



"Isabella"

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CHAPTER 10

Implementation

Articles 32-36



Local government has emerged as a key player in the implementation of the SADC Gender Protocol. Participants at a workshop in Chingola Council learn about the SADC Gender Protocol - Zambia, October 2010.

Photo: Albert Ngosa

KEY POINTS

- Zambia has signed but not yet ratified the SADC Gender Protocol.
- Gender budgeting initiatives are taking root and the country has embarked on a process of costing implementation of the SADC Gender Protocol through developing a costed gender action plan.
- The gender equality and women's empowerment sector has actively pushed for the domestication of all gender equality and women's rights instruments signed by Zambia.
- The Southern Africa Gender Protocol Alliance led by WLSA-Zambia will be working to strengthen its institutional mechanisms at the national level to coordinate advocacy efforts around raising citizens' awareness of and monitoring government's implementation of the SADC Gender Protocol targets including measures such as identifying gender champions for the 28 targets.
- Local government is an active player in implementing the SADC Gender Protocol as part of the Centres of Excellence initiative.

Signing



Article 39 provides that the Protocol shall be duly signed by the authorised representatives of Member States.

Zambia is among 13 out of the 15 SADC countries that have signed the SADC Gender Protocol. Botswana and Mauritius are the only two countries that are yet to do so.

Ratification



The Protocol states that it shall be ratified by the signatory states in accordance with their constitutional procedures and shall enter into force 30 days after the deposit of instruments of ratification by two thirds of the member states.

Zambia is among the three SADC countries that have signed but not ratified the SADC Gender Protocol. The other two are Madagascar and Malawi. To date 10 countries have ratified the SADC Gender Protocol, which is over the two thirds of the signatories.

The Ministry of Gender and Child Development is working on having all the treaties and conventions to which Zambia is party to, domesticated. For example CEDAW mapping has been completed, which involved identifying gender gaps and making recommendations to the Ministry of Justice responsible for the domestication process.

There is evidence that the ministry has intentions of ensuring that gender is mainstreamed in the various line ministries. For example, the Ministry of Gender only has ZMK 27.8 million (US\$4,166) for coordinating the ratification of the SADC protocol on Gender and Development. This amount is inadequate given that the other line ministries and especially the Ministry of Justice, responsible for the ratification and domestication of the international treaties and conventions, have not specifically budgeted for the ratification of the SADC Gender Protocol.

Zambia will not have another election before 2015; but the constitution making process is an opportunity for



Edwidge Mutale, Permanent Secretary in the Ministry of Gender and Child Development at the Women's constitutional conference, June 2012.
Photo: Margaret Machila

more progress regards implementation of the 28 targets.

The Constitution making processes gives a new opportunity for the women of Zambia to engender the Constitution. Regarding increasing the number of women in decision-making, civil society organisations through ZNWL and NGOCC have demonstrated renewed commitment.

