector and sensitize them to adhere to it;</p>	<p>(i) Is there a social insurance scheme for women working in the informal sector?</p> <p>(ii) Are women aware of its existence? Is there any evidence to prove this?</p>			
<p><b>13 (g)</b></p> <p>Introduce a minimum age for work and prohibit</p>	<p>(i) Is there a Child Right law or has the country signed the optional protocol on the right of the child?</p>			

	the employment of children below that age, and prohibit, combat and punish all forms of exploitation of children, especially the girl-child;	(ii) Are the provisions of this article adequately reflected in the law? (iii) Does the labour law recognize and contain the provisions of this article?							
<b>13 (h)</b>	Take the necessary measures to recognize the economic value of the work of women in the home;	(i) Is there a policy on unpaid care work? (ii) Does the National Accounting System recognize the economic value of women's work at home?							
<b>13 (i)</b>	Guarantee adequate and paid pre- and post-natal maternity leave in both the private and public sectors;	(i) Does the labour law and practices adequately respond to this article? (ii) Are there provisions to sanction establishments that have not adopted this principle? (iii) What is the percentage coverage?							
<b>13 (j)</b>	Ensure the equal application of taxation laws to women and men;	(i) Is there a discriminatory tax regime in your country? (ii) If yes, is it against or in favour of women?							
<b>13 (k)</b>	Recognize and enforce the right of salaried women to the same allowances and entitlements as those granted to salaried men for their spouses and children	(i) Does the labour law recognize and practice the provisions of this article? (ii) Can this be verified by women leaders? (iii) Are there glaring cases of discrimination against women on this issue?							
<b>13 (l)</b>	Recognize that both parents bear the primary	(i) Are there laws or mechanisms that deal with the abdication of family roles and responsibilities?							

	responsibility for the upbringing and development of children and that this is a social function for which the State and the private sector have secondary responsibility;	(ii) Is the law effective? (iii) Are there cases of prosecution? (iv) How does this law deal with the traditional patriarchal culture of male domination?					
<b>13 (m)</b>	Take effective legislative and administrative measures to prevent the exploitation and abuse of women in advertising and pornography	(i) Does the law regulating advertisement recognize the provision of the article? (ii) Is this reflected in the content of advertisement in the country?					

## ARTICLE 14: HEALTH AND REPRODUCTIVE RIGHTS

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

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>14.1 (a)</b>	The right to control their fertility;	(i) Is there a specific law on the right to control one's fertility?					
		(ii) Are women guaranteed the right to control fertility (in law)?					
		(iii) Are there facilities to allow women to control their fertility?					
		(iv) Are women enjoying their right to control fertility?					
		(v) Has the law ratified and adopted international laws such as the Programme of Action from ICPD (1995)?					
		(vi) Does the law directly recognize the health and reproductive rights of women and girls?					
<b>14.1 (b)</b>	The right to decide whether to have children, the number of children and the spacing of children;	(i) In addition, Refer to decide whether to have children or not?					
		(ii) In addition, refer to decide whether to have children?					
<b>14.1 (c)</b>	The right to choose any method of contraception;	(i) Does the law allow contraception?					
		(ii) Are there traditions, that limit the choices/alternatives of contraception?					
		(iii) What measures has the government taken to mitigate these limitations by traditions?					

<b>14.1 (d)</b>	The right to self-protection and to be protected against sexually transmitted infections, including HIV/AIDS;	<p>(i) Are there laws and policies that protect women and girls against sexually transmitted infections?</p> <p>(ii) Are there laws that criminalize wilful infection of sexually transmitted infections particularly to women and girls?</p> <p>(iii) Are there laws that compel people to take due care not to infect others?</p> <p>(iv) Are there mechanisms and facilities for people with infections? Are there administrative procedures that prohibit (requirements e.g. to get post-exposure services one needs a police abstract or its equivalence) access to these services? Are there procedures/measures that encourage self-protection of female condoms?</p>			
<b>14.1 (e)</b>	The right to be informed on one's health status and the health status of one's partner, particularly if affected with sexually transmitted infections, including HIV/AIDS, under internationally recognized standards and best practices;	<p>(i) Are there laws that protect women from the wilful transmission of sexually transmitted infections?</p> <p>(ii) Are there mechanisms to ensure justice and protection for women and girls whose rights to be informed of the partner's health status have been violated?</p>			
<b>14.1 (f)</b>	The right to have family planning education.	<p>(i) Are there policies on universal reproductive health?</p> <p>(ii) Are they funded by the state?</p> <p>(iii) Is there data on family planning education?</p>			
<b>14.2: States Parties shall take all appropriate measures to:</b>					

