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Mission - Empowering women as peacebuilders and leaders in the family to transform the community, nation and world. Through education, advocacy, partnership, reconciliation and humanitarian service, WFWPI aims to create an environment of peace and well-being for future generations and people of all races, cultures and religious creeds.

Vision - Women working together to realize one global family rooted in a culture of sustainable peace.

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Impact of the creation of safe spaces for women in the reduction of gender-based violence in Asia-Pacific Region

Pearlyn Ho Pei Zhen

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Abstract:

In 2022, the Safe Cities and Safe Public Spaces Global Initiative of UN Women will celebrate its 11th anniversary. Moving into post-pandemic, it is observed that now, more than ever, negative repercussions in the form of gender-based violence against women and girls are on the rise. Despite these obstacles, there have been significant progress in combined efforts of achieving gender equality, through the eradication of sexual harassment of women and girls in public spaces as well as the creation of inclusive cities for all. This can be seen in the growth of the initiative from its 5 founding cities to currently over 50 cities across the world. With the overall goal of adding an additional 50 cities by 2025, this highlights the urgency and the vital role that creation of safe spaces can play in helping advance towards a common goal of safe, sustainable and inclusive cities for everyone. Hence, this paper hopes to break down the

success and limitations of existing initiatives so as to inspire action and further the implementation of such initiatives across the entire Asia-Pacific region.

1. Introduction

‘Freedom of expression and opinion is the foundation of every free and democratic society. It is essential for the promotion and protection of every human right’ (Peggy Hicks, Director of the Thematic Engagement, Special Procedures and Right to Development Division of the Office of the High Commissioner for Human Rights)¹. The implementation of this right to freedom of expression and opinion has greatly aided in moving towards gender equality. According to Mariana Duarte, Programme Officer for the Inter-Parliamentary Union's Gender Partnership Programme, gendered violence is the greatest gender-based barrier to women's freedom of expression and opinion in politics². In response to rising threats against women and girls who speak out in support of their rights, various measures have been put into place: the repeal of repressive legislations, adoption of special measures for social protection, and inclusion of women's rights in school curriculum. This paper focuses specifically on the creation of safe spaces in its reduction of gender-based violence and the success of existing initiatives so as to promote the implementation of such initiatives across the Asia-Pacific region.

As part of the UN Women's Global Flagship Initiatives, one of the solutions rolled out to promote safe public spaces for women and girls is the Safe Cities Initiative. Cities who participate in the initiative are committed to ensure that women and girls are socially, economically and politically empowered in public spaces that are free from sexual harassment and other forms of sexual violence. In order to combat sexual violence against women, comprehensive solutions ranging from data, policies, investments, infrastructure and advocacy are vital. These strategies promote cross-partnership and close integration of 4 main outcomes implemented across varying levels by local and national authorities, grassroots women/women's organizations and other community partners. In the context of the Asia-Pacific region, the Safe

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<https://www.ohchr.org/en/press-releases/2022/09/human-rights-council-holds-annual-discussion-integration-gender-perspective>

2

<https://www.idlo.int/news/policy-statements/overcoming-gender-based-barriers-freedom-opinion-and-expression>

Cities Initiative is implemented in Dili, Ho Chi Minh City, Jakarta, Lahore City, Metro Manila, New Delhi and Port Moresby³ and this paper looks to focus on the success and limitations of these initiatives, particularly Metro Manila and Port Moresby within their current context, so as to provide recommendations for countries looking to adopt similar models or ideas into their existing policies and further the impact that the creation of these safe spaces might have.

Across urban and rural regions in both developed and developing nations, women and girls encounter sexual harassment and other types of sexual violence on a regular basis. These various forms of sexual violence range from unwelcome sexual remarks, where the incidents occur in various public settings such as on the streets, in public transit or public sanitation facilities, as well as rape and even, femicide.

Due to the frequency and location of such situations, it limits the freedom of mobility for women and girls - affecting their capacity to engage in employment, education and a diminishing civic life. It also hinders them from obtaining necessary services or utilizing cultural or recreational opportunities due to the fear of encountering such incidents when traveling in public spaces, leading to an overall decrease in their health and well-being. Though there have been increasing awareness that gender-based violence is a violation of human rights, these cases of assault on women and girls in public spaces, particularly sexual harassment, continues to be a largely unaddressed issues with little legislations or policies in place.

2. Literature Review:

Despite the importance of identifying the impact and effectiveness of Women and Girls Safe Spaces (WGSS) programs⁴, past work analyzing the potential benefits of this intervention is limited in scope due to the lack of further research examining the effects on social, economic, health and psychosocial factors (Stark et al., 2021)⁵. Hence, there is a gap in examining the

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<https://asiapacific.unwomen.org/en/focus-areas/end-violence-against-women/creating-safe-public-spaces>

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<https://www.unfpa.org/sites/default/files/resource-pdf/UNFPA%20UNFPA%20Women%20and%20Girls%20Safe%20Spaces%20Guidance%20%5B1%5D.pdf>

<https://reliefweb.int/report/world/safe-spaces-women-and-girls-sswg-standardization-and-technical-guidance-how-set-sswg>

⁵ Stark, L., Robinson, M. V., Seff, I., Gillespie, A., Colarelli, J., & Landis, D. (2022). The Effectiveness of Women and Girls Safe Spaces: A Systematic Review of Evidence to Address Violence Against Women

successes and limitations of these interventions, and its potential in shaping policy and program development developed by governments, organizations and communities to better allocate limited resources in the reduction of gender-based violence. Some studies helped to analyze the potential benefits but were limited in their relativity to the context as they did not focus on case studies in the Asia-Pacific region which limits the context and applicability of such measures. Hence, evaluation of these interventions will help in understanding the challenges that hinder the effectiveness of current approaches in improving the lives of women and girls through ensuring their safety, well-being and empowerment are improved.

3. Safe Cities Initiative - Key Outcomes:

In the process of making cities and public spaces safe for all women and girls, UN Women have outlined 4 key outcomes in their Safe Cities Initiative⁶, namely, 1. Generation of evidence and building partnerships for change, 2. Development and implementation of comprehensive laws and policies, 3. Investments in the safety and economic viability of public spaces as well as 4. Transforming social and cultural norms.

3.1 - Generate evidence and build partnerships for change

Initial investigations are conducted to provide specific and often unique data to ensure a comprehensive understanding of sexual harassment and other forms of sexual violence in public spaces. Key stakeholders from various industries and sectors are now able to design a safe city programme according to the findings provided through the investigations, while fostering local ownership through the inclusion of individuals and organisations belonging to these spaces.

a. Successful Case Study: Montreal, Canada

In 2018, the city of Montreal, Canada, launched a pilot initiative to apply an intersectional gender analysis (ADS) in its policies, services, and programs. Lessons learned from this analysis shaped measures implemented in the Montreal Safe City and Safe Public Spaces with Women and Girls Initiative. With the application of this new ADS tool, it was utilized as the preferred

and Girls in Humanitarian Contexts. *Trauma, Violence, & Abuse*, 23(4), 1249–1261.