10.1: National gender machinery and processes

Component	Yes/No	Comments
National Gender Policy	Yes	This is currently being reviewed to identify the gender gaps. This is important in order to re-align the policy to national and regional developments such as the 2008 SADC Protocol on Gender and Development.
National Gender Policy aligned to the SADC Protocol	No	The review of the National Gender Policy may lead to re-alignment.
Gender Machinery open to reviewing National Gender Policy and aligning to SADC Protocol	Yes	The National Gender Policy is currently undergoing review to incorporate elements from the Protocol.
Gender Ministry	Yes	A new Ministry of Gender and Child Development was set up in 2012 and has been given a full Cabinet portfolio. GIDD is now under Ministry of Gender and Child Development. The technical committee for drafting the National Constitution has recommended that Zambia should have a National Gender Commission. There should be a concrete timeframe for the establishment of the Commission.
Gender focal points in all line departments	Yes	Sometimes these are referred to as Women's Desks. These require capacity building and adequate resources to engender the line ministries. Gender Sensitisation workshops of the key line ministries are being undertaken. The line ministries should have gender self-assessments undertaken. Training in gender responsive budgeting should target the Ministry of Finance as well as local government.
Gender structure in parliament	Yes	Zambia National Parliamentary Caucus but it is inactive. It is recommended that a Women In Politics (WIP) network/caucus should be revived.
Active collaboration with civil society	Yes	The Minister and Permanent Secretary have enhanced collaborative efforts between Ministry of Gender and Child Development and civil society organisations. Also collaborative efforts have increased between NGOCC and other stake holders. There is evidence of collaboration on the implementation of the Anti-Gender Based Violence Act of (2010), advocacy on the process of engendering the 1st Republican Draft Constitution, and the planned efforts towards domestication of the Protocol as well as developing a costed gender action plan aligned to the Protocol.
Plan for domestication/ popularisation of the Protocol?	Yes	The Ministry of Gender and Child Development has completed the consultations with the line ministries who have all supported the ratification of the Protocol. CEDAW mapping has been completed by the Ministry of Gender and Child Development. Ministry of Justice, mandated to handle the ratification and domestication of the international treaties and conventions, is collaborating with the Ministry of Gender and Child Development. ZNWL launched the campaign in 2009; this requires intensification with increased collaboration with all stakeholders including government, donors, civil society, the media, private sector and FBOs.
National action plans with measurable time frames	Yes	The Sixth National Development Plan and the Ministry of Gender and Child Development Strategic Plans 2011-2015. Gender Based Violence National Guidelines will be the basis for multi-sector and multi-stake holder participation and implementation programme. Various stakeholders consultative workshop have been held with a view to developing concrete collaborative plans with for example the three church mother bodies (CCZ, EFZ, and ZEC) and the Traditional Leaders. Advocacy, communication, mobilisation committees on engendering the Constitution formed and operational in first half of 2012. Each of the committees has a concrete activity plan and budget to the end of 2012. Most of the plans are already being implemented.
In-country Gender Responsive Budgeting processes	Yes	UN Women, ZARD and the Ministry of Gender are collaborating in doing assessments of ministries' rate of implementing gender responsive budgeting. Pilot rapid assessments have been done for the Ministries of Agriculture and Health. Working with SADC GU, Gender Links, local Alliance network, development partners and other stakeholders the Ministry of Gender is developing a costed gender action plan that will provide a roadmap for gender budgeting processes for line ministries.
Upcoming processes/entry points	Yes	Developing a new constitution and costing the SADC Gender Protocol currently underway.

Gender equality is considered in the Sixth National Development Plan and has specific actions for implementation. Based on the Directive in the 2011

Budget Speech, some line ministries have tried to incorporate gender equality projects; there will be no additional funding for gender mainstreaming.

Costing and gender budgeting



Article 33: Financial Provisions: State parties shall ensure gender sensitive budgets and planning, including the designation of necessary resources towards initiatives aimed at empowering women and girls. State parties shall mobilise and allocate the necessary human, technical and financial resources for the successful implementation of this Protocol.

The SADC Gender Protocol underscores the importance of ensuring adequate resources to ensure implementation of the SADC Gender Protocol. Gender budgeting initiatives are taking root in Zambia as discussed in Chapter 4 on Economy, productive resources and employment. The country has begun the process of costing implementation of the SADC Gender Protocol through developing and costing gender action plan that will accompany the reviewed national gender policy.

The Ministry of Gender is collaborating with SADC Gender Unit, civil society including the local Alliance network led by WLSA Zambia with technical assistance from Gender Links. The process is guided by a model developed by developed by GL - the SADC Gender Protocol Barometer- Policy-Gender action plan-Gender Responsive Building-Capacity Building Model that brings several components together illustrated by Figure 10.1.

At a glance, Figure 10.1 shows the key components of the model: The implementation of the SADC Gender Protocol building requires a multi-sectoral approach on existing work.

Implementation of the SADC Gender Protocol: is the broad objective.

Gathering baseline data: This will entail using data from the national Central Statistical Offices and reports to the SADC Secretariat by government complemented by the SADC Gender Protocol Barometer produced by the Alliance as well as other national gender reports to various bodies. This will provide baselines against which progress will be measured.

Training and capacity building: The development of national gender policies and costed gender action plans require capacity building workshops with modules on gender mainstreaming, gender budgeting and costing implementation of policy at national levels. Key line ministries' gender focal points and budgeting officers should ideally attend for sustainability of the process along with leading civil society leaders to support the relevant ministries over time.

