Promoting Women’s Rights across Africa: Raising Her Voice – Pan Africa Effectiveness Review

Oxfam GB
Policy Influencing Outcome Indicator

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Photo: EQUALITY NOW 2010, African Union Summit in Kampala: (From left to right) Ambassador Rosette Nyirikindi (Ambassador at the Ministry of Foreign Affairs in Uganda) handing Uganda’s ratification instrument to Ben Kioko (Former Legal Counsel of the AU), while Mary Wandia (Former Gender Justice Lead, Oxfam GB) looks on
Acknowledgements

This assessment would not have been possible without the kind support and help of many individuals and organisations. I would like to extend my sincere thanks to all of them.

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We would also like to express our gratitude to the members of SOAWR for their kind cooperation, and especially to Faiza Mohamed and Brenda Kombo in Equality Now for giving us such attention and time.

Abbreviations

ACDHRS Africa Centre for Human Rights and Democracy Studies
AFA Alliance for Africa
AJM Association des Juristes de Mali
AMwA Akina Mama wa Afrika
AU African Union
CEDAW Convention on the Elimination of All Forms of Discrimination against Women
COVAW Coalition on Violence Against Women
DfID UK’s Department of International Development
EWLA Ethiopian Women Lawyers Association
FEMNET African Women’s Development and Communications Network
FGM Female Genital Mutilation
FIDA Federation of Women Lawyers
GBV Gender Based Violence
LHRC Legal Human Rights Centre
NAFGEM Network Against Female Genital Mutilation
NCAA The National Coalition on Affirmative Action
OAU Organization of African Unity
OGB Oxfam Great Britain
RHV Raising her voice
SOAWR Solidarity for African Women’s Rights Coalition
ToC Theory of Change
WILDAF Women In Law And Development In Africa
WOUGNET Women of Uganda Network
WRAPA Women’s Rights Advancement and Protection Alternative
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Executive summary

This is an Effectiveness Review of the Oxfam GB Project ‘Promoting Women’s Rights across Africa’ that is part of the Oxfam GB ‘Raising Her Voice’ (RHV) portfolio. The review uses a predefined qualitative research protocol, Process Tracing, to assess the extent to which: a) changes that the project was seeking have taken place; and b) there is evidence that the project contributed to these changes.

1.1 Project description

‘Raising Her Voice’ (RHV) is a global programme of Oxfam GB to promote poor women's rights and capacity to participate effectively in governance at every level: raising women voices, increasing their influence, and making decision-making institutions more accountable to women.

The project object of this investigation ‘Promoting Women’s Rights Across Africa’ (also known as the Pan-Africa project), is part of the Raising Her Voice portfolio. Through this initiative, RHV committed to support the Solidarity for African Women’s Rights (SOAWR) Coalition secretariat in Kenya as well as partners (SOAWR members) in Sudan, Tanzania, Uganda, The Gambia, Mozambique, Liberia, Nigeria and South Africa.

SOAWR has been campaigning since its inauguration in 2004 to compel African states to urgently sign, ratify, domesticate and fully implement the Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa (also known as the Maputo Protocol).

The theory of change (ToC) illustrated in this report works towards an overarching goal that is ‘protecting women’s rights in Africa’. In working to achieve this overall goal the initiative is focused on the promotion of a conducive legal environment in the continent, particularly pushing for a) the ratification of the Maputo Protocol in all the member states of the African Union (AU), preferably without harmful reservations, and b) enabling national legislation to domesticate and implement the principles stated in the Protocol.

The promotion of the ratification of the Maputo Protocol by member states of the AU has been an essential pillar in the work of SOAWR and a hugely significant outcome within the logic of the intervention.

By 2012, over 50 per cent of AU member states had ratified the Protocol, but legal exceptions are still widespread in national constitutions and in the statutes governing areas such as sexual rights, marital property, inheritance, land and labour. SOAWR has therefore increasingly focused its efforts on domestication and implementation in order to ensure that women are able to fully benefit from the rights enshrined in the Protocol.

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1 In 2009, RHV closed the Project in Sudan due to discrepancies with the partner.
To achieve **ratification** and ensure **domestication** of the Protocol requires an increase in the political will of duty bearers i.e. policy makers at the national level and at the African Union.

The SOAWR Coalition has been seeking to achieve this through two main avenues: a) increased lobbying capabilities of the Coalition to promote the Protocol and hold member states to account; and b) increased public will in support of women’s rights articulated by the Protocol.

The Coalition has focused on three groups of strategies to achieve these interim and final outcomes:

1. Strengthening the Coalition and its members’ lobbying capabilities.
2. Awareness-raising among civil society organisations at national and grassroots levels; practitioners (professionals, such as lawyers, judges or the police, who can exert influence on how the Protocol is implemented and domesticated nationally); and the general public.
3. Increasing capabilities among government officials through institutionalising commitment to women’s rights across all sectors of government through sensitisation and training work with government officials.

We worked with relevant stakeholders to identify one intermediate and one final outcome considered to be particularly significant and appropriate for the review focus (i.e. both central to the intervention’s theory of change and logistically possible). Then, applying process tracing we identified and sought evidence of the extent to which these outcomes have materialised and the plausible causal explanations of that. These two outcomes are:

- **Outcome 1:** Achieve continent-wide ratification of the AU Protocol on the Rights of Women, preferably without harmful reservations.

- **Outcome 2:** Increase the lobbying capabilities of SOAWR Coalition members to promote the Protocol and hold member states to account.

### 1.2 Findings

**Outcome 1:** Achieve continent-wide ratification of the AU Protocol on the Rights of Women, preferably without harmful reservations.

1. The Maputo Protocol is seen by SOAWR as a particularly relevant tool to protect women’s rights in Africa as it highlights issues not effectively covered in other instruments, but which have particular relevance to the reality of the continent. It is a legal instrument born within the African context and from an African-led process.

2. By January 2013, 48 of the 54 AU member states had signed the protocol, 36 of which have ratified and deposited it. Therefore an impressive 73 per cent of the target outcome expressed in the ToC has materialised.
3. Achieving ratifications of the Maputo Protocol has been an essential pillar in the work of SOAWR during these years. However, only two of the RHV focus countries had not ratified by the beginning of the project in 2009, therefore Equality Now's role in the RHV project included working with SOAWR members to secure ratification beyond the RHV countries.

4. Although ratifications, even without domestication, are a crucial step for practitioners to positively affect women's lives, they are not in themselves sufficient to protect the rights of women. The key challenge is ensuring that the Protocol becomes a tool for women's empowerment and a force for freedom for women in Africa.

5. The Evaluation has identified two main influential factors for governments to act and ratify. Governments ratify to coincide with an important AU meeting hosted by the country and/or ratification is prompted by pressure exerted by national and regional civil society, typically SOAWR members. The two causes complement one another and it is not possible to quantify the percentage of influence of each in the process.

6. This review has found sufficient evidence to conclude that Kenyan civil society was a key driving force to achieve ratification in Kenya and that SOAWR members were at the forefront of this struggle. A senior government official directly involved in the ratification process stated that the Kenyan ratification would not have been possible without the work of civil society. When asked what civil society she was referring to she identified members of the Coalition.

**Outcome 2:** Increase the lobbying capabilities of SOAWR Coalition members to promote the Protocol and to hold member states to account.

1. Equipping the Coalition members with increased lobbying capabilities is a hugely significant interim outcome as it is a key precondition to increase the necessary political will to get ratification and implementation of the Protocol.

2. Increases in numbers have given SOAWR a higher level of legitimacy as it has significantly amplified their social base and outreach in Africa.

3. SOAWR as a brand is well known and respected by policy makers for its work on the Protocol. Also the Coalition has contributed to an increase in this status among its individual members.

4. Members of SOAWR are now more aware and more knowledgeable of the Protocol and have worked with it within the daily programming of their organisations. They have also gained confidence and are more efficient at navigating the politics of ratification and domestication processes, both at the AU and at national levels.

5. The sense of belonging and the level of engagement in the Coalition varies greatly among members being higher in Anglophone Africa. Language and cultural barriers were identified as a key challenge for the Coalition to engage effectively with all members.
6. While members have a clear understanding of the overall purpose of the Coalition (to promote the Protocol) they do not necessarily share common values. This disparity could weaken the campaign when moving into domestication/implementation, despite the obvious present advantage that it broadens the outreach.

7. Coalitions spearheaded or strengthened by SOAWR members have emerged at country level, which is important as most of the work to do with lobbying for domestication is unanimously viewed by informants as best led nationally. The Evaluation found some correlation between countries where RHV was present and countries where clear national coalitions focused on the Protocol were in place or emerging.

8. A few dedicated individuals have been relentlessly leading the campaign for almost a decade and are identified as the ‘guardians of the kernel’. One the other hand, three generations of committed campaigners have come and gone over the years, regenerating the campaign. These two aspects have been identified by stakeholders as key factors for the growth and strengthening of the Coalition.

9. The financial support of Oxfam GB through RHV to the SOAWR secretariat has contributed significantly to the strengthening of the Coalition. Beyond the monetary support, Oxfam has helped building capacity among members and has created learning opportunities sharing their expertise, especially in the area of lobbying.