<https://doi.org/10.1177/1524838021991306>

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<https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2021/Safe-Cities-and-Safe-Public-Spaces-global-results-report-2017-2020-en.pdf>

framework in working towards the goal of building an inclusive city. This has led to the city conducting a review of its programmes, focusing more attention towards the experiences of women facing various forms of oppression (e.g. indigenous women, women with disabilities, women facing racial discrimination, ethnicity, gender-diverse women and homeless women, etc).

In 2019, specific awareness-raising tools were developed - a 'train the trainers' approach was implemented across board, which includes training for civil servants, and support was provided in learning how to utilize the ADS tool. It was noted that working with the Department of Urban Planning and Mobility has been vital in helping the city develop a more inclusive public space as well as to reflect on issues correlating to women's experiences and fear of sexual violence.

b. Successful Case Study: Quito, Ecuador

Violence against women and girls (VAWG) in public places is pervasive in Quito, Ecuador, as it is in other cities. High rates of VAWG were identified in the public transportation system and on the streets in the baseline research for the Quito Safe City Programme. 91% of women and girls reported having encountered some kind of violence on public transportation, such as physical assault, robbery, and sexual harassment, as well as verbal abuse, threats, and intimidation. 84% of the female participants reported feeling uncomfortable using public transportation, and 79% reported having been the victim of street-based sexual assault at least once in the previous 12 months.

Additionally, it was discovered that incidents were more common at rush hours when transportation is congested, with participants citing heavy traffic on buses as a contributing factor to sexual harassment, particularly unwanted physical contact. High levels of alcohol consumption, which can intensify sexual harassment, and beliefs held by men and some women that sexual harassment in public places is "normal" are also risk factors for sexual harassment and other types of VAWG. Streets, taxis, and bus stops were noted as common locations for sexual harassment and other VAWG.

As part of the Quito Safe City initiative, there was the completion of a mixed-methods participatory impact evaluation in 2019 which measured changes in the prevalence of VAWG in public spaces and related programme outcomes. The evaluation reported a decrease in frequency of the prevalence of sexual harassment against women and girls in public spaces, better

regulation of sexual harassment and other VAWG in public places, including preventative and response measures, increased awareness of women in the reporting procedures for sexual harassment on public transportation, greater understanding among all stakeholders of projects including women's involvement in urban planning and a significant rise in bystander readiness to assist women when sexual harassment cases occur in public spaces.

As shown in the successful case studies of Montreal and Quito, initial surveys and preliminary research were vital in helping to understand the occurrence of sexual harassment and other forms of sexual violence in public spaces. These data were key in helping stakeholders design a programme to better tackle these situations and encouraging local ownership through collaboration which contributed to an overall increase in the effectiveness of measures implemented.

3.2 - Develop and implement comprehensive laws and policies

Sexual violence in public places is specifically targeted by legislation and regulations to address the prevention and response towards such incidents. Existing capacity-building initiatives support local governments, women's rights organizations, and other stakeholders in promoting laws and policies, allocating sufficient funds, and monitoring and evaluating their implementation.

a. Successful Case Study: Guatemala City, Guatemala

According to a 2017 research conducted in Guatemala City, almost all female respondents reported having encountered sexual harassment of some kind in public settings at some point in their lives. With the assistance of UN Women, the city has created and accepted the Women's Development Policy (2019-2027) as part of its commitment to finding solutions and making a safe and welcoming city for women and girls.

This strategy includes several local development plans, making use of available resources, and strengthening governmental commitment to ensure radical change in the lives of women and girls. It emphasizes institutional strengthening, equitable participation, livable and inclusive neighborhoods, and the economic empowerment of women.

The city has made women's safety in public areas a top priority in its agenda in order to

guarantee that a comprehensive strategy in preventing sexual assault against women and girls can be preserved. To track the decline in harassment and other types of sexual assault against women and girls in public settings, they have established measures with specific metrics for evaluation.

The program's effectiveness was aided by strong leadership, a participative consultation process involving women and other partners, and gender-responsive budgeting. The Women's Municipal Directorate was given permission to create and execute municipal policies that would be the foundation for any municipal policy, plan, program, or initiative pertaining to the status of women in light of these factors. For the first time, the city created a long-term strategy to guarantee that the advantages of public services and infrastructure are shared among the populace, advancing gender equality and addressing different, interconnected forms of women's oppression.

b. Successful Case Study: Monterrey, Mexico

Women's organizations and other civil society organizations (CSOs) have received assistance to take part in the Monterrey Safe City and Safe Public Spaces Programme in a variety of ways. Training on policy lobbying and monitoring of violence reduction projects has been provided to thirty groups. Participants received training on legal frameworks, monitoring, advocacy techniques, and assessment instruments.

Following the training, participants put their newfound knowledge and abilities to use by evaluating the implementation of current legislation designed to reduce violence against women and girls (VAWG) in the local level. Participants from various CSOs created a strategic alliance and a coordinated advocacy plan to combat the various interconnected types of discrimination in both private and public spaces.

A citizen monitoring guide for Mexico's Safe Cities for Women and Girls was created in February 2020 to help local governments strengthen partnerships to prevent and address sexual harassment in public settings and make sure that the integrated plan on safe cities and safe public spaces can be sustained over time.

c. Successful Case Study: Torreon, Mexico

A team of attorneys with expertise in human rights and the prevention of violence against women (VAW) examined local laws pertaining to safe public transportation as part of the Torreon Safe City and Safe Public Spaces Programme with Women and Girls. A number of suggestions about the prevention, response, and penalties against sexual assault were made as a result of this investigation.

In addition, local councilors collaborated with women's rights and other civil society groups to determine the modifications that must be made to mobility laws to combat sexual harassment. Local government published public notices and this legislation was made mandatory. The rules for transportation authorities and passengers include things like: VAW prevention messaging, information on where to report sexual harassment, a telephone service number to call to get access to basic services and mandatory VAW training for all public transportation employees.

As shown in the successful case studies of Guatemala City, Monterrey and Torreon, the creation and sustainability of legislation and regulations to address these incidents were vital in reducing the occurrence of such incidents. These help to strengthen existing capacity-building initiatives and encourage cohesive efforts across various sectors to ensure an integrated solution in tackling this complex problem.

3.3 - Invest in the safety and economic viability of public spaces

Specific investments in public infrastructure may lead to increased safety for women and girls (e.g. better lighting, improved visible sight lines, and safe and accessible public toilets, etc.). Interventions in economic development serve to enhance opportunities for economic empowerment at the local level and to increase opportunities for women to learn new skills and transfer existing ones.

a. Successful Case Study: Rabat, Morocco

The degree of urbanization in Morocco remains extremely high, and this has been matched by a significant number of sexual assault cases against women and girls in public places, in the form of substantial numbers of sexual harassment cases. A nationwide research conducted in 2011 found that 63% of Moroccan women had experienced violence of some kind, 33% of which had occurred in public places.

The city of Rabat began taking part in the Global FPI in 2015 and created a comprehensive plan to prevent and address sexual harassment in public spaces. Strengthening the capabilities of local government departments and women's rights organizations to execute gender responsive urban planning was one of the important areas for action identified throughout the participatory programme development process.

The Moroccan Institute for Local Development (IMADEL), with assistance from UN Women, carried out the first women's safety audits (WSA) across the nation in 2016. Again in 2017, four additional civil society organizations carried out these audits (CSOs). Representatives from the local and federal governments were given presentations by each CSO on the methodology and suggestions made by grassroots women during the audit process.