Resource allocation for implementation of key provisions of the SADC Protocol on Gender and Development: In the process, it is important for the

national gender machinery to lobby and ensure that there is allocation of resources for the implementation of the costed gender action plan. This should include looking at what are the existing resources within national budgets, what are the gender entry points and an assessment of additional resources required. This includes advocacy and lobbying by the national gender machinery to the national treasury.

Tracking national budget allocations

The Ministry of Gender receives a very small proportion of the national budget and this impedes the work of the agency in monitoring and coordinating gender mainstreaming and programmes across all line ministries. Figure 10.2 illustrates the proportion of the national budget allocated to the gender ministry.

Figure 10.1 Costing model developed by Gender Links

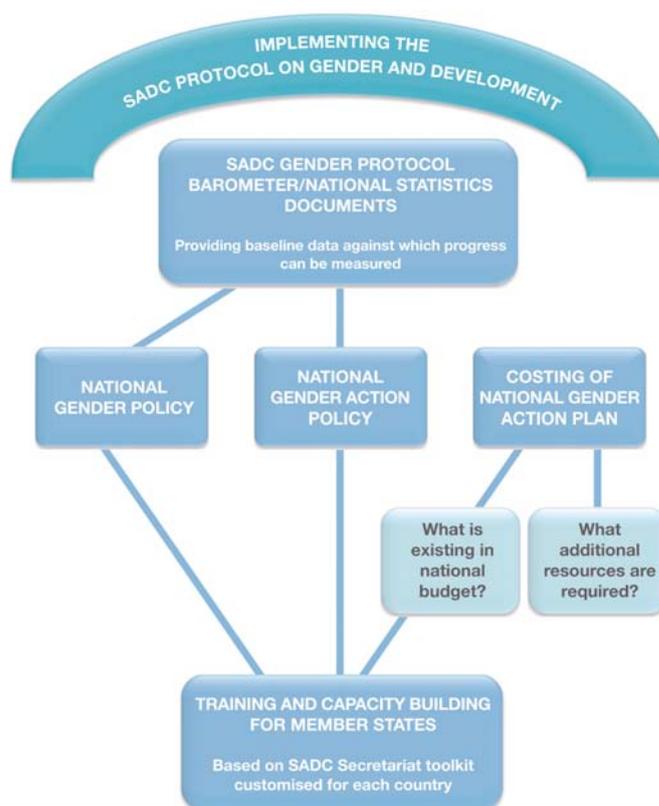
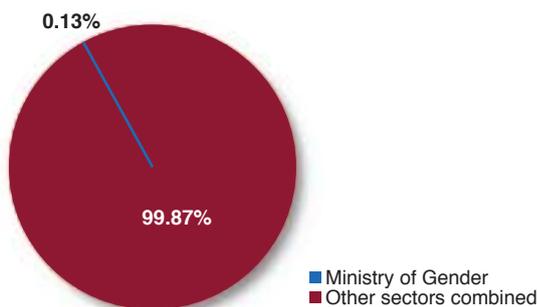


Figure 10.2: National budget allocation to the Ministry of gender



Source: MTEF 2012.

Because of the work on costing the SADC Gender Protocol, it is possible to track proportions allocated to the different line ministries. Table 10.2 gives a breakdown of appropriated expenditure across all line ministries.