1.3 Programme learning considerations
1. Although ratifications are a necessary step and a powerful instrument, challenges to secure women’s rights in Africa are related to deeply embedded social and cultural factors that are extremely difficult to tackle. This is a long-term goal that requires determination and persistence. SOAWR members, including Oxfam Pan-Africa, have been relentlessly campaigning for almost 10 years for the ratification and domestication of the Protocol, achieving impressive results. A loud recommendation coming from most stakeholders for SOAWR, and particularly from Oxfam, is to take a long-term approach, securing funds and energy and focusing increasingly on national contexts.

2. To increase the level of engagement of partners, it is important for the Coalition to produce an internal communication strategy that creates a cohesive culture and addresses the potential and needs of all members. This means reviewing the Coalition structure, dedicating resources to clarify members’ expectations – understand why they are part of the Coalition, what they can give and what they can get from it – as well as setting up new means of communication and knowledge products.

3. It would be advisable for SOAWR members to engage in clarifying common values (such as their views on abortion or sex workers) beyond the common purpose of encouraging a conducive legal environment.
4. The regeneration of campaigners within SOAWR has been one of the causes of their success and their resilience. However, it is important that the Coalition makes more effort to capture strategies and results so that institutional memory is not lost.
2 Introduction

This is an Effectiveness Review of the Oxfam GB (OGB) Project ‘Promoting Women’s Rights across Africa’ that is part of the Oxfam GB ‘Raising Her Voice’ portfolio. The review uses a predefined qualitative research protocol, Process Tracing, to assess the extent to which: a) changes that the project was seeking have taken place; and b) there is evidence that the project contributed to these changes.

‘Promoting Women's Rights Across Africa’ supports the Solidarity for African Women’s Rights Coalition (SOAWR), hosted by Equality Now in Kenya, to accelerate ratification, domestication and implementation of the African Women’s Rights Protocol (also known as the Maputo Protocol) across the continent. SOAWR is made up of 43 organisations from across Africa, including Raising Her Voice national partners in Mozambique, Liberia, Uganda, South Africa, Tanzania, The Gambia, Nigeria and South Africa.

The theory of change (ToC) of the project was reconstructed by combining and simplifying different programme elements found among the documents provided by the project partners. This ToC was then reviewed and validated in group discussions and interviews throughout the review process. In line with the research methodology, the review focuses on two outcomes derived from this theory of change; ‘achieve continental RATIFICATION of the AU Protocol on the Rights of Women preferably without harmful reservations’ and ‘increase the lobbying capabilities of SOAWR Coalition members to promote the Protocol and hold member states to account’.

3 Evaluation design

3.1 Process tracing

As part of the OGB Global Performance Framework, samples of closing or sufficiently mature projects are selected each year under six outcome areas and their performance rigorously evaluated. These are referred to as ‘Effectiveness Reviews’. Effectiveness Reviews carried out under the ‘Citizen Voice and Policy Influencing’ thematic area are informed by the process tracing research protocol, a qualitative research approach used by case study researchers to investigate causal inference.

Policy and Citizen Voice interventions seek to achieve specific intermediary and final outcomes. As such, our first task as evaluators was to help identify the scope of the intervention, including the outcomes or changes it is seeking to achieve, and the activities undertaken that were intended to bring these about. The researcher then sought evidence of the extent to which the intervention’s key targeted outcomes have materialised; investigated the causal mechanisms responsible, i.e. how the observed change came about; and, in the light of an evidenced understanding of competing explanations, drew conclusions about the significance of the intervention’s contribution.

As such, the purpose of the review is not to narrow down on a single explanation for an observed outcome-level change, but to take a more nuanced approach to identify the causes of change. This should accomplish three things: a) shortlist one or more evidenced
explanations for the outcome in question (which may or may not include the intervention); b) rule out alternative, competing explanations incompatible with the evidence; and c) if more than one explanation is supported by the evidence, estimate the level of influence each had on bringing about the change in question.

While not intended to be a mechanical sequence of linear steps of how the research exercise should proceed, the following eight steps have formed the core of the research exercise’s protocol.

1. Undertake a process of (re)constructing the intervention’s theory of change, in order to clearly define the intervention being evaluated – what is it trying to change (outcomes), how it is working to effect these changes (strategies/streams of activities) and what assumptions is it making about how it will contribute to these changes (key assumptions).
2. Work with relevant stakeholders to identify up to three intermediate and/or final outcomes considered by stakeholders to be the most significant for the review to focus on (central to the intervention’s theory of change, and useful for learning/forward planning).
3. Systematically assess and document what was done under the intervention to achieve the selected targeted outcomes.
4. Identify and evidence the extent to which the selected outcomes have actually materialised, as well as any relevant unintended outcomes.
5. Undertake ‘process induction’ to identify salient plausible causal explanations for the evidenced outcomes.
6. Gather required data and use ‘process verification’ to assess the extent to which each of the explanations identified in Step 5 are supported or not supported by the available evidence.
7. Write a narrative analytical report to document the above research processes and findings.
8. Summarise aspects of the above narrative analysis by allocating project/campaign ‘contribution scores’ for each of the targeted and/or associated outcomes. This is not expected to provide a precise measure of contribution, but rather a sense of how much the campaign was likely responsible for observed change(s).

For the full process tracing protocol, please see Oxfam GB’s Policy and Practice website

3.2 Development of a logic model

The logic model was developed based on an in-depth desk review of project reports and other strategic documents provided by Oxfam GB, Oxfam Pan-Africa and Equality Now – the OGB partner organisation that hosts the secretariat of SOAWR. In addition, the researcher held preliminary interviews via Skype with staff from Oxfam GB, Oxfam Pan-Africa, Oxfam Tanzania and Oxfam Uganda, and received inputs from an internal meeting to review this theory of change held by members of Oxfam GB, Equality Now, COVAW, FiDA and Oxfam Pan-Africa.

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2 Significant iteration between many of the processes is expected and, indeed, desired.
Because of difficulties arranging a wider consultation process, the ToC was validated through individual meetings with key members of Equality Now, Coalition members COVAW, FIDA, FEMNET and FAHAMU, Oxfam Pan-Africa and Oxfam GB.

3.3 Data collection strategy

The review was designed to allow conclusions to be drawn based on the triangulation of evidence collected from different sources (primary and secondary), using a variety of methods.

In the initial stages, the researcher relied on existing documentation, including project documents, progress reports and previous project evaluations, such as the mid-term evaluation of the RHV Pan-Africa Project. To complement this information, primary data was collected to ensure both sufficient coverage (breadth) and insight into the role and functioning (depth) of the RHV Pan-Africa Project and SOAWR Coalition.

A stakeholder map was compiled to inform the strategy for data collection and to identify and classify project partners, staff involved with its implementation, and external people who could help us understand how change happened. While it was initially hoped that this could be developed as a thorough map of stakeholders classified according to: a) their relationship with the project (management, direct partner, indirect partner and bellwether); and b) the type of organisation they work for (national government; local government, civil society – NGOs and associations, academia, international organisations, etc.), in the end, a simpler stakeholder map was elaborated during the field mission in collaboration with Oxfam Pan Africa. This served as a base from which to select interviewees.

**In-depth informant interviews**

The evaluator conducted semi-structured interviews in Kenya with 13 key informants selected from the stakeholder map. Efforts were made to ensure a range of voices was represented, although some key stakeholders could not be interviewed, most relevantly those working with the AU in Ethiopia.

For each potential respondent, questions were drawn up to address some of the core assessment questions and intersect with the informant’s background. Although the interview sheets were structured, the researcher freely followed-up on any emerging issues that appeared relevant to the core questions.

The interview questions could not be sent to the informants in advance as the agenda for the field mission was not finalised until the consultant was already in Kenya. This presented an obvious limitation as providing respondents with time to think is often a more effective way to elicit solid evidence.

**On-line/telephone interviews**

The field mission to Kenya was followed by primary data collection involving contact with identified stakeholders in Oxfam country offices and national counterparts in Uganda, Tanzania and Nigeria. Given the budget and time constraints, the researcher relied extensively on telephone interviews and Skype calls. These presented some limitations due
to technological disruptions, especially in the case of Nigeria, but also in The Gambia where in the end it was not possible to conduct interviews.

**Focus group interviews**
The consultant used this method both in Kenya and by telephone/Skype when there was the need to interview more than one person with a common denominator (i.e. members of the same organisation or country team). This method was useful for obtaining information from several people in a short period of time. Furthermore, the underlying premise was that the interaction among group members has synergistic effects on participants, producing higher quality information.

**Collecting additional evidence**
After each interview the informants agreed to send further documentation backing their testimonies. The response was not always satisfactory despite excellent support provided by SOAWR Secretariat. The researcher was able to collect around half of the documents promised by informants.

**On-line survey**
To ensure that a wide spectrum of views was represented a web survey was conducted to gather impressions of all SOAWR members. The questionnaire was provided in two languages – English and French – and was received by 43 stakeholders. Of these, 14 returned completed or partially completed questionnaire covering views from Liberia, Senegal, South Africa, Egypt, Malawi, Kenya, Burkina Faso, Uganda, Nigeria, Cameroon and Tanzania. The response rate of 33 per cent was too low to make thorough statistical extrapolations, but served to provide qualitative evidence on significant issues. We analysed each of the 14 answers coming from the online survey individually to inform the evidence table.