The Moroccan Ministry of Housing committed to mainstreaming the gender perspective throughout national urban development efforts in light of the local WSA implementation. With an intersectional approach, the Ministry created and released National Guidelines on Gender-Responsive Planning⁷ in 2020 to guarantee all Moroccan women's safe access to urban public areas.

The Guidance contains useful suggestions that might be used in a variety of public areas (e.g. streets, parks, markets etc.). Clear signage, improved sightlines, gender- and climate-smart bathroom design, secure access to water supplies, age- and gender-sensitive mixed-use spaces, and the addition of benches and rest places are some of the suggestions provided. The Ministry of Housing will conduct a series of training workshops on the advantages of adopting a planning strategy that considers the requirements of both men and women and mainstreams the safety of women and girls as part of an awareness and training strategy on planning with a gender perspective.

b. Successful Case Study: Cairo, Egypt

The Safe Cities and Public Spaces Global Initiative recognizes Cairo as one of its founding cities. Since 2011, a number of initiatives have been put into place to make the city a safer and more viable place for all women and girls. Safe school settings and marketplaces are two urban elements of the Cairo Safe City initiative that use a gender responsive approach.

⁷ <https://www.unwomen.org/en/what-we-do/ending-violence-against-women/creating-safe-public-spaces>

In the communities chosen for the initiative, the local government worked with community organizations to give young girls' and women's safety needs first priority (Imbaba and Ezbet El Hagganah neighborhoods in Giza and Cairo). To increase their sense of safety, concrete modifications to the physical environment based on feedback from grassroots women and girls have been made. The area's many uses were clearly divided into a pedestrian zone and a functional vehicular zone for recreation under the new design.

Increased outdoor recreational space was part of the new school environment design, which also supported mixed-use of space through physical infrastructure. In order to increase both girls' and boys' perceptions of safety, the design considered a variety of aspects, including gender, age, and climate smart, etc.

To create a casual and pleasant surveillance, economic activities have also been developed in the area. This area has been modified to give female entrepreneurs a place to market and sell their handmade goods on the weekends in an effort to boost their economic empowerment. In order to encourage continued usage of the area on different days and times of the week, as well as to make school streets seem safer all the time and boost commercial activity on the streets, cultural activities, such as theatrical productions and musical recitals, have also been promoted.

On the other hand, markets in Cairo are significant sources of income for both men and women, and they have the potential to boost women's economic empowerment. The first market to do so was Zenin's, which contributed to the development of a secure and welcoming environment for patrons and merchants, including women with disabilities.

For more than 70 women who frequently make a contribution to their home income, this market provides a helpful avenue. Some female street sellers also provide for the financial needs of their families. Women market sellers and customers provided recommendations that helped make the market more accessible to everyone. This has led to changes such as the expansion of the market, improvement in lighting pathways of public spaces and enhancements in public sanitation.

As shown in the successful case studies of Rabat and Cairo, investments in public infrastructure and improving public facilities play a role in contributing to the overall safety of said facilities, providing a conducive environment for women and girls to travel and work in. These facilities lead to a continued cycle of enhancing opportunities for economic empowerment and provide

opportunities for women and girls to contribute back to these opportunities and improve the overall economic development of the area.

3.4 - Transform social and cultural norms

The rights of women and girls to safety in public spaces, respectful relationships and raising awareness towards gender equality are promoted through transformative activities in schools, communities and other contexts.

a. Successful Case Study: Medellin, Colombia

Colombia's first city to take part in the Safe Cities and Safe Public Spaces Global Initiative was Medellin. The Medellin Secretariat of Women is implementing sexual harassment prevention measures into practice in conjunction with the Ruta-N Center for Innovation and Entrepreneurship and other community partners.

A project was started with the purpose of raising student awareness of the causes and effects of sexual harassment and other types of violence against women and girls, as well as how to prevent it, under the direction of different groups of instructors who created a network of schools. Teachers created a curriculum that incorporates gender equality and human rights, and they held five sessions with students (10-12 years of age) during the academic year.

In various municipal public locations, other communication tactics were also developed. These tactics consist of:

1. Playing films about the damaging impacts of sexual harassment 40 times on public transportation. More than 1,500 passengers and travelers saw these recordings.
2. Using theater and the "invisible theater" method to raise awareness among the general public as well as among women and men working in non-traditional educational fields.
3. The use of a "game of emotions" as a participatory strategy that enables the general public to name and explain their feelings in a secure environment.

b. Successful Case Study: Cali, Colombia

A Committee of Universities for Gender Equality with 20 members was established in June 2017

by the Santiago de Cali municipality's Under-Secretary of Gender Equality. It attempts to include a gender perspective into all tertiary institutions' policies and services, with a particular emphasis on preventing sexual harassment (SH) and other types of violence against women and girls (VAWG) on college campuses.

One of the initiatives include the establishment of a Chair on Gender Equality to comprehend and reflect on the discriminatory behaviors and gender equality gaps inside universities, including their governance structures, policies, processes, and services. In order to pinpoint the discriminatory behaviors and impediments to obtaining equal services and benefits and to generate targeted remedies, this study and reflection centers on the needs and experiences of young women. A few of the obstacles observed include high levels of sexual harassment and other types of SVAWG, mostly committed by male students and professors against female students, and the lack of female students in disciplines where males predominate, such as information technology, etc.

The second initiative were tables for thematic discussion. Initial capacity-building initiatives were implemented by each university with cooperation from the Secretariat of Women. Training seminars on important legal frameworks including Law 1257 (2008) 46, VAW, and positive masculinities were designed for a variety of groups, including professors, administrative/operations employees, and students.

The goal of introducing this approach to thematic working groups in 2019 was to streamline activities in accordance with each group's own journey toward gender equality and capacity-building needs. Teachers, staff, and student representatives who take part in thematic conversation sessions are chosen based on their capacity to apply information and lessons acquired as well as their ability to make decisions that will support institutional reforms.

Every year, a university forum is held on a particular issue to engage more faculty and staff and provide a venue for knowledge sharing. Participants in various panels and round tables who debated methodology and shared best practices made up the inaugural forum, which took place in 2019, which was centered on response procedures on VAW in universities.

After two years of implementation, the Committee of Universities on Gender Equality has helped over 250 students and 50 staff members get a better understanding of gender equality and how to

deal with sexual harassment and other types of SVAWG in higher education.

As shown in the successful case studies of Medellin and Cali, the education system is a powerful tool in the promotion of women and girls rights. By transforming the education system and raising awareness of these subjects in the teaching curriculum, they shape the views of children and young adults in their formative years, encouraging the inclusion of gender perspective into the individuals' daily lives.

4. Past Case Studies in the Asia-Pacific Region:

The Global Safe Cities and Safe Public Spaces Initiative has been implemented across 50 cities, with 5 main cities in the Asia-Pacific region. We will be focusing on 4 key case studies: Port Moresby, Metro Manila, Ho Chi Minh City and Lahore City⁸, to illustrate the initiatives that have been carried out across the region.

a. Case Study 1 - Papua New Guinea, Port Moresby:

One of the founding programs of the Global Safe Cities and Safe Public Spaces Initiative, the Port Moresby Safe City and Safe Public Spaces Initiative was established in 2011. According to a scoping survey performed by UN Women in 2014, more than 90% of women and girls had some encounter with violence when using public transportation, including in taxis, buses, while waiting at bus stops, and while walking to and from bus stops. Since 2015, the Port Moresby local government's National Capital District Commission (NCDC) has been collaborating with the Secretary of Transport, UN Women, and other partners to address sexual harassment in public transportation and support the provision of safe, dependable, and affordable public transportation for women and girls.