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>14.2 (a)</b>	Provide adequate, affordable and accessible health services, including information, education and communication programmes to women especially those in the rural area	(i) Does the government provide universal health care?					
		(ii) Does the government provide for the specific health needs of women and girls?					
		(iii) Is there accessibility and funding especially in the rural areas?					
		(iv) Is there data to monitor the provision of these services?					
<b>14.2 (b)</b>	Establish and strengthen existing pre-natal, delivery and post-natal health and nutritional services for women during pregnancy and while they are breast-feeding;	(i) Is there a policy for maternal child health?					
		(ii) Are the policies funded to ensure accessibility?					
		(iii) Are there policies, guidelines, programmes that work to support these laws?					
		(iv) Are policies on employment favourable to women's access to services, breastfeeding, nutrition and maternity leave according to standards?					
<b>14.2 (c)</b>	Protect the reproductive rights of women by authorizing medical abortion in cases of sexual assault, rape, incest, and where the continued pregnancy endangers the mental and physical health	(i) Are there laws allowing voluntary abortion in certain cases?					
		(ii) Are there guidelines on abortion?					
		(iii) Are abortion services available?					
		(iv) Are there legal institutional punitive oriented measures that prevent women from accessing abortion services?					
		(v) Are there laws, policies that protect women who need support?					



	of the mother or the life of the mother or the fetus.								
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### ARTICLE 15: RIGHT TO FOOD SECURITY

States Parties shall ensure that women have the right to nutritious and adequate food. In this regard, they shall take appropriate measures to:

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>15 (a)</b>	Provide women with access to clean drinking water, sources of domestic fuel, land, and the means of producing nutritious food;	(i) Do the land laws and policies ensure ownership by women and autonomous usage with regards to access, productivity and management?					
		(ii) Are there policies on access to clean drinking water and domestic fuel supply?					
		(iii) Are the laws and policies gender-responsive; do they take the particular interest of women and girls?					
		(iv) Are there programmes on nutrition and healthy living?					
		(v) Are there policies to ensure women in refugee camps and other emergencies have access to clean drinking water, sources of domestic fuel, land and the means of producing nutritious foods?					
<b>15(b)</b>	Establish adequate systems of supply and storage to ensure food security.	(i) Is there a food security policy in place that addresses adequate supply and storage?					
		(ii) Has the policy been implemented?					
		(iii) Is the food security policy gender-sensitive?					
		(iv) Is there a policy on cultural food restrictions on women?					
		(v) Are there laws to protect the environment against harmful industrial chemicals? Are there sanctions to discourage pollution?					

## ARTICLE 16: RIGHT TO ADEQUATE HOUSING

The Article Number	The Article Content	Assessment Questions							
<b>16</b>	Women shall have the right to equal access to housing and acceptable living conditions in a healthy environment. To ensure this right, States Parties shall grant to women, whatever their marital status, access to adequate housing.	(i) Are there special provisions in the laws for low-income houses? Are there affirmative provisions to ensure poor women have access to such houses?							
		(ii) Does the law provide for budgets for such housing?							
		(iii) Are there policies to improve on informal settlements affecting women?							
		(iv) Are there policies on proper sanitation?							
		(v) Are there policies on the protection of women during evictions, emergencies by the government?							
		(vi) Are there policies to ensure proper housing of women and girls in refugee camps and settlements?							
		(vii) Are there laws that protect the interests of tenants particularly women?							