**Data analysis process**
Following completion of the main data-collection phase, the consultant drew triangulated conclusions based on the best available evidence appropriate to each research question. In the cases where there was not enough evidence the consultant openly indicates this in the report.

### 3.4 Limitations
The review faced challenges in delineating the boundaries of the RHV Pan-Africa Project, given the overlap in the nature of activities, the use of human and financial resources and reporting of results between the SOAWR Coalition and RHV projects in the African countries where RHV Pan-Africa operated, and the overlap of RHV and the work of the SOAWR Coalition widely.

Time and resource constraints for conducting the review limited the ability to capture all relevant information. This is common, and particularly notable in the face of complex interventions with a wide geographical scope. Considering that the Pan-Africa project is a continental coalition, it has not been possible to infer changes explored from the Kenya context to other national coalition members.
As expressed above, there were a number of serious limitations during the data collection process due to the timing of the mission to Kenya (one week before Christmas), which meant that some people could not be consulted.

Finally, a certain degree of disengagement by some stakeholders made it difficult or impossible to organise additional online group discussions and interviews, most noticeably with government officials at the African Union. Officials in the AU were important bellwethers who could have given interesting evidence on how the SOAWR Coalition is perceived by regional level policy makers.
4. Project description and Theory of Change

‘Raising Her Voice’ (RHV) is a global programme of Oxfam GB to promote poor women's rights and capacity to participate effectively in governance at every level: raising women voices, increasing their influence, and making decision-making institutions more accountable to women. The overall focus of the initiative is on improving governance and transparency by recognising and increasing the significant contribution poor women can make in public life in promoting their rights.

The programme works as a portfolio of projects in 17 countries, originally including eight in Africa, funded mainly through the UK’s Department of International Development (DfID) and coordinated by Oxfam Great Britain (OGB).

The project object of this investigation ‘Promoting Women’s Rights Across Africa’ (also known as the Pan-Africa Project), is part of the RHV portfolio. Through this initiative, RHV committed to support the Solidarity for African Women’s Rights (SOAWR) Coalition secretariat in Kenya as well as partners (SOAWR Coalition members) in Sudan, Tanzania, Uganda, The Gambia, Mozambique, Liberia, Nigeria and South Africa.

SOAWR has been campaigning since its inauguration in 2004 to compel African states to urgently sign, ratify, domesticate and fully implement the Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa (also known as the Maputo Protocol).

The project runs from 2008 to 2013 with a total budget of £573,947 GBP. However, the programme was able to leverage more DfID funding and broaden the scope of its work to support SOAWR beyond the eight RHV countries.

The Maputo Protocol

The Maputo Protocol is a particularly relevant tool to protect women’s rights in Africa as it highlights issues not effectively covered in other instruments, but which have particular relevance to the reality of the continent; including HIV and AIDS, trafficking, widow inheritance and property grabbing.

It also addresses harmful traditional practices, explicitly calling for the legal prohibition of female genital mutilation (FGM). It is therefore a legal instrument born within the African context and from an African-led process.

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3 In 2009, RHV closed the Project in Sudan due to discrepancies with the partner.
4.1 The Theory of Change of the Pan-Africa Project

4.1.1 The overarching goal

The theory of change illustrated here (Figure 1) works towards an overarching goal that is 'protecting women's rights in Africa', or what some of the key stakeholders have expressed as 'making the Protocol work for women'. It also sets out some assumptions and theories as to how that change will come about, and the project's role within that.

There is wide consensus that this overarching goal is a long term and complex objective of a motivational nature that occurs incrementally rather than in a linear fashion and is influenced by a multitude of factors, many of which are beyond the scope of influence of the SOAWR Coalition. Furthermore, it is worth noting that the geographical entity ‘Africa’ presents us with an extra layer of complexity as contexts are radically different across regional, national or local levels.

4.1.2 The final outcomes

In working to achieve the overall goal of protecting women’s right in Africa, the initiative is focused on the promotion of a conducive legal environment in the continent, particularly pushing for a) the ratification of the Maputo Protocol in all the member states of the African Union preferably without harmful reservations and b) enabling national legislation to domesticate and implement the principles stated in the Protocol.

How we got to the ToC

As evaluators, we developed a model theory of change to help to make sense of the different elements of work and contributions within a shared ‘bigger picture’ setting out how change was expected to happen.

Initially the ToC was based on an in-depth desk review and preliminary interviews with key staff from Oxfam GB. The draft ToC was then further developed and validated with key staff of OGB, Equality Now and SOAWR Coalition members, individually during the field visit.

This validated theory of change (Figure 1) provides a framework on which to assess and understand the project's achievements and effectiveness. Feedback from all stakeholders has been very positive, and most people have been able to recognise their own strategies and approaches in it.

Since its establishment in 2004, SOAWR has applied a broad strategy in order to influence not only the African Union, but also its 54 member states with a strong emphasis on analysing and mapping out; a) opportunities for SOAWR Coalition members to develop influencing strategies to increase the number of ratifications of the Protocol and; b) reasons and bottlenecks for non-ratification.

In this regard, it is important to note that the Coalition has faced two main contentious issues in the Maputo Protocol that have created opposition; the article on reproductive health, especially on legalisation of abortion, which is mainly opposed by Catholics and other Christians; and the provisions on female genital mutilation, polygamous marriages and other traditional practices.

The promotion of the ratification of the Maputo Protocol by member states of the AU has been an essential pillar in the work of SOAWR and a hugely significant outcome within the logic of the intervention. We will analyse this outcome further under the findings chapter.

2. Enact enabling legislation to incorporate the Protocol into DOMESTIC law and IMPLEMENT it.

By 2012, over 50 per cent of AU member states had ratified the Protocol, but legal exceptions are still widespread in national constitutions and in the statutes governing areas such as sexual rights, marital property, inheritance, land and labour. SOAWR has therefore increasingly focused its efforts on domestication and implementation in order to ensure that women are able to fully benefit from the rights enshrined in the Protocol. The road to domestication and implementation took different shapes in different national contexts.

Frequently, the Protocol is regarded by campaigners as a ‘menu of rights’, a powerful tool to tackle ‘hot issues’ where national laws are insufficient to guarantee particular rights for women. This has been done by aiming for the domestication of the Protocol through the incorporation of its provisions into specific national legislation, such as violence against women. This strategy has worked in Liberia, Uganda, Mozambique and Nigeria.

In Liberia, for instance, the SOAWR campaign has focused on urging the government to take expeditious action to protect girls and women from female genital mutilation (FGM) and, to this end, calls on the Liberian government to stop issuing permits to FGM practitioners, to initiate the process of criminalising FGM and to invest in public education against the practice.

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4 The RHV Pan-Africa project launched in June 2008 focused on seven African countries, plus Kenya where the SOAWR secretariat is hosted. Of these, only Uganda, Sudan and Kenya had not ratified and deposited the Protocol at the beginning of the project in 2009.
Through the Liberian campaign SOAWR was able to seek justice for Ruth Berry Peal who was forcibly genitaly mutilated. Ruth was the first Liberian to take the bold stand of announcing publicly the harm caused to her by the practice. Ruth was aware of the poor judicial system in Liberia and requested that the case be transferred to a neutral location so that she could get a fair trial.

In this case, the judge made references to the Liberian Constitution and article 4(1) of the African Protocol on the Rights of Women which provides for ‘Every woman shall be entitled to respect for her life and the integrity and security of her person. All forms of exploitation, cruel, inhuman or degrading punishment and treatment shall be prohibited.’

In other cases, national campaigns have focused on passing a Women’s Bill as a way of domesticating the Protocol in its entirety. The best example is found in The Gambia where SOAWR member Africa Centre for Human Rights and Democracy Studies (ACDHRS) was a major force behind the passing of the Women’s Act in 2010.

The Women’s Act of 2010 is one of the few pieces of legislation that expressly incorporates an international treaty. In its preamble, it is clearly stated that the law is ‘an Act to implement the legal provisions of the National Policy for the Advancement of Gambian Women and Girls, and to incorporate and enforce... the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa’.

4.1.3 Interim outcomes

To achieve ratification and ensure domestication of the Protocol requires an increase in the political will of duty bearers i.e. policy makers at the national level and at the African Union.

The SOAWR Coalition has been seeking to achieve this through two main avenues: a) increased lobbying capabilities of the Coalition to promote the Protocol and hold member states to account; and b) increased public will in support of women’s rights articulated by the Protocol.

4.1.4 Strategies

The Coalition has focused on three groups of strategies to achieve these interim and final outcomes:

1. Strengthening the SOAWR Coalition

For almost ten years SOAWR has been supporting the establishment of a coalition for African women. SOAWR is now a regional network with a membership of 43 national, regional and international civil society organisations in 23 African countries including Raising Her Voice country partners in Uganda, Liberia, The Gambia, Nigeria, South Africa, Mozambique, and Tanzania. SOAWR has its secretariat in Kenya hosted by the NGO Equality Now. Oxfam GB was part of the Steering Committee of the Coalition and was instrumental in its creation in 2004.
From the start, SOAWR has been strengthening the Coalition and its members’ lobbying capabilities in three main ways. Firstly, by increasing the level of access of Coalition members to policy makers both at AU and national levels. Secondly, by increasing their knowledge about the Maputo Protocol in relation to its content and possible applications, and also to the politics of processes of ratification and domestication. Thirdly, by increasing the number of platform members, as well as communication and mutual support between members, in order to collectively tackle issues related to the Protocol, especially sensitive ones. We unpack this strategy further under the ‘findings’ chapter.