The programme focuses on identifying situations where gender-based violence are likely to occur and from there, promoting an understanding on how to prevent these incidents from happening through advocacy, outreach and representation through community associations.

The initiative started through the identification of potential scenarios where gender-based violence were observed to occur - e.g. taking public transportation, selling items at markets etc.

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<https://asiapacific.unwomen.org/en/focus-areas/end-violence-against-women/creating-safe-public-spaces>

Through the identification of potential scenarios, they noticed that there were a proportion of situations happening to female vendors or in situations involving the marketplace. By enlisting the help of female market vendors in Port Moresby, these vendors conducted checks on the few key locations - markets, bus stations and the effects on women's safety. Based on the data gathered, local authorities were then engaged to improve the safety of these locations through solutions such as improving shelter, sanitation, lighting and crowd management.

Besides the changes to physical infrastructure, the initiative also helped to provide training and development for locals, which are instrumental in building a community network where locals learn how to look out for signs of sexual harassment and possess the relevant knowledge to prevent these incidents from happening or to take action when these events occur.

Due to the lack of awareness and coverage on this issue, campaigns were also launched with the intention of calling on men and boys to halt violence against women and girls in public spaces. The campaigns were seen to have had much success in the region - having an outreach of close to 50,000 people, spanning across various platforms such as radio and TV talk shows, social media platforms, activities in public places and education in schools and churches.

Hence, with the widespread coverage and outreach of the campaigns, individuals were now given the opportunity to start the conversation on women's safety and encourage different stakeholders to play a part in tackling this otherwise neglected issue previously. The involvement could be seen more notably in the formation of community organizations - the women vendors' association in particular, which now play an integral role not only in the identification of these threats but also in the development of measures to tackle these cases. This opportunity to represent their community and ability to voice their needs through the leadership roles that the platforms provide will help in sustaining conversations and ensuring that initiatives moving forward consider both genders' perspectives.

Considering the difficulties with sexual and other types of violence against women, the Gerehu Market in Port Moresby was chosen as the first market to pioneer the Safe City Programme. Since the implementation of the initiative, there have been improvements in the sanitation and bathroom design, provision of clean drinking water, renovation of market stalls, and construction of a playground for the small children that accompany many women merchants. Improvements

were made to the lighting, and fences separating market sections were taken down. Police, market controllers, and security guards were instructed on how to prevent and respond to violence against women, and new police stations were constructed along the scenario.

The infrastructure and services of the market are maintained using money from a cashless system that allows sellers to pay their market fees via their cell phones, reducing the need for unauthorized payments. The recent provision of training to assist women in managing their enterprises more effectively and gaining access to loans and credit provides additional support.

Safe Transport: City-wide Mobility Plan - Meri Seid Buses (MSB)

Women-only buses, known as Meri Seif Buses (MSB), were introduced in Port Moresby as a temporary special measure to guarantee the safety of women and girls and to provide secure access for women and young people to jobs and children to education. In order to decrease wait times and the danger of sexual harassment against women and girls in bus stops, the MSB service established the first bus schedule in the city in 2017. Women who commute can use this information to choose the optimal routes and schedule their numerous journeys across the city. This is crucial for women, who must organize their daily activities around the three duties that society has given them: productive, reproductive and managing the community.

The review of the Port Moresby Safe City with Women and Girls' Initiative's Safe Transport component found that from 2015 to 2017 this service improved the perception of security, independence, and mobility for women commuters in the city. Many women and girls who have used the MSB have reported feeling safer when traveling, despite the fact that this is only a temporary special measure to address the regular occurrences of sexual harassment and other forms of violence against women (VAWG) in and around public buses and bus stops in the city.

A training program for female drivers was established in the same year in association with the Ginigoada Foundation and UN Women. Free six-month training was implemented as part of an integrated safe cities approach to increase the participation of female drivers, which has also helped to increase the feeling of safety among female passengers while presenting more employment opportunities for women in the transportation industry.

The MSB has also established a secure environment where women and girls may talk about and discover their rights. Every week, all MSBs have been the subject of awareness seminars led by a

group of young volunteers with the Sanap Wantaim (Safe City Behaviour Change Campaign) program. Women and girls who attend these courses learn about gender equality, VAW, and what to do if they encounter or witness abuse. The MSB is frequently boarded by female commuters and their young sons, who interact with the information provided and have conversations about equitable gender norms. 4,765 women and girls who commuted in 2017 had access to helpful information on where and how to utilize essential services.

A long-term citywide mobility plan was developed by the Department of Transportation, the RTA, the NCDC, and UN Women, taking into account the unique mobility and safety requirements of women. In order to identify and address the needs of women for safe mobility in the city, a gender and transport research was carried out that included quantitative and qualitative data, key informant interviews, and participatory discussions.

b. Case Study 2 - Metro Manila, Quezon City:

The Office of the Mayor of Manila City, in collaboration with the Institute of Politics and Governance (IPG) and UN Women, developed and endorsed a local city ordinance on the prevention and response to sexual harassment in public spaces in the city in 2018. This was done as part of efforts to scale up a safe city for women and girls intervention in the Philippines. City partners agreed to analyze laws and practices, including the sexual harassment ordinance in Quezon City, in order to guide the creation of the Manila City Ordinance after the results of the scoping study done in Manila revealed a gap in the legislation on the subject.

The Safe City Programme in the Philippines assisted grassroots women, girls, researchers, and other partners in Quezon City, the largest municipality in Metro Manila, in gathering information on sexual harassment and advocating for steps to strengthen the rule of law. As a consequence, a ground-breaking municipal legislation against sexual harassment in public places was adopted in 2015.

The Quezon City Ordinance, which is a component of the Quezon Safe City for Women and Girls Programme and the UN Women's Safe Cities and Safe Public Spaces Global Initiative, was the first of its type to be approved in the Philippines in 2015. Manila City's local law is a stand-alone legislation with particular provisions on sexual harassment, unlike the Quezon City ordinance, which was established through a change to the Gender and Development (GAD)

Code. In a year, the ordinance was created in consultation with government partners, campaigners, and legal and gender specialists. It calls for fair treatment of persons who report sexual harassment as well as offenders and acknowledges that it is a question of gender inequality and a violation of human rights. In practical terms, the legislation establishes clear, easy-to-follow process channels and includes mandatory training. In 2019, there was a national legislation enacted, “Safe Spaces Act”, that recognizes and defines gender-based sexual harassment in public settings and imposes penalties and punishments on offenders.

The ordinance to address sexual harassment in Manila city was passed largely due to the use of a multifaceted advocacy approach. The City Committee on Women, women's rights groups, and legal professionals were just a few of the key advocates from many sectors that were invited to take part in this process. Strategic alliances with the criminal justice system, particularly the court and law enforcement, were also created and strengthened on a national basis.