Table 10.2: Analysis of appropriated expenditure 2012

Line Ministry	Total	% of total budget
Human Rights		
Police and Prisons Service Commission	3 315 564 443	0.014%
Zambia Police - Min of Home Affairs HQ	742 575 182 616	3.204%
Judiciary - HQ	254 196 402 890	1.097%
Justice	295 140 576 080	1.273%
Human Rights Commission	10 731 058 517	0.046%
Human Development		
Gender and Child Development	29 059 524 209	0.125%
Drug Enforcement Commission	29 918 358 171	0.129%
Disaster Management and Mitigation Unit	67 654 093 720	0.292%
Community Development, Mother and Health	157 229 139 764	0.678%
Health	2 566 933 794 819	11.074%
Education	4 850 866 692 395	20.927%
Governance		
OP - Management Development Division	114 668 126 123	0.495%
OP - Teaching Service Commission	3 230 340 484	0.014%
OP - Commission for Investigations	5 026 101 235	0.022%
OP - Security Intelligence Services	313 402 179 141	1.352%
OP - Lusaka Province - HQ	65 924 586 365	0.284%
OVP	15 778 261 691	0.068%
National Assembly	256 602 591 408	1.107%
Electoral Commission	48 802 115 126	0.211%
Chief and Traditional Affairs HQ	68 002 791 355	0.293%
Home Affairs -	269 352 185 979	1.162%
Foreign Affairs	324 936 177 486	1.402%
Local Government	5 583 967 892 951	24.09%
Local Government - Housing, Early Education & Environmental Protection	458 266 174 873	1.977%
Defence	1 792 998 697 647	7.735%
Anti-Corruption Commission	60 162 453 812	0.260%
Growth Sectors		
Public Service Commission	5 429 162 790	0.023%
Auditor General	77 732 965 545	0.335%
Mines and Natural Resources	101 454 537 853	0.438%
Information, Broadcasting and Tourism	109 863 992 124	0.474%
Commerce, Trade and Industry	90 207 530 368	0.389%
Finance and National Planning	1 108 575 887 431	4.783%
Labour, Youth and Sports	136 543 149 628	0.589%
Lands, Energy and Water	631 349 500 075	2.724%
Agriculture and Life Stock	1 635 337 685 317	7.055%
Infrastructure		
Public Services	533 995 306 911	2.304%
Transport, Works, Supply and Communication	360 337 002 698	1.555%
TOTAL	23 179 567 784 040	

Table 10.2 shows that the amount of money allocated to the Ministry of Gender is little compared to such sectors as the Ministry of Defence for example that gets a share of about 7.7%

A closer analysis in the detailed MTEF shows that the current Zambian Budget (estimates of revenue and expenditure, 2012) has not addressed gender equality as a cross cutting issue. An analysis of selected ministries, such as Ministry of Health, Education, Agriculture, and Local Government and Housing and Community Development, shows that they have limited activities committed towards gender equality. Some Ministries have International Women's Celebrations as the only activity.

In 2011, a pilot project under GIDD/ZARD conducted a gender-based analysis of Ministry of Health and Agriculture

Gender focal points in line ministries

The line ministries have Gender Focal Point (GFPs) persons whose main responsibility is to enhance gender mainstreaming in all sectors. The GFPs are supposed to have a strong link with the MGCD on gender mainstreaming of the public sector. In some cases, some ministries have Gender-Sub-Committees tasked to facilitate and enhance gender based planning and costing.

Provincial and District Committees as well as other community level sub-committees ensure that the planning and budgeting processes from the community levels are engendered. There is a need to strengthen the links between the planners, accountants and GFPs and MGCD. All these three require training in gender mainstreaming and gender responsive budgeting. Many pieces of legislation can be enacted but without resources, not much can be achieved.

Implementation of the SADC Gender Protocol at local government level

A sphere of governance closest to the people, local government structures especially councils have emerged as key allies in implementing the SADC Gender Protocol as well as taking it to local communities. This comes from the realisation that the only way to have a real impact at the local level is to work at council level.

Several research studies such as *"Ringing up the Changes, Gender in Politics in Southern Africa"* found that local government is a neglected area of the gender and governance discourse. Similar research conducted in ten Southern African countries in the series, *At the Coalface, Gender and Local Government*, made the same observations. This led to GL's launch of the Centres of Excellence in gender mainstreaming and local government process. It came from the realisation through the research studies that the only way to have a real impact at the local level is to work at council level.

While policies and strategies at national level are important, these remain so many words if they are not translated into action on the ground. Similarly, it has become clear that the ambitious targets of the SADC Protocol on Gender and Development need to be localised.

GL is working in at least 10 councils in 10 SADC countries to cascade the COE model and has formed strategic partnerships with local government associations, Ministries of Local Government, community based organisations and other role players to ensure that local government is an avenue for promoting gender equality and equity.

Key targets of the local council gender-planning framework have been aligned to the SADC Protocol on Gender and development. Flagship projects include key targets of the SADC Gender Protocol to be achieved by 2015 such as training for women in politics aimed at contributing to the 5050 target and reducing by half the current levels of gender based violence.

The work at the local government level has therefore evolved. Some of the key achievements arising from taking implementation of the SADC Gender Protocol to local level through the COE model include:

Raising awareness of the SADC Gender Protocol at local level: We have found that the Protocol is a good instrument to work with to attain gender parity." In Chibombo, Zambia, a Council without a COE, managers said they had not heard of the SADC Gender Protocol: "In the rural areas you have to start with changing the attitudes of women, let alone the attitudes of men."