## ARTICLE 17: RIGHT TO POSITIVE CULTURAL CONTEXT

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>17 (a)</b>	Women shall have the right to live in a positive cultural	(i) Are there laws to protect women and girls from discriminatory cultural beliefs and traditions?					
		(ii) Are there sanctions against non-compliance?					

	context and to participate at all levels in the determination of cultural policies.	(iii) Are there facilities where victims of discriminatory practices would access services e.g. safe houses? (iv) Are there mechanisms to educate the public against discriminative practices? (v) Are there accessible mechanisms to address issues of discrimination against women?						
<b>17 (b)</b>	States Parties shall take all appropriate measures to enhance the participation of women in the formulation of cultural policies at all levels.	(i) Are there official cultural policies? (ii) Does the law/policies provide for mandatory participation of women in the formulation of cultural policies at all levels? (iii) Are the official cultural policies supportive of women's autonomy? Do they protect women and girls from harmful cultural beliefs?						

### ARTICLE 18: RIGHT TO A HEALTHY AND SUSTAINABLE ENVIRONMENT

18.1: Women shall have the right to live in a healthy and sustainable environment:							
The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>18.1</b>	Women shall have the right to live in a healthy and sustainable environment	(i) Are there laws and policies that guarantee the right to a healthy and stable environment for women?					
<b>18.2: States Parties shall take all appropriate measures to</b>							

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>18.2 (a)</b>	Ensure greater participation of women in the planning, management and preservation of the environment and the sustainable use of natural resources at all levels;	(i) Are there policies to guarantee the participation of women in planning, management and preservation of the environment?					
		(ii) Are the policies gender-responsive to the needs of women?					
<b>18.2 (b)</b>	Promote research and investment in new and renewable energy sources and appropriate technologies, including information technologies and facilitate women's access to, and participation in their control;	(i) Are there renewable energy and policies that address women needs that are accessible to women?					
		(ii) Are there educational programmes that target women to be able to utilize new technologies for use and the market?					
		(iii) Are there research programmes and institutions that address the energy women need?					
<b>18.2 (c)</b>	Protect and enable the development of women's indigenous knowledge systems;	(i) Are there policies that enable the development of indigenous sources of knowledge?					
		(ii) Do the policies receive support from the government in terms of funding to implement them?					
<b>18.2 (d)</b>	Regulate the management, storage	(i) Are there policies that regulate appropriate processing, storage and disposal of domestic waste particularly in informal settlements?					

	and disposal of domestic waste;	(ii) Are there policies/ programs on appropriate technologies and measures on processing, storage and disposal of waste especially in informal settlements?				
<b>18.2 (e)</b>	Ensure that proper standards are followed for the storage, transportation and disposal of toxic waste.	(i) Are there policies setting minimum standards for measures already in place? Do they apply? (ii) Are the policies implemented?  (iii) Is there data on the implementation?				

### ARTICLE 19: RIGHT TO SUSTAINABLE DEVELOPMENT

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

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>19 (a)</b>	Introduce the gender perspective in the national development planning procedures;	(i) Is there a policy or law that ensures that there is a gender perspective in the national planning procedure?					
		(ii) Are the policies enforced?					
<b>19 (b)</b>	Ensure participation of women at all levels in the conceptualization, decision-making, implementation and evaluation of development policies and Programmes;	(i) Is there a policy or law that ensures there is a gender perspective in the national planning procedure?					
		(ii) Are the policies enforced?					
		(iii) Are there mechanisms to facilitate the enforcement?					
<b>19 (c)</b>	Promote women's access to and control over productive resources such as land and guarantee their right to property;	(i) Are there laws that promote and protect women to possess, control and use productive resources such as land?					
		(ii) Does the law provide for autonomous possession of land and other property by women?					
		(iii) Are there laws protecting women inheritance rights as well as sharing of matrimonial property?					