2. Awareness raising

Awareness raising is an important strategy mentioned in several reports and strategic papers as ‘the popularisation’ of the Protocol. The ToC identifies several audiences for this: civil society organisations at national and grassroots levels; practitioners (professionals such as lawyers, judges or the police who can exert influence on how the Protocol is implemented and domesticated nationally); and the general public.

There have been considerable efforts to reach out to rural women to ensure that they are aware of the provisions of the Protocol and their rights so that their voices can be heard in policy-making spheres.

In July 2010, SOAWR and partners hosted the East African Caravan on maternal health that travelled through Kenya, Tanzania, Rwanda and Uganda in July 2010, under the theme ‘Act Now – No woman should die while giving life!’

Also from 21–22 July the same year, Equality Now with Fahamu, AMwA, FEMNET and Oxfam GB organised the Rural Women’s Conference in Uganda. Through these events, SOAWR sought to popularise the Protocol, or aspects of it, among rural women, amplify women’s voices in the African Union and policy-making circles, and support women’s participation in African Union processes.

The Coalition has also engaged grassroots communities, making the Protocol relevant to their own experiences, for example by simplifying the content of the Protocol and communicating it in a way that is relevant to a particular audience.

Effects of awareness raising

The awareness raised in civil society was expected to have two effects. Firstly, it promotes the demonstration of public will around the Protocol. Secondly, and most significantly it strengthens the Coalition by legitimising its brand and broadening its social base. The public awareness raising work has been more sporadic and opportunistic than the direct lobbying, as it was agreed that the Coalition lacked the necessary resources to undertake a significant public awareness campaign targeting the entire population of the continent. However, there has still been a huge amount of energy devoted to this area of work.
In The Gambia, for example, the involvement of traditional communicators (especially women) in composing songs in local languages was useful for disseminating information among rural communities. These communication techniques helped illiterate audiences to understand the rights enshrined in the Maputo Protocol. In addition, the production of brochures, posters and the translation of the Protocol into local languages has fostered better understanding of the instruments at the grassroots.

Another example of how the Coalition has tried to raise awareness is through fostering powerful partnerships. For instance, during the UNITE Campaign in March 2012 Equality Now partnered with NAFGEM in Tanzania to enable children to add their voice to the pan-African campaign calling on governments to act and implement their commitments. Through the RHV project, Equality Now provided resources for NAFGEM to mobilise over 100 school children to stage various activities that were widely publicised through local media. According to SOAWR internal reports, an estimated 30 schools and 500,000 youth were reached with messages of ending violence against women and girls.

To reach out to practitioners, such as lawyers and judges, the campaign has employed several tactics. Probably best illustration of these efforts has been the development of a guide for application of the Protocol for legal defence. The guide/manual is currently available in English and French and its launch was accompanied by a training programme for lawyers on how to use it. At the same time, the Coalition started collaboration with various institutions in the continent to adopt the manual in their trainings, including law societies’ continuous learning programmes and university law faculties, with the aim of streamlining the manual into the official curriculum. SOAWR also reached out to judges’ and magistrates’ associations in different parts of the continent to share the manual with them and encourage them to use it during their training or for reference.

**Increase capabilities among government officials**

This strategy, recently named the ‘multi-sectoral approach’, aims at institutionalising commitment to women’s rights across all sectors of government through sensitisation and training work with government officials. This approach is implemented systematically only in a handful of countries under the umbrella of a project recently financed by UN Women. However, the strategy of targeting government officials, even if more ad hoc, has been present throughout the project life.
4.2 Focus of this research

We worked with relevant stakeholders to identify one intermediate and one final outcome considered to be particularly significant and appropriate for the review focus (i.e. both central to the intervention’s theory of change and logistically possible). Then, applying process tracing we identified and sought evidence of the extent to which these outcomes have materialised and the plausible causal explanations of that. These two outcomes are:

**Outcome 1: Achieve continent-wide ratification of the AU Protocol on the Rights of Women preferably without harmful reservations.**

As explained in the project description this outcome has been the core focus of the SOAWR Coalition during the course of the project (2008–2012). In this research, due to time and resource constraints, we were not able to investigate all the ratification processes where SOAWR might have been involved during the life of RHV Pan-Africa project, (i.e. Ivory Coast, Congo, Equatorial Guinea, Gabon, Guinea, Kenya, Swaziland, Uganda and Zimbabwe). We have zoomed in on the case of Kenya, which ratified within the timeline of the RHV project in 2010 and was one of the RHV focus countries, to illustrate the extent to which SOAWR’s lobbying work has been able to exert influence on African governments to achieve ratification.
Outcome 2: Increase the lobbying capabilities of SOAWR Coalition members to promote the Protocol and hold member states to account.

The ToC identified two interim outcomes of which this holds the most weight and relevance in the project. There is wide consensus among all stakeholders consulted that the Coalition favoured ‘increasing lobbying capabilities’ of their members as a way to influence political will, over ‘increasing demonstration of public will around the Protocol’. Therefore the research has focused on the assessment of this outcome.

During our research, the outcome ‘enabling national legislation to domesticate and implement the principles stated in the Protocol’ emerged strongly as particularly relevant to the project’s contribution to the change objectives, and in particular to Oxfam’s role. Time and resource constraints for this assessment limited our ability to investigate this outcome fully. This is especially true in the face of interventions that have taken place in complex environments and across an entire continent. Thus this outcome was not envisaged to be a focus of the assessment during the inception process. However, we have put forward some important considerations that emerged during the Evaluation in a separate section (5.3).
5 Findings

5.1 Outcome 1

Achieve continent-wide ratification of the AU Protocol on the Rights of Women preferably without harmful reservations.

We start the description of this outcome with a short account of the history behind the Maputo Protocol and how SOAWR has been a key player since the inception of it in 2003.

Following the Vienna World Conference on Human Rights in 1993, a resolution was passed by the Organisation of African Unity (OAU) mandating the African Commission on Human and Peoples’ Rights to draft an additional Protocol to the African Charter on Human and Peoples’ Rights (the African Charter) that would elaborate the human rights of African women.

In 2002, FEMNET, one of the founder members of what was to be SOAWR, raised concerns that the tabled Protocol was too weak. In January 2003, African women’s organisations met in Addis Ababa at a meeting convened by Equality Now (now secretariat of SOAWR), FEMNET and the Ethiopian Women Lawyers Association (EWLA) to develop strategies to lobby the AU and individual governments and encourage their participation in experts’ and ministerial meetings on the draft protocol. Other SOAWR member organisations represented at the meeting were ACDHRS, AJM, Akina Mama wa Afrika, WRAPA and WILDAF.

The meeting developed a mark-up of the draft Protocol showing areas of weakness to be improved, and providing stronger language for certain provisions. This was shared with member states, who were urged to convene a stakeholders’ meeting to discuss and endorse the proposed changes. Gender ministers accepted most of the recommended changes. The Protocol was adopted by the African Union (AU) on July 11, 2003 at its second summit in Maputo, Mozambique and thereafter known as the Maputo Protocol.

This short account of how the Maputo Protocol came to be was validated by several key stakeholders during the course of our research and indicates to us that key members of the SOAWR Coalition were involved from the very beginning in lobbying for the elaboration of an Africa-specific instrument on the rights of women.

The Protocol made history by coming into force in the shortest time in the OAU/AU history, on November 25, 2005, after being ratified by the requisite 15 AU member states. SOAWR was credited by various informants with having played a role in this process.

SOAWR focused mainly on AU Summits, engaging media and using a naming and shaming strategy to show which states had not ratified or not signed up to the Protocol. For example, one early Coalition strategy, frequently mentioned during the course of this review, was to hand out red, yellow and green cards to member states to signify their level of adoption of the Protocol, in the presence of the press. This strategy was used at the AU summit in Nigeria in 2005.

An assessment of the effectiveness of these early strategies prior to 2009 was beyond the scope of this research. However, we could certify that in 2005 a total of 11 countries ratified
following the summit where the scorecard was made public. This can be taken as an indication of the effectiveness of this strategy.

By January 2013, 48 of the 54 AU member states had signed the protocol, 36 of which have ratified and deposited it, according to the AU website. Therefore an impressive **73 per cent of the target outcome expressed in the ToC has materialised.** However, there are a couple of qualifications of the quality of this achievement that are worth noting:

1. **Dirty vs. clean ratifications.** The ToC, and particularly this outcome, has been evolving during the life of the project. At the beginning of the project the Coalition was pursuing ratification without reservations, known as ‘clean ratifications’.

   Initially, Coalition members were adamant that they would only accept full ratification of the Protocol, but were convinced by Raising Her Voice activists from The Gambia that accepting 95 per cent success was better than taking an ‘all or nothing’ approach.

   ‘Get first the ratification and clean it up afterwards’
   
   SOAWR member

The National Assembly of The Gambia approved the Protocol for ratification on 11 March 2005 with reservations on Articles 5, 6, 7 and 14. Following the ‘dirty’ ratification on 2005, many civil society groups in The Gambia, including RHV partner the Africa Centre for Human Rights and Democracy Studies (ACDHRS), embarked on a long battle and dialogue with policy makers to remove the reservations. The Gambian National Assembly took the decision to lift these four reservations to the Protocol on the eve of the July Assembly of the 2006 AU Summit held in Banjul.6 After this experience, there was a change of strategy within the Coalition to get ratifications ‘preferably without harmful reservations’ but if there were any, to try to ‘clean them up’ afterwards.