Village lawmakers' lobbying efforts were bolstered by activities conducted by civil society, particularly grassroots women's organizations, to raise awareness of the problem. Through training sessions and mentorship programs, the women's rights group ILAW ng Manila, with the assistance of UN Women, improved the leadership abilities of women's activists.

Women's rights activists held neighborhood dialogues to educate local women on their legal entitlement to a life free from violence. Through continued in-person and online talks, community participation was further strengthened. In total, over 22 barangays (administrative divisions) and 226 barangay officials were contacted by the community awareness and advocacy campaigns.

Interestingly, the Safe City Program's popularity in Quezon City is currently growing thanks to technology. Through a hackathon, 56 hackers were inspired to develop innovative mobile technology solutions to sexual harassment and violence against women and girls in public settings.

Other creative solutions include 2 community-based youth theater advocacy organizations where they organize plays that address victim-blaming attitudes, encourage active bystander behavior, and empower women and girls to assert their rights.

These solutions highlight not only the importance of community involvement but how the initiatives can cross various sectors and industries in the country, with each stakeholder playing an important role in the provision of safe spaces.

c. Case Study 3 - Vietnam, Ho Chi Minh City:

A crucial part of the city's action plan to carry out the National Thematic Project on Gender-Based Violence Prevention and Response in Ho Chi Minh City, Vietnam, is the Safe City initiative (2016-2020). In order to assess outcomes over time, program partners can now perform a baseline study including indicators connected to interventions.

d. Case Study 4 - Pakistan, Lahore City:

In Pakistan, Lahore City underwent safety checks. The Lahore Transport Company (LTC) and Metro Bus were the focus of the study, which also included a thorough desk review, a perception study with 903 female commuters and 100 bus drivers and conductors, key informant interviews, safety walk evaluations at particular bus stops, and focus group discussions.

5. Recommendations & Limitations

Though the implementation of UN Women's Safe Cities and Safe Public Spaces Global initiatives have been largely successful, there are still certain limitations present: 1. Need to invest in local data and evidence (Key Outcome 1), 2. Need for the further development and implementation of comprehensive legislation and policies (Key Outcome 2) and 3. Effectiveness in transforming social and cultural norms (Key Outcome 4).

The first limitation would be the need to invest in local data and evidence in informing participatory safe city approaches. As observed from Port Moresby, Montreal and Metro Manila, initial investigations and scoping studies are vital in providing specific and unique data to ensure a comprehensive understanding of sexual harassment and other forms of sexual violence cases. These data would shape measures implemented and aid in the creation of targeted measures, for e.g. the introduction of women-only buses in Port Moresby, development of awareness-raising tools in Montreal Canada and the creation of the Manila City Ordinance (legislation). In order to tackle this limitation, the recommendation would be to increase investments in local data and evidence as well as the utilization of different tools such as the intersectional gender analysis

(ADS) in order to increase the effectiveness of the initiatives from the initial stages as well as to evaluate the short and long-term impact of such initiatives. This would also aid in a standardised measurement of impact across countries so as to advance the common knowledge base on the prevention of sexual harassment of women and girls.

The second limitation would be the need for further development and implementation of comprehensive legislation and policies that prevent and respond to sexual violence in public spaces. As seen in Guatemala City, Monterrey and Metro Manila, by addressing the prevention and response towards sexual violence incidents through legislation and regulations, it has led to the rise of community involvement and strengthening capacity-building for local governments, women's rights organizations and other stakeholders involved. Hence, the development and implementation of comprehensive legislation and policies play a vital role in ensuring the sustainability of the safe cities and safe public spaces initiative. However, we do have to take into account the difficulty in implementing such laws and policies as well as the need for sufficient fund allocation. This would be a space where governments can look into so as to advance the agenda of gender equality and enact a greater impact on the reduction of gender-based violence across the region.

The third limitation would be the effectiveness in transforming social and cultural norms. As seen in 2 cities of Colombia - Medellin and Cali, the implementation of sexual harassment prevention measures can be promoted through transformative activities in schools, communities and other contexts. In the case of Medellin, it leveraged a network of teachers to transform the educational curriculum of students where gender equality and human rights were incorporated into an educational curriculum for students aged 10-12 years old. In Cali, there was a larger focus on tertiary institutions' policies and services whereby A Committee of Universities for Gender Equality as well as tables for thematic discussion aims to include a gender perspective into all tertiary institutions' policies and services as well as to share best practices on the prevention and response to sexual violence incidents. These initiatives are a great starting point in tackling and transforming social and cultural norms, however, a lot of the social and cultural norms are deeply rooted into various countries' cultures which leaves them unaddressed in the overall societal context.

6. Conclusion

In conclusion, safe spaces are largely successful in reducing gender-based violence and they also help in promoting the overall well-being of women and girls. They are a step forward in achieving gender equality and empowering all women and girls (UN Sustainable Development Goal 5). However, many challenges remain such as discriminatory legislation, pervasive social and cultural norms, under-representation of women across various sectors and levels as well as the occurrence of women and girls experiencing physical and sexual violence. Moving into post-pandemic, there have been studies showing that the pandemic has set gender equality back by a few steps - increasing inequalities in health, economic, security and social protection for women together with a surge in gender-based violence incidents. Hence, the creation of safe spaces is vital in mitigating and reducing the impacts of gender-based violence so as to lead to an overall increase in gender equality. More can be done in achieving the 4 key outcomes outlined in the Safe Cities Initiative and the current complexity of this issue highlights the need for governments and various stakeholders alike to engage and cooperate across sectors. This suggests that whether it's local governments, international organizations or non-state actors, everyone has a role to play in the combined movement towards the promotion of women's rights and ensuring that we are continually advancing towards the future of equality for all.

EFFECTIVENESS OF INSTRUMENTS TO PROTECT STREET CHILDREN IN CAMEROON

ANAIS LINDA KENNE YEMELON

Abstract

Street children phenomenon is one of the oldest humanitarian concerns worldwide. Many cities all over the world are filled with street children. Most countries concerned by this are developing countries or third world countries. States are still looking for sustainable means to solve this rampant humanitarian concern. Cameroon, Africa in miniature is also concerned. In nearly all the big cities of the country we find errant children, begging for food, consuming drugs or hawking. Carried from October – November 2022, this research paper has ethical goals and raise serious questions on what should be done to effectively protect street children in Cameroon. The Convention on the Rights of the Child of November 1989, states that every child needs to be protected and taken care of but we still witness street children phenomenon in our societies. At the national level, Cameroon has ratified all child protection international legal instruments. Despite the efforts made by the government, through the Ministry of Social Affairs and NGOs; the problem of street children in Cameroon still persists. This paper will analyse the different state mechanisms to protect street children, and their effectiveness. To do so we met with some street children and consulted the ministry in charge of social affairs in order to have proper information. Moreover some significant recommendations will be provided to help tackle the issue, asking why not completely remove these children from the street?

1. Introduction

The United Nations defined the term 'street children' to include “any boy or girl... for whom the street in the widest sense of the word... has become his or her habitual abode and/or source of livelihood, and who is inadequately protected, supervised, or directed by responsible adults”. Street children have been identified by the United Nations Children’s Fund (UNICEF) as

children in difficult circumstances and their rights and welfare remains a growing concern to both national and international bodies. The issue of street children is one of the global social problems rising in low- and middle-income countries. From all these definitions, we clearly understand that street children are very vulnerable and thus need permanent assistance.