<b>19 (d)</b>	Promote women's access to credit, training, skills development and extension services at rural and urban levels to provide women with a higher quality of life and reduce the level of poverty among women;	(i) Are there policies/ guidelines/ programmes protecting women access to credit training, skills development and extension services?  (ii) Are they implemented?				
<b>19 (e)</b>	Take into account indicators of human development specifically relating to women in the elaboration of development policies and Programmes; and	(i) Do policies and programmes take into account indicators of human development?  (ii) Are there mechanisms to monitor the implementation and measure results?				
<b>19 (f)</b>	Ensure that the negative effects of globalization and any adverse effects of the implementation of trade and economic policies and Programmes are reduced to the minimum for women.	(i) Are there safety nets for vulnerable populations (poor women) against economic policies such as those to do with globalization?  (ii) Are there programmes to ensure women participate in a global market?				



## ARTICLE 20: WIDOWS' RIGHTS

States Parties shall take appropriate legal measures to ensure that widows enjoy all human rights through the implementation of the following provisions:							
The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>20 (a)</b>	That widows are not subjected to inhuman, humiliating or degrading treatment;	(i) Are there laws to protect widows from inhuman and degrading treatment?					
		(ii) Are there other forms of protective measures against widows?					
		(iii) Are there policies that ensure protection at local levels from harassment and inhuman treatment of widows?					
		(iv) Are there sanctions for noncompliance?					
<b>20 (b)</b>	That a widow shall automatically become the guardian and custodian of her children, after the death of her husband, unless this is contrary to the interests and	(i) Are there laws and policies to ensure widows are the automatic guardians and custodians of their children after the death of the husband?					

	the welfare of the children;	(ii) Are there mechanisms that protect widows and their children in regards to inheritance?				
<b>20 (c)</b>	That a widow shall have the right to remarry, and in that event, to marry the person of her choice.	(i) Are there laws/policies that guarantee the protection of widows who wish to remarry?				
		(ii) Is there a law that ensures the protection of widows who remarry from harassment?				
		(iii) Are there sanctions against discriminative cultural practices that prevent widows from remarriage?				
		(iv) Are there local measures that involve men to protect widows from harmful cultural practices?				

## ARTICLE 21: RIGHT TO INHERITANCE

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>21 (a)</b>	A widow shall have the right to an equitable share in the inheritance of the property of her husband. A widow shall have the right to continue to live in the matrimonial house. In case of remarriage, she shall retain this right if the house belongs to her or she has inherited it.	(i) Are there laws and policies to ensure widows have an equitable share in the inheritance of the husband's property?					
		(ii) Are there mechanisms that protect widows and their children in regards to inheritance?					
<b>21 (b)</b>	Women and men shall have the right to inherit, in equitable shares, their parents' properties.	(i) Are there laws and policies that ensure women have an equal right to inheritance, particularly land?					
		(ii) Are there protective mechanisms in cultural practices to protect women?					

## ARTICLE 22: SPECIAL PROTECTION OF ELDERLY WOMEN

The States Parties undertake to:

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes	
<b>22 (a)</b>	Protect elderly women and take specific measures commensurate with their physical, economic and social needs as well as their access to employment and professional training;	(i) Is there a policy/policies, guidelines for the protection of the elderly and in particular women?						
		(ii) Is there a programme/programmes to protect the elderly with a particular focus on elderly women?						
		(iii) Do the policies/programmes address the specific training and employment needs of elderly women?						
		(iv) Do they address issues of housing and care facilities for elderly women?						
		(v) Are the policies/ guidelines/ programmes implemented?						
		(vi) Is there data to show status/progress?						
<b>22 (b)</b>	Ensure the right of elderly women to freedom from violence, including sexual abuse, discrimination based on age and the right to be treated with dignity	(i) Are there special protection measures taken to protect elderly women from violence/SGBV both within communities and in institutions?						
		(ii) Is there data to show status/progress?						

## ARTICLE 23: SPECIAL PROTECTION OF WOMEN WITH DISABILITIES

The States Parties undertake to:							
The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>23 (a)</b>	Ensure the protection of women with disabilities and take specific measures commensurate with their physical, economic and social needs to facilitate their access to 20 employment, professional and vocational training as well as their participation in decision-making;	(i) Do the Constitution and laws protect the rights of women with disabilities as equal citizens?					
		(ii) Are there specific laws protecting women with disabilities from neglect and discrimination?					
		(iii) Are there policies, guidelines & or programmes in place that address vocational training and employment needs of women with disabilities?					
		(iv) Are the policies /guidelines, programs implemented?					
		(v) Is there a monitoring mechanism for the implementation of policies and programs for women with disabilities?					
<b>23 (b)</b>	Ensure the right of women with disabilities to freedom from	(i) Are there laws, policies, guidelines, programs on SGBV?					