Going for ‘dirty’ ratifications has been a deliberate strategy of the Coalition conditioned by national contexts (i.e. in conservative countries it may not always be possible to get clean ratification and countries may only agree to ratify if they can place reservations). One important consideration that many members argue is that women should not be denied those rights provided for in the event that a country has reservations.

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5 Source: African Union
6 Sources: SOAWR, Oxfam GB, Pambazuka News.
The strategy has proved successful in The Gambia and recently in Uganda where the reservation on article 14 was removed at the end of 2012. However, a small number of key SOAWR members still expressed doubts as to whether this is a legitimate strategy with more focus on national lobby groups, or if the Coalition is less confident that they can get ‘clean ratifications’ and are just going for numbers.

1 Legitimacy of social base. Equatorial Guinea deposited its instrument of ratification of the Protocol on June 29th 2011 prior to the 17th Ordinary Session of the Assembly of the AU being held in Malabo, Equatorial Guinea in 2011. Some days before, SOAWR members met with the Minister of Gender to advocate for the speedy deposit of the ratification instrument. Several key informants have credited this meeting as the final push for the country to ratify.

Actually SOAWR members engaged with the government delegates at AU Summits since 2004 urging them to ratify. Furthermore, the experience of Equatorial Guinea led SOAWR to do a mapping exercise to determine the reasons for non-ratification and be able to make suitable interventions per country.

The example of Equatorial Guinea, although outside of this particular Evaluation, is interesting because SOAWR did not have any partners working in the country. During the course of this assessment some key SOAWR members asked how legitimate a lobby process can be if it is not prompted by national civil society.

5.1.1. Findings – The case of Kenya

Causal stories

From the evidence and learning of the Pan-Africa RHV team, we identified two main ways in which the pressure exerted on the government of Kenya resulted in the ratification of the Maputo Protocol. They complement one another and it is not possible to quantify the percentage of influence of each in the process. These are:

1. Kenya ratified coinciding with an important AU meeting hosted by the country. This was also the case in various ratification processes emerging during this assessment (such as Uganda, The Gambia and Equatorial Guinea who ratified on the eve of hosting AU Assemblies).

2. Pressure exerted by national and regional civil society, particularly SOAWR members,\(^7\) prompts government members to act on ratification.

\(^7\) During the course of this research we encountered a publication ironically published by an SOAWR member, the University of Pretoria, that credited another civil society campaign with having done the lobbying that prompted ratification in Kenya. The consultant followed this lead during the field mission in Kenya, but found no evidence backing this causal story.
During the course of the Evaluation we found sufficient evidence to conclude that Kenyan ratification would not have been possible without the work of civil society and particularly of SOAWR. Oxfam GB, as SOAWR founder member and main contributor to the work of the secretariat (60 per cent of their budget since 2009) is also credited with having contributed to this achievement.

On 6 October 2010, according to AUC, Kenya ratified the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa. The announcement came at the launch of the African Women’s Decade in Nairobi. Kenya had struggled along the road to ratification since the country signed the Protocol in 2003. As in several African countries, groups – including church groups – campaigned against the document, alleging that it contained immoral or culturally repugnant provisions. Most significantly Pope Benedict XVI himself, in an address to the diplomatic corps on 8 January 2007 accredited to the Holy See, called the Maputo Protocol ‘an attack on life’ and specifically ‘an attempt to trivialise abortion surreptitiously’.

These same tensions were present in the debate in Kenya over ratification, precisely centred on article 14, which encountered most opposition from Christian groups. The Protocol also entered the discourse of the run-up to the referendum on the new constitution in August 2010 when ‘No’ campaigners argued that the new constitution would immediately domesticate the Maputo Protocol, though at the time Kenya had not yet ratified the Protocol.

During these years the campaign to ratify also had important endorsements from senior government officials. For example, the Hon. Chirau Ali Mwakwere, Minister of Foreign Affairs pronounced at the 2004 International Conference on FGM: ‘At the Opening Ceremony to this Conference, His Excellency The Vice President, the Honourable Arthur Moody Awori, speaking on behalf of His Excellency The President, the Honourable Mwai Kibaki, made a solemn commitment in front of your that the Republic of Kenya will ratify the Maputo Protocol. As Minister of Foreign Affairs, it is my honour and privilege to fulfil Kenya’s will and commitment as expressed by the VP and proceed within the shortest possible time to the formal ratification and effective implementation. I would also echo the words of His Excellency delivered on Thursday, and his commitment to encourage fellow members of the African Union to join Kenya in ratifying the Maputo Protocol, so that we can see its entry into force and empower women across the continent’.

**Contribution of SOAWR to the outcome in Kenya**

As mentioned before, Kenyan ratification of the Maputo Protocol was on the cards almost as soon as the Protocol came into being in 2003. As early as 2004, SOAWR reports in the publication *The African Union Protocol on the Rights of Women in Africa: Not yet a force for freedom* that ‘the Coalition on Violence against Women (COVAW), had intensified its lobbying of relevant government ministries and, in particular, the office of the Vice President and Ministry of Home Affairs and the Ministry of Gender’.

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10 COVAW is a member of SOAWR.
Several testimonies from members of the SOAWR Coalition stated consistently that the first Draft Memorandum of the ratification discussed by the Kenyan cabinet in around 2007 was drafted by members of the SOAWR Coalition.

The Ministry of Gender reviewed this memorandum and sent it to the cabinet, which discussed its content and supposedly approved it. Although it is unclear at what stage the ratification process got blocked, a senior government official certified that after discussing the memorandum, the cabinet adopted a resolution to ratify the Protocol and instructed the Ministry of Foreign Affairs to deposit the instrument of ratification. The resolution was then sent to the Attorney General's Office and the Ministry of Gender to draft the instrument, and to the Minister of Foreign Affairs to sign it.

This cabinet resolution was then lost, not to be found until 2010. Many viewed this event as an intentional technocratic attempt to stop the ratification process prompted by devout Catholic groups. Many respondents consider that, in fact, Kenya hesitated to ratify the Protocol due to the provisions in Article 14 (c), which calls upon member states to take measures to authorise medical abortion in specific circumstances.

In October 2010, Kenya hosted the launch of the Africa Women Decade and in the run-up to this event, SOAWR members in Kenya took the opportunity to revive their call for the ratification process. They engaged with government officials as early as March 2010. Furthermore, the Coalition worked hard to put ratification of the Protocol on the civil society agenda in the run up to the launch. Several SOAWR members took part in different planning committees and organised an event: ‘Government and Legal Protection: Revisiting African Instruments, The Women’s Protocol, AU Gender Policy, Solemn Declaration for Gender Equality, the APRM and the Charter on Human and People’s Rights’. Many members of the SOAWR Coalition in Kenya were part of the panel.

On 29 September 2010, FEMNET, on behalf of the Coalition, secured a meeting with the Permanent Secretary to the Ministry of Gender, Dr James Nyikal, to state the urgency for Kenya to ratify as it prepared to host the launch of the Africa Women’s Decade. We had access to correspondence between FEMNET and the Ministry of Gender referring in detail to the content of the meeting where the Permanent Secretary asked for a ‘step by step’ process to complete the ratification process. FEMNET sent detailed guidance on 30 September. Dr Nyikal was convinced by SOAWR's arguments and urged the legal department of the Ministry of Gender to speed the ratification process before the launch.

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11 Meeting with the minister of Gender; meeting with the PS of Ministry of Justice, and finally more closely working with the PS Gender.
The senior official in the legal office who was directly responsible for preparing the ratification confirmed that the meeting with FEMNET was the tipping point that convinced the Permanent Secretary to take urgent action. She also confirmed the story of the ‘lost cabinet resolution’ which was then recovered and sent to the pertinent ministries to complete the ratification process. The legal officer stated that the Kenyan ratification would not have been possible without the work of civil society. When asked which members of civil society she was referring to she specifically identified members of the Coalition.

The cabinet resolution instructed the ratification of the Protocol, with reservations on article 14, and this is how it was deposited at the AU. However, by this time a new Constitution had been passed in Kenya in 2010 which states that abortion is permitted if ‘in the opinion of a trained health professional, there is need for emergency treatment, or the life or health of the mother is in danger, or if permitted by any other written law’. This clause is not dissimilar to that of the Maputo Protocol to ‘protect the reproductive rights of women by authorising medical abortion in cases of sexual assault, rape, incest, and where the continued pregnancy endangers the mental and physical health of the mother or the life of the mother or the foetus’.12

Actually during the course of this review, a senior government official directly involved in the drafting of the Constitution confirmed that the Maputo Protocol was one of the sources of ‘inspiration’ during the drafting period. Despite having the right to safe abortion already addressed in the new Kenyan Constitution, the Coalition is still pursuing the lifting of this reservation of ratification of the Protocol.

5.1.2 Significance of the outcome

When a country ratifies the Protocol, even before domestication, this can become an important tool for legal practitioners to positively affect women’s lives. However, in most cases, especially in common-law systems, international and regional law are not automatically applicable, and the government must enact enabling legislation to incorporate international instruments into domestic law.13 This process, known as legal incorporation, is a key step within the ToC to be able to ‘make the Protocol work for women’.