African Volunteer Network states that a recent survey of street children in Cameroon indicated that 80.2% were boys and 19.8% girls, with most (77.7%) aged between 15–17 years, though some were much younger. Around 80% stated they were Christians, while fewer than 10% said that they were either Muslims with the majority of those coming from Yaounde.

Homeless children are a growing problem in the urban areas of many developing countries. In Cameroon, about 37.5% of the population lives in poverty, which enhances the street children phenomenon, street children have been an important humanitarian concern for years. With the ongoing Anglophone crisis the number of street children has increased thereby prompting a good number of children fending for themselves on the streets of Cameroon's cities. These children end up living and working on the streets for several reasons, including death of parents, breakdown of families, family violence, natural disasters, economic hardships, and drug and alcohol abuse.

Due to time constraints our study was carried out only the Yaounde, political capital of Cameroon. The estimated population about is 2.5 million, which makes it the second largest city in the country after the economic capital Douala. Out of these 2.5 million inhabitants we find thousands of homeless children, whose ages vary. For one reason or the other they were forced to leave their familiar roofs to find refuge on the street. They sleep under the stars, beg to eat and often even steal to have something to eat. Major streets around the center of town in Yaounde, notably, Poste Central, Avenue Kennedy, Carrefour Warda, host most of these children who have turned into street beggars, hawkers and some, even pick-pocketing.

This study was carried out in order to understand the problem of street children and bring out possible solutions to curb this rampant humanitarian issue. For this study street children, government and NGOs who work with street children will be consulted.

1.1 State of play

Image 1



Figure 1: Street child sleeping on a worn-out public bench at Warda junction, Yaounde

Photo by author

Sleeping on a bench with worn out clothes, this child is waiting for an opportunity to beg for money or food from people or to steal to get something to eat. This is the Central Post of the capital city of Cameroon, Yaounde. Here there are thousands of errand children loitering around with nearly nowhere to go. Cameroonians are so used to these children that they finally blend into the background. Some of these children are trafficked from rural areas to urban areas by adults to be used as thieves, street beggars and hawkers.

During the African Cup of Nations, AFCON 2020, Yaounde streets was emptied, and nearly all these errand children were relocated by the government. This initiative was greatly appraised by all Cameroonians because they could then freely walk across the central post without being scared or without anyone begging them for money. The happiness was for a short period of time, a few weeks after the end of the football competition the Yaounde central post was filled with its former occupants.

As many as they were, their income-generating activities restarted, these activities are stealing, begging and drug consumption. The most shocking among these is drugs consumption. In plastic or used bottles, these homeless children inhale drugs in plain sight. The situation is terrible; nearly no one is really bothered about this situation. They are frequently accused of being violent and rascals. Some of these errant children say they find an escape when they take these drugs “When I take this drugs it helps me to forget about my situation, I have no, family, no one to take care of me and sometimes it’s painful, so when I take drugs it makes me to forget what I have been through”. Scorpio, 18 years old. These street children become drug addicts due to their precarious situation.

One can surely wonder what happened to their parents? Did they fail in their duty as parents? Listening to some of the stories of these homeless kids, one can understand that the street was their only alternative. Like the story of Lion, 20 years old, “My mom and dad both died when I was still very young, so I was living with my aunty who has been mistreating me. One day I decided to leave, even though now my future uncertain, at least I am free and I have a peace of mind”.

These children are exposed to several different ills, such as child trafficking, prostitution of others ?, sexual exploitation and child prostitution. Since they are considered delinquentss, the absence of one of them do not bother anyone because they are not recorded by the state,abandoned. No one questions the lifestyle of these children, Pertinent questions that we need to ask ourselves is when one of them dies, what happens to their corpse? Where is he buried? Is the family aware? These questions still remain unanswered.

Poverty, low education, abuse and lack of parenthood are some of the causes of street children, added to that we have the ongoing Anglophone Crisis(?) in the North West and South Regions of the country. Most of these causes have a direct link with the economic situation of a country.

There are several national, regional and international legal instruments put in place in order to protect children. In Cameroon, we have the CRC. We equally have law No .98/004 of 14 April 1994 which states that every child has the right to education regardless of their social origin, age,

or sex. Added to that there is law No. 2005/015 of 29 December 2005, this states that children should not be victims of any form of torture.

At the regional level, the African Charter on the Rights and Welfare of the Child (ACRWC) ensures the protection of children's rights and well-being.

At the international level, there is the UN Convention on the Rights of the Child (1989) and the Sustainable Development Goals. The SDGs were adopted by the United Nations in 2015, enhancing the well-being and protection of children, regardless of their social status. Some of these SDGs are;

- No poverty (Goal 1)
- Zero hunger (Goal 2)
- Good health and well-being (Goal 3)
- Quality education(Goal 4)

Looking at these SDGs, we can understand that the child whether living in a house or on the street has rights and have to be protected, but when we see the street children phenomenon we clearly understand that member states have failed to achieve these goals to a certain extent. Cameroon like other states, still have difficulties to find a sustainable and long lasting solutions to this problem

1.2 Problem Statement



Figure 2: Street children standing with bowls in hand to beg for money.

Photo by author

There are numerous state mechanisms put in place solve the problem of street children thereby protecting children in Cameroon. We have evidence of this at national, regional and international levels, as mentioned above.

Cameroon has ratified several Conventions for child protection, and has a good legal framework for child protection. In addition to this, Cameroon has created several ministerial departments to seek solutions to help and protect street children, for example at the ministry of Social Affairs we have a whole cell dedicated to street children.

The inadequacy of these measures is perceived in various instances, for example we still find many errant children in various cities of the country. Some of these children are sexually exploited, exposed to drugs consumption.

All means are put in place to solve the problem of street children in Cameroon but some remain in papers, while others a partially practised and there is no follow up. Several projects have been put in place to rehabilitated street children but they fade away.

A part from the government we also have several NGOs who work for the protection of street children but their activities are generally limited in a given period of time. Some do not even take into consideration the desires exposed by these children. Truth must be told not all these children wish to go back to school, even if that was the case who will sponsor a street child from primary education to secondary education?

For some of these children incoming generating activities seem better , but most of the time NGOs elaborated training sessions to help them , but the concern relies after the training session , how can you teach tailoring to a child and after the training the child has no tailoring machine to create an income generating activities? This is where the problem is .

1.3 Research Question

The questions this research seeks to answer are:

- Is the protection of street children effective in Cameroon?
- What are the loopholes of street children protection in Cameroon?
- What recommendations can be made to help protect street children in Cameroon?

1.4 Objectives of study

The objectives of this research are:

- Identify the measures put in place for the protection of street children ,
- Elaborate the level of protection they benefit
- Critically examine the weaknesses of these measures

2. Instruments put in place by the state and their effectiveness

2.1 Initiatives to House Street Children and their effectiveness

Cameroon's Ministry of Social Affairs is partnering with the Ministry of Health planned to house and support thousands of street children while screening them for COVID-19 in the process. It

began clearing the streets in April 2020, with plans to find housing for 3,000 street children in the near future.