The SADC Gender Protocol improving lives as shown by stories gathered by COE Councils and individual "Changing Lives" stories: COE councils are displaying various outward symbols of their commitment, like award certificates from summits in their council chambers. Kapiri Mposhi has started renaming streets after women.

Women taking leadership in response to the 5050 SADC Gender Protocol target: Rachel Mwelwa, Deputy Mayor and gender champion in Kabwe, Zambia added, "Everything about me has changed... I now have the ability to do research and to be confident in everything I do. My motto is, yes we can, the time is now!"

COE Councils cited several examples of ways in which women are being exposed to leadership opportunities outside political office, often contingent on elections that only happen every five years. Many COE councils have stepped up the appointment of women managers: Kapiri Mposhi, Zambia has V-WASH water committees with a 50% quota for women.

Access to productive resources - In line with Articles on economy and productive resources: In Zambia where the government has passed a law giving women access to at least 30% of land title deeds, a distinguishing feature of COEs is that these have taken this provision to heart. In Kabwe, for example, several women have recently been given access to land because of the Council's gender policy. Kabwe is also assisting women to access finance through registering women's clubs, assisting them to open bank accounts, and linking them to credit providers like the Copperbelt Environmental Project.

Women and men are breaking gender stereotypes: Gender benders: COE councils cited several examples of women and men in non-traditional roles. In Kapiri Mposhi, a woman-owned business had won a road construction tender for the first time. Men are participating in council meetings on subjects once considered "women's issues."

Health, HIV and AIDS and Sanitation: This forms part of the gender action plans that councils who are part of the COE programme have undertaken.

Going green, going clean: Some councils are taking up environmental campaigns

365 days of local action to end violence: While non-COE councils still struggle to understand the role of local government in ending violence, all COE councils have flagship projects to end GBV and point to tangible evidence of what is possible. Kabwe and Kapiri Mposhi have set aside budgets for street lights and clearing of empty fields in areas with a notorious reputation for gender violence.



Maimbo Ziela, national coordinator of WLSA-Zambia and local Alliance focal network attending the Alliance annual meeting - Johannesburg, August 2012. Photo: Lucia Makamure

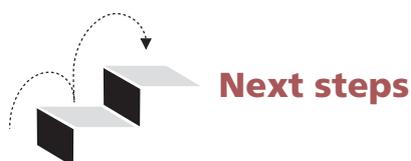
Civil society

The Southern Africa Gender Protocol Alliance a "network of networks" started as a loose coalition in 2005 when the campaign for the adoption of the SADC Protocol on Gender and Development began. As the SADC Gender Protocol campaign shifted from pushing for signing and ratification to lobbying for implementation, it became apparent that there is a need for the Network to reorganise to be effective in monitoring implementation by Member States.

In Zambia, WLSA-Zambia national chapter coordinates the Alliance at national level in its role as national focal network. In the coming year the local network, backed by the regional secretariat will focus on strengthening institutional mechanisms to facilitate advocacy work on raising awareness of the SADC Gender Protocol for citizens as well as tracking implementation. There is a need to develop gender champions for each of the 28 targets in order to move forward in a coordinated way.

Conclusion

Zambia has only signed and not ratified the 2008 SADC Protocol on Gender and Development. Despite not ratifying the Protocol, there has been notable progress towards more gender equality. However, the non-ratification compromises the work being promoted by both Government and civil society organisations. Moreover, although an array of Policies that have been enacted, most are not being fully implemented due to lack of resources.



- Continued advocacy to ensure the engendering of the Constitution; Women must participate fully on the technical committee on the drafting of the Constitution and mobilise women at community, district, provincial and national forums.
- Sensitisation of the Anti-Gender Based Violence and Education Acts and to ensure that they are fully enforced. The Ministry of Gender and Child Development has developed *National Guidelines for the Multi-disciplinary Management of survivors of Gender Based Violence in Zambia*. Scale up and intensify the 50:50 campaign launched in 2009 by the Zambia National Women's Lobby. The post-election review, jointly organised by the ZNWL and NGOCC, argued that the ZNWL should re-launch the campaign and coordinate with its members and other stake holders especially the media.