Therefore, ratification is a step in a larger process and forms the foundation for domesticating the Protocol and then using judicial mechanisms to ensure that rights are enforced. Without national recognition of the Protocol through ratification, the process of domestication, implementation and enforcement is near impossible. However, without denying the value of ratification as a necessary first step, it is not in itself sufficient to protect the rights of women. The key challenge is to ensure that the Protocol becomes a tool for women’s empowerment and a force for freedom for women in Africa.

12 Maputo Protocol, article 14. C.
5.2 Outcome 2

Increase lobbying capabilities of the SOAWR Coalition to promote the Protocol and to hold member states to account

The Solidarity for African Women’s Rights (SOAWR) Coalition was created in 2004 by FEMNET, Equality Now, Oxfam GB and Fahamu to advocate for the speedy ratification, domestication, implementation and popularisation of the Maputo Protocol. The Coalition’s Secretariat is hosted by Equality Now in Nairobi. The role of the secretariat is to facilitate communication, coordinate Coalition activities and ensure the smooth running of the Coalition. The Secretariat is also responsible for collecting partners’ updates and consolidating them into a quarterly newsletter.

The Secretariat is supported by its Steering Committee, the decision-making body made up of six members, three working at regional level and three at national level. Members are responsible for implementing activities, promoting the use of the Protocol in their countries and keeping the Secretariat updated on the same to ensure effective sharing among partners.14

The Coalition is the main vehicle for SOAWR to influence policymakers to ratify the Protocol, and the most important instrument to push for its domestication and implementation at the national level. Equipping Coalition members with increased lobbying capability is a hugely significant interim outcome. There is indeed plenty of evidence that quality and appropriate civil society lobbying is an effective way to exert pressure on policymakers.

Of the interim outcomes identified in the ToC, ‘increasing lobbying capabilities’ was given the most weight by respondents in this review. This was the view of all the Coalition members we talked to and 13 of the 14 respondents to the survey also declared that their organisation had a strong focus on lobbying. Only half of these organisations felt that their strength lay in public mobilisation or grassroots work.

We have found that this outcome has materialised, and the SOAWR Coalition has been strengthened during the duration of the RHV project in four key respects:

1. There has been an increase in membership significantly amplifying their social base and outreach in Africa.
2. The Coalition and its members have gained access to policymakers and are now better known and respected among duty bearers both at national and AU levels.
3. Members are more aware of and knowledgeable about the Maputo Protocol.
4. To a lesser extent, Coalition members have a clear common purpose, although the level of engagement among their members varies greatly.

In the following section, we address the salient plausible explanations for how each of these aspects have crystallised.

5.2.1 Findings

It has been a challenge to find sufficient evidence to rigorously state whether and how SOAWR and its members have increased their lobbying capabilities. Limitations during the

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14 Internal Coalition documentation.
data collection process meant that the vast majority of the findings set out here could not be triangulated by external informants or information, such as from the African Union. Most of the findings have, however, been triangulated using internal sources, such as in-depth interviews with SOAWR members, internal documents, analysis of members’ webpages and an on-line survey.\(^{15}\)

Analysis of email traffic among Coalition members in December 2012 was also undertaken to gain insight into aspects such as their level of engagement, trending topics and the participation balance among different geographical areas. The list was limited to emails sent in December 2012, and it was therefore insufficient to produce strong conclusions about trends during the entire project period. However, it gave us an indication as to who has been driving the communications among Coalition members.

Using the data available, we have been able to present and illustrate with triangulated examples four causal stories explaining why the Coalition is now stronger. These four aspects have complemented one another.

**Numbers and outreach of the Coalition**

| Today the SOAWR Coalition comprises 43 members from 23 African countries. The Coalition \(–\)has increased its membership by 42 per cent (from 25 to 43 members) since RHV started in 2008. These increases have given SOAWR a higher level of legitimacy as it has significantly amplified its social base and outreach in Africa. In this last regard, during the course of the review, we saw documented examples of Coalition members active in other national and regional networks, serving as spearheads and spokespeople among African civil society on issues pertaining to the ratification and domestication of the Protocol. |

| The focal point for SOAWR in Uganda, *Akina Mama wa Afrika*, used their membership in the Women of Uganda Network (WOUGNET)\(^{16}\) to spread news related to the Protocol. In Nigeria, SOAWR member Women’s Rights Advancement and Protection Alternative (WRAPA) is a member of The National Coalition on Affirmative Action (NCAA), made up of 150 NGOs working towards the domestication of CEDAW. WRAPA together with the NCAA is working on the drafting of the Gender Opportunities and Equality Bill, harmonising the provisions of the AU Women’s Protocol, The Convention on the Elimination of all forms of Discrimination against Women, and Nigeria’s National Gender Policy. |

| Examples were also found in Tanzania, where the implementing partner of RHV and SOAWR member LHRC (Legal Human Rights Centre) has increasingly engaged in awareness raising during 2011 through the anti-FGM Coalition, specifically regarding Women’s Rights as stipulated in the Maputo Protocol.\(^{17}\) |

\(^{15}\) However, even this latter is not a reliable source, as the response level (14 out of 43) was insufficient to make it statistically significant and therefore conclusions are not translatable to the entire Coalition.

\(^{16}\) Non-governmental organisation initiated in May 2000 by several women’s organisations in Uganda to develop the use of information and communication technologies (ICTs) among women as tools to share information and address issues collectively.

\(^{17}\) Evaluation of Legal and Human Rights Centre (LHRC) in Tanzania, SIDA, 2012.
Additionally, coalitions spearheaded or strengthened by SOAWR members have emerged at country level, which is important as informants were unanimous that lobbying for domestication has to be nationally led.

In Uganda, *Akina Mama wa Afrika* (AMwa), hosted the *Uganda Coalition for African Women’s Rights* ‘Women First’ from 2007 to 2012, leading them to lobby the government of Uganda to ratify and implement the Maputo Protocol. This national coalition comprises over 25 civil society organisations and activists in Uganda.

In Nigeria, WRAPA used the Protocol to revive debate on the need for a national bill on violence against women, tapping into the Legislative Advocacy Coalition on Violence Against Women, a coalition of more than 17 Nigerian organisations, to lobby for the passing of the bill.

It is worth noting that we found the suggestion of a correlation between countries where clear national coalitions focused on the Protocol were in place or emerging, and the existence of national RHV projects. Evidence to back this up is not conclusive, as we were not able to investigate the state of coalitions in all 23 African countries covered by SOAWR. However, our analysis of SOAWR membership and the testimonies of various stakeholders indicates that, with the possible exception of Zambia, all countries where a national coalition is forming or has been formed (Kenya, Uganda, The Gambia, Nigeria and South Africa) are RHV countries.

A particular example was frequently mentioned to illustrate how partnerships increase outreach. Through their members, the SOAWR Coalition has partnered with other networks, such as ABANTU for Development, the UN Millennium Campaign and the White Ribbon Alliance, to organise the East African Caravan on Maternal Health. The Caravan travelled in the summer of 2010 through Kenya, Tanzania and Rwanda, before culminating in Uganda just prior to the African Union Summit. As the Caravan travelled across each country, public rallies were held and free information and medical services offered. The Caravan also collected real stories of human rights violations endured by women, and engaged with policymakers, health care providers, women and men, boys and girls in selected communities.

According to the organisers we spoke to in several countries, and to internal reports and news clips, this initiative was a great success, with a very enthusiastic reception and attendance among communities. The Caravan is also credited in several internal reports as having been instrumental in the Uganda ratification process in July 2010.

### Access to policy makers

We were not able to do a comprehensive review of access to policy makers for all 43 members. A significant limitation to this assessment has been the lack of access to policy makers at the AU level\(^\text{18}\) to hear their perceptions of SOAWR. However, there is widespread

\(^{18}\) Mainly a timing issue as the AU shuts down in the month of December.
consensus among the partners interviewed and survey respondents that SOAWR has increased the visibility and legitimacy of their members with duty bearers.

The space provided by SOAWR to lobby at the AU level has facilitated access to influential people at the African Union, as well as from AU member states. Coalition members highlighted access to decision makers, support to attend AU Summits, joint meetings with AU delegates and SOAWR missions to countries as particularly helpful.

Country missions by SOAWR members to support national advocacy for ratification and implementation have facilitated access to government ministries in countries such as The Gambia, Burundi, Liberia, Cameroon and Sierra Leone. The 2010 SOAWR mission to Uganda was internally credited as a key contribution to the Uganda ratification process.

‘This [ratification] was a culmination of the RHV project advocacy supported by SOAWR members on a visit to Kampala in May 2010 to support advocacy for the ratification of the Protocol with the ministries of Justice, Gender and Foreign affairs. As a result of the advocacy mission, the government committed to ratify before the Summit albeit with reservations on Article 14 on abortion and control of fertility’

SOAWR Uganda Campaigner

Access through the Coalition to official spaces, particularly the AU, has been used by its members to get their voices heard.