	<p>violence, including sexual abuse, discrimination based on disability and the right to be treated with dignity.</p>	<p>(ii) Do the laws, policies, guidelines, programs specifically address issues of women with disabilities?</p> <p>(iii) Are there special SGBV initiatives or programs targeting women with disabilities?</p> <p>(iv) Is there data on how women with disabilities are affected by SGBV?</p>				
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## ARTICLE 24: SPECIAL PROTECTION OF WOMEN IN DISTRESS

The States Parties undertake to:

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes	
<b>24 (a)</b>	Ensure the protection of poor women and women heads of families including women from marginalized population groups and provide an environment suitable to their condition and their special physical, economic and social needs;	(i) Does the constitution/laws provide for the right of all citizens to basic needs?						
		(ii) Do they provide specifically for the protection of women in distress?						
		(iii) Are there policies, guidelines and programs seeking to protect different categories of women in distress such as single-headed households and homeless women/families?						
		(iv) Is there provision for women who suffer different aspects of marginalization?						
		(v) Are there measures in place to address distress specific to marginalization?						
		(vi) Is there official data on women in distress?						
<b>24 (b)</b>	Ensure the right of pregnant or nursing women or women in detention by providing them with an environment that is suitable to their condition and the right to be treated with dignity.	(i) Are special needs of women in detention facilities and emergency/ IDP camps identified and catered for?						
		(ii) Are the special needs of lactating mothers and mothers with young children provided for?						
		(iii) Are there specific guidelines on the protection of women in detention/ emergency facilities?						
		(iv) Is there data on the situation of women in detention facilities?						

## ARTICLE 25: REMEDIES STATES

State Parties shall undertake to:							
The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>25 (a)</b>	Provide for appropriate remedies to any woman whose rights or freedoms, as herein recognized, have been violated;	(i) Does the constitution/laws explicitly provide for appropriate remedies for women whose rights have been violated?					
		(ii) Are there policies/, guidelines or programmes to facilitate remedies for women whose rights have been violated?					
		(iii) What remedies are in place for women whose rights have been violated?					
		(iv) Is there data on women whose rights have been violated?					
		(v) Is there a monitoring and redress mechanism for women whose rights have been violated?					
<b>25 (b)</b>	Ensure that such remedies are determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by	(i) Are there competent judicial, administrative or legislative authorities, provided for by law to determine remedies?					



law.							

(ii) Is there a requirement that only such authorities determine remedies? Is such a requirement followed?

## PART TWO: ADMINISTRATIVE SECTION

### ARTICLE 26: IMPLEMENTATION AND MONITORING

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes	
<b>26 (a)</b>	States Parties shall ensure the implementation of this Protocol at the national level, and in their periodic reports submitted under Article 62 of the African Charter, indicate the legislative and other measures undertaken for the full realization of the rights herein recognized.	(i) Is there an in-country implementation mechanism for the protocol?						
		(ii) Are there periodic reports to the protocol? Is the protocol submitted under Article 62 of the African Charter or addressed in any of the women empowerment documents in place(CSW Records)?						
		(iii) Is there a periodic review mechanism for the periodic reports and implementation plans?						
		(iv) Have there been issues faced locally about sections in the Treaty? (objections on the right to abortion)						
		(v) Have these concerns been addressed?						
		(vi) How have they been addressed?						
		(vii) Are there efforts by the government to increase knowledge and awareness about the protocol?						
		(viii) Are there government officials assigned/given responsibility for the protocol?						
		(ix) Are there implementation and monitoring documents to ensure that the treaty is in effect locally?						
		(x) Is there a reference to the protocol in the jurisprudence(rulings by judges and magistrates)?						
		(xi) Are there specific budgetary allocations for the Maputo Protocol? Is the budget utilized for this purpose?						