The children had to choose either return to their families or enter housing or job training programs to develop skills like cooking and sewing. Regardless of their specifics, this program will provide shelter, safety and opportunities to thousands of street children. This initiative will house not only displaced or abandoned children but also orphans and children who are seeking asylum from nearby countries.

Also, we have several NGOs working in Cameroon with street children .For example, Street Child, a U.K. charity, is working in Cameroon to help provide protection and education for homeless children. The organization emerged in 2008 and operates by partnering with local organizations in areas with high rates of child homelessness to make education more accessible. Street Child has helped over 330,000 children go to school. Now the initiative is working with local organizations and the Cameroonian government to help provide COVID-19 relief, and developing specific programs to improve the wellbeing of children who the conflict has directly affected. Street Child focuses on expanding access to education and alleviating the symptoms of child homelessness in Cameroon.

AVSI, together with its partners Centro Edimar and Colori d'Africa, works to prevent this phenomenon by providing health care and promoting the social and professional reintegration of young people who find themselves alone, living on the street, after having run away from home or been released from prison. Since 2001, the Edimar Center has been helping the street children in Cameroon through a series of actions aimed at improving their living conditions, providing acceptance, orientation, education, medical and psychological assistance, while also organizing cultural and awareness-raising activities.

Also, during the African Cup of Nations, AFCON 2020, Yaounde streets was emptied, nearly all these errand children were relocated by the government. This initiative was a relief for Cameroonians who could freely walk without the fear of being robbed. Few weeks after the end

of the AFCON these children reoccupied their former's home without any explanation from the government.

2.2 Effectiveness

From the above mentioned initiatives we noticed the government together with some NGOs try to help and secure street children but they still find difficulties. The question that comes to our mind; Is street children phenomenon persistent in Cameroon due to lack of policies implementations or lack of determination? For now the answer to this is still unknown as street children continue to fill Cameroon's streets.

3. Literature review

We have several researchers who worked on the street children phenomenon in Cameroon.

A study that researchers at the University of Kwa Zulu-Natal conducted found that most street children in Cameroon subsist on less than \$0.85 USD per day. Many street children rely on begging, drug use and sex work to survive their harsh conditions. Less than 1% of the street children who the researchers surveyed considered the public's attitude toward them to be supportive. These children are dangerously vulnerable. The existing estimates by UNICEF suggested that there are tens of millions of street-based children, and this number continues to rise in low- and middle-income countries because of increased urbanisation, health challenges of parents, the HIV epidemic, migration and global population growth.

3.1 Social representation of street children

Before drafting the social representation of street children in Cameroon, we need to know what all is about and why it's important.

Social representations can be defined a system of values, ideas, metaphors, beliefs, and practices that serve to establish social order, orient participants and enable communication among the members of groups and communities. Social representation theory is a body of theory within social psychology and sociological social psychology. It has parallels in sociological theorizing

such as social constructionism and symbolic interactionism, and is similar in some ways to mass consensus and discursive psychology.

The term social representation was originally coined by Serge Moscovici in 1961,^[2] in his study on the reception and circulation of psychoanalysis in France. It is understood as the collective elaboration "of a social object by the community for the purpose of behaving and communicating". They are further referred to as "system of values, ideas and practices with a twofold function; first, to establish an order which will enable individuals to orient themselves in their material and social world and to master it; and secondly to enable communication to take place among the members of a community by providing them with a code for social exchange and a code for naming and classifying unambiguously the various aspects of their world and their individual and group history

Social representations carry meaning, they create links; in this they have a social function. They help people to communicate, to navigate their environment and to act. They therefore generate attitudes, opinions and behaviors.

Why social representation is important?

Social representations thus enable the achievement of a shared social reality; they are ways of world-making (Moscovici, 1998). On the one hand, they are created to conventionalize objects, persons, and events by placing them in a familiar context.

Table 1

Social Representation of street children In Cameroon

Central core	
Main Elements	Auxiliary Elements
<ul style="list-style-type: none"> •Poverty •Vulnerability •Delinquency 	<ul style="list-style-type: none"> •High resilience



Normative elements	Functional elements
<ul style="list-style-type: none"> •Poverty •Crime •Vulnerability 	<ul style="list-style-type: none"> •Poverty •Vulnerability •Crime •Strong resilience
Active elements	Dormant elements
<ul style="list-style-type: none"> •Poverty •Crime •Vulnerability 	<ul style="list-style-type: none"> •Strong resilience
Core elements	Peripheral elements
Poverty	<ul style="list-style-type: none"> -Crises (economic, political, etc.) -Rent problem -Food insufficiency -Lack of clothing -Begging
Crime	<ul style="list-style-type: none"> -Bad education and bad company -Drug addiction -Theft and assault -Violence



	-Insult
Vulnerability	-Homeless -Risk of disease -Risk of sexual exploitation -Risk of forced labour -Disability -Abuse -Hunger
Strong resilience	-Solidarity -Disease resistance -Resistance to forced labour -Resisting prejudice

Note: This was elaborated by the author in order to understand how street children are perceived by Cameroonian.

3.2 Importance of Social Representation

From the above explanation we understand that social representations are very important in societies as they help to form people ideas about a particular situation or object. This social representation is important because it helps us to understand how street children are perceived in Cameroon, because we social representations vary according to realities of every society.

Most Cameroonians perceive street children as vulnerable, dangerous, resilient and stubborn, which most of the time is not the case. Due to this social representation, Cameroonians are scared to approach or help these errand children, which is a great problem because if every Cameroonian participated to the protection and guidance of these children the rate of street children would have reduced.

4. Recommendations

Street children need various resources to meet their physical and emotional. These resources can be national, regional and international. For example education, health facilities, facilitators, counseling. To do so, we came up with some recommendations for the Cameroon government and the international community to help curb down this humanitarian problem in Cameroon.

4.1 Recommendations to the government

We recommend a Monitoring and evaluation committee who will follow up the effectiveness of the different measures put in place to protect street children. There are some solutions put in place by the government who can be efficient but due to lack of control they are ineffective.

At the level of the government we propose the creation of respond cell in all neighbourhoods in the country. These cells will firstly help to identify all street children, welcome street children and why not help them to get back to their families.

Also, we propose to create a street children forum, which will serve as a canal of communication between street children and the government. Street children's needs and requests will be forwarded to the government via this forum.

Awareness-raising campaigns should be put in place in order to inform these children about the different solutions offered to them by the state. Some of these children are still errant because they don't have any opportunity of leaving the street.

Moreover, since the state resources are limited and the state cannot sponsor all these children, we encourage the state to work hand-in-glove with local NGOs to look for donors who can sponsor some of these children.

The Cameroon government should equally build community support; these can prompt Cameroonians to help these children. From the social representation we did, we understand that Cameroonians perceive street children as outlaws; the government needs to change this perception.

4.2 Recommendations to the International community

We recommend to the international community to raise funds and finance projects to build sustainable shelters for these children in Cameroon. We already have many street children present in our street. One of the greatest means to help them is to roof them. Most of these children are on the streets because they have no way to go to. Once they have a shelter they will be more opened to discussion.

Also we recommend that the international community to advocate for international laws proper to street children. Up to today there is no law proper to street children protection, all the laws which exist concern mostly children with little or no emphasis on street children.