Members that are invited by the AU Commission to Summits as observers, for example
SOAWR was one of 12 non-state actors included in the 2012 African Union Compendium produced by Oxfam International. Concretely the Compendium highlights how SOAWR works ‘closely with the AU’s Women, Gender and Development Directorate to organise high profile lobby visits and meetings with Heads of State and Government, the AU Commission, Permanent Representatives Committee, the Pan African Parliament and Ministers to amplify voices of rural and urban women directly affected by poverty, exclusion and discrimination (...) and organise lobbying and consultations with relevant government officials, especially at the sidelines of AU Summits, for actions to be taken that mainstream the provisions of the Protocol in all national policy decisions, legislation, development plans, resource allocation, programs and activities’. (African Union Compendium 2012)

This is backed up by interviews and internal reports.

In the course of the project, SOAWR has supported several members, linking them up with relevant high level forums nationally and regionally, to sensitise and support government officials. SOAWR members have engaged with the Pan-African parliament during special sessions on women. Also, during an IPAS high level meeting SOAWR members engaged with parliamentarians from Malawi, Tanzania and Uganda on the need to adhere to relevant provisions of the Protocol.

SOAWR also supported AFA on the submission of a shadow report on Nigeria’s violations on various rights provided for in the Protocol to coincide with Nigeria’s Fourth Periodic Report.

The Coalition has also succeeded in bringing the Protocol to other formal spaces, such as the UN Commission on the Status of Women, which for two consecutive sessions (53rd and 54th), organised side events themed around the Protocol.

**Knowledge of the Maputo Protocol**

Members have access to and/or use a number of good quality resources on the Maputo Protocol provided and produced by SOAWR. Several testimonies from the online survey and interviews confirmed this. Although similar information might have been available from other sources, these did not emerge through the data collection process and therefore were not further explored.

A sizeable part of SOAWR’s work is the production of knowledge products related to the Maputo Protocol. There is no evidence that these products come with a systematic distribution strategy and concrete impact objectives, but it is clear from the testimonies and online survey that an important audience for these publications have been SOAWR members themselves. Since its inception, SOAWR has published research, practical guides, reports and compendia of articles, among which the following have been named by respondents to this assessment:

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19 SOAWR members also seek to increase marginalised women’s access to the AU space (although there have been difficulties tied to accreditation) and to policy makers more broadly. The rural women’s conference held in Kampala in 2010 before the AU Summit is one example.
The quarterly newsletters and posts sent through the SOAWR email list have also been cited as useful sources contributing to members’ increased knowledge of the content and status of the Maputo Protocol. Advocacy tools for national domestication and implementation were considered particularly useful. For example the information distributed by SOAWR on the United Nations General Assembly resolution on intensifying global efforts for the elimination of FGM, which states that the Maputo Protocol ‘... contains, inter alia, undertakings and commitments on ending female genital mutilation and marks a significant milestone towards the abandonment and ending of female genital mutilation’.

In conclusion, more than half of the survey respondents and all the testimonies from partners in Kenya, Uganda and Nigeria, manifested that through these knowledge products, SOAWR has helped members to gain deeper knowledge about the content of the AU Women’s Protocol and how to use it on specific issues nationally and locally.

Another aspect frequently cited by SOAWR members was increased knowledge on advocacy and lobbying techniques. The exchange of information among members, facilitated by SOAWR through annual meetings and online exchanges, has been identified as a key factor for Coalition members to focus on advocacy goals and apply effective lobbying techniques.

A common platform with a common purpose
It seems clear, according to all partners consulted, that members of the Coalition know, understand and buy into the basic scaffolding of the Theory of Change underpinning the campaign ‘to protect the rights of women in Africa through promoting the ratification and implementation of the Maputo Protocol’. Nevertheless, we found that the level of cohesion in the Coalition is in general low, with members operating to a greater or lesser extent at arm's length. Several interviewees and internal reports have highlighted diverse capacity or levels of involvement of members as a challenge, meaning that it is sometimes difficult to implement decisions quickly or take advantage of opportunities when they arise.

SOAWR has been able to tap into the expertise of some of its members to carry out different roles within the Coalition, most significantly those members who have been in the campaign since the beginning. For example, partners with experience in effective fundraising have been able to raise funds for the Coalition. Oxfam GB has contributed around 60 per cent of the total budget of the SOAWR secretariat according to their own testimony. Meanwhile, Equality Now has been able to use its experience in legal advocacy and organising advocacy interventions during the AU Summits. FEMNET has used its networks to increase

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20 UNGA Resolution, 16 November 2012.
the Coalition’s visibility and FAHAMU has brought on board its expertise using technology to assist the Coalition to develop materials and a website.

Although strategic decisions are reached by the Steering Committee, we have found indications that day-to-day decision making is quite centralised, leaning disproportionately towards Kenya where the secretariat is hosted. What’s more, 23 per cent of all SOAWR members are based in Kenya. The analysis of email traffic in December 2012 showed that 18 out of 28 emails came from Kenya, 15 of those from the secretariat.

Finally we undertook an analysis of the webpages of 34 of the 43 partners. Only eight of them had links to the SOAWR webpage or mentioned the name SOAWR in their content, mostly under sections such as ‘news and resources’ (and not under ‘about us’). Four of the eight organisations where the SOAWR partnership is most visible (Equality Now, COVAW, FEMNET and FAHAMU), are based in Kenya and are founding members of the Coalition.

Another indicator of an uneven engagement is the fact that only 14 out of 43 members replied to a survey sent by the secretariat for this review. Internal reports and interviewees pointed to language and cultural barriers to effective engagement of all members in the Coalition, especially from Portuguese and Arabic speaking countries, and to a lesser extent Francophone Africa. There is a heavy bias towards English, with around two thirds of members from Anglophone Africa.

SOAWR partners are diverse, from conservative and Christian-based to radical and openly feminist. The Coalition comprises networks of legal practitioners, aid agencies, international institutions and grassroots-based organisations. All of these share the common goal of protecting the rights of women, but there are key differences in what rights and which to prioritise. Although we did not find this affected their effectiveness at advocating for ratification, some interviews pointed to concern that this disparity might weaken the campaign in the future, despite the obvious present advantage that it broadens the outreach.

At the moment, the common denominator of all Coalition members is the focus on the Maputo Protocol as a means to an end of ‘protecting women’s rights’. If the members do not have a strong common (or at least compatible) approach to those rights, the Coalition will not be able to become a ‘movement’ with the potential to change mind-sets nationally, which is an important aspect of effective domestication and, most relevantly, implementation of the rights underwritten in the Protocol.

As often happens in a network, rather than institutional memoranda of understanding, it is individual commitment and activism, personal bonds and trust that are the essence of a strong coalition. This is the case in SOAWR where, on the one hand, a few dedicated individuals are credited with having relentlessly led the campaign for almost a decade and are seen as the ‘guardians of the kernel’. On the other hand, three generations of committed campaigners have come and gone over the years, regenerating the campaign. These two aspects have been identified by stakeholders as key factors for the growth and increasing strength of the Coalition.
The financial support of Oxfam GB through RHV to the SOAWR secretariat has contributed significantly to the strengthening of the Coalition. Beyond the monetary support, Oxfam has helped build capacity among members and has created learning opportunities to share its expertise, especially in the area of lobbying, for instance offering specific training for members during AU summits. Also it is important to recognise that Oxfam was part of the Steering Committee of SOAWR until early 2011 and, as such, a key player in shaping the strategy of the campaign. However, Oxfam has been very careful not to interfere with the decision-making process in order not to erode national and regional ownership. In consequence, it is difficult to fully assess its strategic contribution.

5.2.2 Significance of the outcome

For almost a decade, the core of the SOAWR Coalition –has been campaigning together with a clear purpose. Strong personal and institutional bonds21 have been cemented that have the potential to last beyond the life of the RHV project or even beyond the SOAWR Coalition itself. These relationships among people and organisations across Africa can bring more expertise and resources to bear on complex issues and increase the potential for success for a common cause. Therefore the creation and strengthening of the Coalition is in itself a success of the campaign.

5.3 Some thoughts on outcome 3: domestication and implementation

Enact enabling legislation to incorporate the Protocol into domestic law and implement it.

Although it is not possible for us to evidence a comprehensive causal chain on this outcome, we can draw some conclusions on the extent to which this outcome has materialised.

1. As of January 2013, Rwanda remains the only African country to have undergone a complete legal review to domesticate the Maputo Protocol. In other countries, such as The Gambia, Tanzania and Uganda, national campaigns use the Protocol as a ‘menu’ of rights focusing on the domestication of those rights that: a) are better covered by the Protocol than by national laws; and b) have strong backing by civil society or in particular by member organisations of SOAWR in the country.

2. According to internal reports and interviews, there have been improvements in some areas and countries: such as in maternal health, numbers of women in decision-making positions, and in fighting harmful practices, such as FGM and GBV.

3. There is wide consensus that while promoting a conducive legal environment is important, the main challenges to secure women’s rights in Africa are related to social and cultural contexts where patriarchy is embedded and where even the principle of equity is contentious for some powerful sectors. In these contexts, even small gestures towards opening spaces for dialogue between governments and women’s movements, for example in the Tanzania constitutional review process, have to be seen as big steps forward.

21 This has happened mainly during SOAWR annual meetings and during AU summits.
4. SOAWR members and RHV have designed a vast number of activities aimed at changing mindsets among different audiences, but especially at informing and empowering grassroots women. Although there is plenty of documentation (also backed by interviews and information coming from the survey) about the impact these activities have had in small targeted audiences, the programme does not have information about how/whether they have had significant impact in changing/creating public opinion at national or regional levels.