	States Parties undertake to adopt all necessary measures and in particular, shall provide budgetary and other resources for the full and effective implementation of the rights herein recognized.	(xii) Is there evidence of the utilization of these budgetary allocations?				
<b>26 (b)</b>		(i) Are there specific budgetary allocations for the Maputo Protocol? Is the budget utilized for this purpose?				
		(ii) Is there evidence of the utilization of these budgetary allocations?				

### ARTICLE 27: INTERPRETATION

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
27	The African Court on Human and Peoples' Rights shall be seized with matters of interpretation arising from the application or implementation of this Protocol.	(i) Have there been any matters/cases of interpretation of this protocol that has been dealt with in the African courts? (ii) Have these cases emanated from the country in question? (iii) Has the interpretation had any impact on the country in question at the national level? (iv) Are there records on the interpretation of the protocol?					

### ARTICLE 28: SIGNATURE, RATIFICATION AND ACCESSION

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
28.1	This Protocol shall be open for signature, ratification and accession by the States Parties, under their respective constitutional procedures.	(i) Has the state ratified the Maputo Protocol according to the constitutional procedures? (ii) Is the signature of ratification deposited with the commissioner of the AU?					
28.2	The instruments of	(i) Has the protocol entered into force?					

	ratification or accession shall be deposited with the Chairperson of the Commission of the AU.	(ii) If yes, are there indications that the protocol is in use?					
		(iii) If no, why not?					

### ARTICLE 29: ENTRY INTO FORCE

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>29.1</b>	This Protocol shall enter into force thirty (30) days after the deposit of the fifteenth (15) instrument of ratification.	What is the status of the Protocol 30 days' post deposit of the fifteenth instrument of ratification?					
<b>29.2</b>	For each State Party that accedes to this Protocol after it comes into force, the Protocol shall come into force on the date of deposit of the instrument of accession.	When did the State deposit the instrument of accession?					
<b>29.3</b>	The Chairperson of the Commission of the AU shall notify all Member States of the coming into force of this Protocol.	(i) Is the country aware that the protocol has come into force? (ii) What are the indicators that the protocol has come into force? Is the protocol in official documents?					

## ARTICLE 30: AMENDMENT AND REVISION

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
<b>30.1</b>	Any State Party may submit proposals for the amendment or revision of this Protocol.	(i) Has the State submitted any proposals for the amendment of the protocol?					
<b>30.2</b>	Proposals for amendment or revision shall be submitted, in writing, to the Chairperson of the Commission of the AU who shall transmit the same to the States Parties within thirty (30) days of receipt thereof.	(i) Has the State submitted any proposals for the amendment of the protocol?					
<b>30.3</b>	The Assembly, upon the advice of the African Commission, shall examine these proposals within a period of one (1) year following notification of States Parties, under the provisions of paragraph 2 of this article.	Has the State been informed of the progress made or status of examination of the proposals?					
<b>30.4</b>	Amendments or revision shall be adopted by the Assembly by a simple majority.	(i) Are there amendments? (ii) Has the country implemented or noted amendments to the treaty?					
<b>30.5</b>	The amendment shall come into force for each State Party, which has accepted it thirty (30) days after the Chairperson of the Commission of the AU has received notice of the acceptance.	(i) Has the country implemented or noted amendments to the treaty?					

### ARTICLE 31: STATUS OF THE PRESENT PROTOCOL

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
31	None of the provisions of the present Protocol shall affect more favourable provisions for the realization of the rights of women contained in the national legislation of States Parties or any other regional, continental or international conventions, treaties or agreements applicable in these States Parties.	(i) Are there provisions in State legislation favourable to women which are adversely affected by the provisions of the protocol?					

### ARTICLE 32: TRANSITIONAL PROVISIONS

The Article Number	The Article Content	Assessment Questions	YES	NO	Score 1-5	Reality situation report (source of verification)	Notes
32	Pending the establishment of the African Court on Human and Peoples' Rights, the African Commission on Human and Peoples' Rights shall be seized with matters of interpretation	Are there matters of interpretation arising out of the implementation of the protocol?					

	arising from the application and implementation of this Protocol.								
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