6 Programme learning considerations

- Although ratifications are a necessary step and a powerful instrument, challenges to secure women’s rights in Africa are related to deeply embedded social and cultural factors that are extremely difficult to tackle. This is a long-term goal that requires determination and persistence. SOAWR members, including Oxfam Pan-Africa have been relentlessly campaigning for almost 10 years for the ratification and domestication of the Maputo Protocol achieving impressive results. A loud recommendation coming from most stakeholders for SOAWR and particularly for Oxfam is to take a long-term approach, securing funds and energy and focusing increasingly on national contexts.

- To increase the level of engagement of partners, it is important for the Coalition to produce an internal communication strategy that creates a cohesive culture and addresses the potential and needs of all members. This means reviewing the Coalition structure, dedicating resources to clarifying members’ expectations – understand why they are part of the Coalition, what they can give and what they can get from it – as well as setting up new means of communication and knowledge products.

- It would be advisable for SOAWR members to engage in clarifying common values (such as their views on abortion or sex workers) beyond the common purpose of encouraging a conducive legal environment.

- The regeneration of campaigners within SOAWR has been one of the causes of their success and their resilience. However, it is important that the Coalition makes more effort to capture strategies and results so that institutional memory is not lost.
7 Conclusions

Outcome 1: Achieve continent-wide ratification of the AU Protocol on the Rights of Women, preferably without harmful reservations.

1. The Maputo Protocol is seen by SOAWR as a particularly relevant tool to protect women’s rights in Africa as it highlights issues not effectively covered by other instruments, but which have particular relevance to the reality of the continent. It is a legal instrument born within the African context and from an African-led process.

2. As of January 2013, 48 of the 54 AU member states have signed the protocol, 36 of which have ratified and deposited it. Therefore an impressive 73 per cent of the target outcome expressed in the ToC has materialised.

3. Achieving ratifications of the Maputo Protocol has been an essential pillar in the work of SOAWR during these years. However, only two of the RHV focus countries had not ratified by the beginning of the project in 2009, therefore, Equality Now’s role in the RHV project included working with SOAWR members to secure ratification beyond the RHV countries.

4. Although ratifications, even without domestication, are a crucial step for practitioners to positively affect women’s lives, they are not in themselves sufficient to protect the rights of women. The key challenge is ensuring that the Protocol becomes a tool for women’s empowerment and a force for freedom for women in Africa.

5. The Evaluation has identified two main influential factors for governments to act and ratify. Governments ratify to coincide with an important AU meeting hosted by the country and/or ratification is prompted by pressure exerted by national and regional civil society, typically SOAWR members. The two causes complement one another and it is not possible to quantify the percentage of influence of each in the process.

6. This review has found sufficient evidence to conclude that Kenyan civil society was a key driving force to achieve ratification in Kenya and that SOAWR members were at the forefront of this struggle. A senior government official directly involved in the ratification process stated that the Kenyan ratification would not have been possible without the work of civil society. When asked what civil society she was referring to she identified members of the Coalition.

Outcome 2: Increase the lobbying capabilities of SOAWR Coalition members to promote the Protocol and to hold member states to account.

1. Equipping the Coalition members with increased lobbying capabilities is a hugely significant interim outcome as it is a key precondition to increase the necessary political will to get ratification and implementation of the Protocol.

2. Increases in numbers have given SOAWR a higher level of legitimacy as it has significantly amplified its social base and outreach in Africa.
3. SOAWR as a brand is well known and respected by policy makers for its work on the Protocol. Also, the Coalition has contributed to increase this status among its individual members.

4. Members of SOAWR are now more aware and more knowledgeable of the Protocol and have worked with it within the daily programming of their organisations. They have also gained confidence and are more efficient at navigating the politics of ratification and domestication processes both at the AU and at national levels.

5. The sense of belonging and the level of engagement in the Coalition varies greatly among members, being higher in Anglophone Africa. Language and cultural barriers were identified as a key challenge for the Coalition to engage effectively with all members.

6. While members have a clear understanding of the overall purpose of the Coalition (to promote the Protocol) they do not necessarily share common values. This disparity could weaken the campaign when moving into domestication/implementation, despite the obvious present advantage that it broadens the outreach.

7. Coalitions spearheaded or strengthened by SOAWR members have emerged at country level, which is important as most of the work to do with lobbying for domestication is unanimously viewed by informants as best led nationally. The Evaluation found some correlation between countries where RHV was present and countries where clear national coalitions focused on the Protocol were in place or emerging.

8. A few dedicated individuals have been relentlessly leading the campaign for almost a decade and are identified as the ‘guardians of the kernel’. One the other hand, three generations of committed campaigners have come and gone over the years regenerating the campaign. These two aspects have been identified by stakeholders as key factors for the growth and strengthening of the Coalition.

9. The financial support of Oxfam GB through RHV to the SOAWR secretariat has contributed significantly to the strengthening of the Coalition. Beyond the monetary support, Oxfam has helped building capacity among members and has created learning opportunities sharing their expertise especially in the area of lobbying.

**Outcome 3: Enact enabling legislation to incorporate the Protocol into domestic law and implement it**

1. Rwanda remains the only Africa country to have undergone a complete legal review to domesticate the Maputo Protocol. In other countries, there have been some improvements in some areas: such as maternal health, increasing numbers of women in decision-making positions, fighting harmful practices such as FGM or opposing GBV.

2. While promoting a conducive legal environment is important, the main challenges to secure women’s rights in Africa are related to social and cultural contexts where patriarchy is embedded and where even the principle of equity is argued by sectors of the society. In these contexts, even small gestures towards opening spaces for dialogue
between governments and women’s movements, for example in the Tanzania constitutional review process, have to be seen as a big step forward.
Appendix 1: Documentation reviewed

- Communiqué from the Raising Her Voice Africa Inception Workshop, July 2008
- Concept Note on African Women's Decade, 20 Aug 2010
- Draft Memorandum-Maputo Protocol, Kenya 2010
- EQUALITY NOW Raising Her Voice Annual Report, March 2012
- Evaluation of Legal and Human Rights Centre (LHRC) in Tanzania, 2012
- Follow up to the meeting PS Ministry of Gender and SOAWR Coalition held on Wednesday the 29th of September 2010, Kenya
- FRENCH SOAWR Quarterly Newsletter Oct to Dec 2012
- GTF 158 final logframe revisions
- GTF 158 FINAL Achievement Rating Scale
- LAUNCH OF THE AFRICAN WOMEN’S DECADE SCHEDULE OF NGO PARALLEL EVENTS
- Matrix Kenyan Legislation and the Protocol
- Media Editors’ breakfast letter Uganda
- Ministry of Gender Kenya, cabinet memorandum to host the meeting of ministers of women’s affairs in the Great Lakes region 2009
- Minutes Teleconference Sept 30, 2010 with Ministry Gender, SOAWR
- Mozambique Programme. Presentation Learning Meeting, Oxford, December 2010
- Narrative Report from AMwA, 2008
- Narrative Report from WRAPA, 1st year
- Narrative Report from WRAPA, 2nd year
- Narrative Report from WRAPA, 3rd year
- Narrative Report from WRAPA, 4th year
- Narrative Report SOAWR, December 2011
- Narrative Report SOAWR, June 2009
- Narrative Report SOAWR, June 2010
- Narrative Report SOAWR, June 2011
- Narrative Report SOAWR, June 2012
- Narrative Report SOAWR, March 2008
- Narrative Report SOAWR, September 2007
- Narrative Report SOAWR, September 2011
- Narrative Report SOAWR, September 2012
- Nigeria LACVAW Harmonised GBV bill
- Nigeria Programme – Presentation Learning Meeting, Oxford, December 2010
- Oxfam International African Union COMPENDIUM, 2012
- Petition on protocol on occasion of AU special summit, October 2009, Kampala, Uganda
- Raising Her Voice: Promoting Poor Women’s Participation in Governance, Inception Workshop, July 2008
- Request for Copy of the Ratification Instrument, Kenya, 2010
- Resolution on FGM-UNGA-English
• RHV Nigeria case study
• RHV Nigeria Mid-Term Evaluation Report
• Sexual health brief – Uganda
• SOAWR Members and Countries, Nov 2012
• SOAWR Press Statement on FGM
• SOAWR Quarterly Newsletter, Oct to Dec 2012 FINAL
• The African Union Protocol on the Rights of Women in Africa: Not yet a force for freedom, 2004
• UGANDA COALITION FOR AFRICAN WOMEN’S RIGHTS ACTIVITIES PRIOR TO AND DURING THE JULY 2010 AFRICA UNION SUMMIT
• Uganda Programme. Presentation Learning Meeting, Oxford, December 2010
Appendix 2: List of key informants

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Akina Mama wa Afrika

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Faiza Mohamed
Equality Now

Grace Kimani
FIDA

Hadeezah Haruna
WRAPA

Hellen Mala-Owiti
Oxfam GB Liberia

Irine Ogamba
Ministry of Gender of Kenya

Irungu Houghton
Oxfam GB Pan-Africa

Joanita Nassuna
Oxfam GB Uganda

Joselyn Bigirwa
Akina Mama wa Afrika

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Evaluator of RHV Mozambique

Mona B. Muguma
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