In addition to these, we recommend actors of the international community, such as the United Nations to enact policies and laws which will prompt states to effectively protect street children, this in total respect of states sovereignties.

International colloquiums, conferences, symposium should be organised at the regional and international levels in order to evaluate the what is done and what should be done to preserve street children rights.

5. Conclusion

The essence of this research was to examine the effectiveness of the tools put in place by the Cameroon government to protect street children .Following the research we carried out, we noticed that the Cameroonian government has set-up some instruments to protect street children in particular and children as whole but due to ineffectiveness and lack of appropriate sustainable

solutions street children continue raising concerns. Cameroon government needs to lay more emphasis on street children protection, this together with both National and international organisations and NGOs. Cameroon doesn't have enough financial resources.

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The effectiveness of international human rights laws, states laws and policies safeguarding women's rights

Odion Ikyo

The effectiveness of international human rights laws, states laws and policies safeguarding women's reproductive health rights in conflict-Borno, Adamawa and Yobe (BAY) states in north-east Nigeria

Research question

Why, despite human rights guidelines and humanitarian efforts, haven't reproductive health rights of women in the BAY states in north-east Nigeria improved?

1.0 Introduction

The humanitarian crisis in BAY is one of the most severe in the world today with 8.7 million people in need of assistance and 1.9 million internally displaced.⁹ Of the over 7 million affected people in north-east Nigeria, about 1,750,000 are women and girls of childbearing age who need sexual and reproductive health services. These services include prenatal and postnatal care, emergency obstetric care for safe birth, prevention and treatment of HIV and other sexually transmitted infections, treatment for rape and provision of psychosocial counseling.¹⁰ The disruption in the socioeconomic lives of the women in this region places them at a high risk of all forms of abuse from the insurgents, security agents deployed to protect the communities and other members of the community.

Women's sexual and reproductive health is related to multiple human rights, including the right to life, the right to be free from torture, the right to health, the right to privacy, the right to

⁹ [Nigeria's humanitarian crisis most severe in the world – UNOCHA | The Guardian Nigeria News - Nigeria and World News — Nigeria — The Guardian Nigeria News – Nigeria and World News](#)

¹⁰ [Women, girls in north-east Nigeria face severe crisis, urgently need increased support, including the 566 handed-over by the army last week \(unfpa.org\)](#)

education, and the prohibition of discrimination. The Committee on Economic, Social and Cultural Rights (CESCR) and the Committee on the Elimination of Discrimination against Women (CEDAW) have both clearly indicated that women's right to health includes their sexual and reproductive health.

This means that States have obligations to respect, protect and fulfill rights related to women's sexual and reproductive health. The Special Rapporteur on the right to health maintains that women are entitled to reproductive health care services, and goods and facilities that are:

- available in adequate numbers;
- accessible physically and economically;
- accessible without discrimination; and
- of good quality (see report [A/61/338](#)).¹¹

1.1 Research focus

This research focuses on reproductive health as a human rights issue. The paper also looks at the measures the government, human rights agencies, NGOs, INGOs, CSOs and other organizations have put in place to enhance the guidelines on how states should act in order to protect, promote and fulfill the fundamental right of women and girls to basic reproductive health services in humanitarian crisis. Nigeria ranks amongst countries with the highest rate of maternal mortality and morbidity. This becomes more concerning for women in crisis regions like the BAY states. A mixed methods study design will be used for this research.

2.0 Research Hypothesis

With clearly defined specific international, state laws and policies protecting women's reproductive health rights in conflict settings, a well coordinated body and mechanism consisting of international bodies, state, CSOs and women from hosts communities drafting and making input to these laws and policies, existing gaps in promoting and protecting women's reproductive health rights in the BAY states of north eastern Nigeria will be closed.

3.0 Literature Review on women's reproductive health rights in conflict areas globally

¹¹ [OHCHR | Sexual and reproductive health and rights](#)

3.1 Review objective: To identify gaps in the legal protection and policies in national contexts to ensure women's access to sexual and reproductive health services in conflict situations.

Review was conducted on few report documents, national policies and the work of government organizations directly involved with women's reproductive health rights in the BAY states. The articles and reports reviewed were chosen on the basis that they were; relevant to my research topic and from reliable research. Search criteria included; women's reproductive health rights in crisis, UN guidelines for women's reproductive health rights in crisis situations, accountability partners as related to women's reproductive health rights, access to justice for women in conflict situations and reporting gaps. Women and girls affected by conflict face increased risks of sexual violence and urgently need sexual and reproductive healthcare services, such as obstetric and antenatal care for pregnant women, access to contraceptive information and services, including emergency contraception, and access to safe abortion and post-abortion care. Unfortunately, women are often unable to, or prevented from, accessing these services¹²

A review from the fact sheet: sexual and reproductive health and rights in conflict, we see that Sexual and reproductive health for women and girls affected by conflict is a human rights issue and this right is enshrined in the human rights states are obliged to realize. These are:

- The Right to Equality and Non-Discrimination
- The Right to Life
- The Right to Health
- The Right to be Free from Torture, Cruel, Inhuman, or Degrading Treatment
- The Right to be Free from Harmful Traditional Practices
- The Right to be Free from Sexual and Gender-Based Violence
- The Right to an Effective Remedy

Would a standalone human right statement on women's reproductive health be more effective for states to realize? This paper also points out the need to enhance accountability and notes that the UNSC Resolution 2242, the eighth WPS resolution, acknowledges the accountability deficits to date and urges the Secretary General and other UN entities to address them¹³ ***How far has the***

¹² https://reproductiverights.org/wp-content/uploads/2020/12/GLP_GA_SRHR_FS_0817_Final_Web.pdf

¹³ See CEDAW Committee, Gen. Recommendation No. 30, supra note 15, para. 52(c); CEDAW Committee, Gen. Recommendation No. 32, supra note 16, paras. 33-34.

Secretary General and other UN entities in Nigeria complied with this request? This review also points out that a human rights-based approach to addressing sexual violence and sexual and reproductive rights violations in conflict settings be adopted which would take considerations legal protection gaps and harmful policies in national contexts that need to be changed, reaffirm states' obligations under human rights law, and clarify the positive measures states should take to ensure women's access to sexual and reproductive health services. In addition to this, the article also states that a human rights-based approach would;

- prioritize the meaningful participation of women in all stages of humanitarian response and interventions, from the development to the implementation, monitoring, and evaluation of service policies and programs¹⁴
- take accountability into considerations by ensuring that there are functioning mechanisms to access justice and that these mechanisms are able to confer meaningful and effective remedies and reparations on a basis of non-discrimination. The right to an effective remedy under international human rights law includes the right to appropriate reparations, including compensation, restitution, rehabilitation, measures of non repetition and, where needed, measures to promote physical and psychological recovery¹⁵
- have an appropriate gendered assessment to the harm that is suffered, meaning that reparations should address women's specific needs and the structural inequalities that enabled the violations, with a view to ensuring these violations do not continue.

The paper also states that the CEDAW Committee has called for reparative measures to be transformative, meaning that they address “the structural inequalities which led to the violations of women's rights respond to women's specific needs and prevent their re-occurrence.” The CEDAW Committee's General Recommendation No. 30, which sets forth states' obligations to respect, protect, and fulfill women's rights and ensure gender equality in times of conflict, explicitly states that the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) remains in effect before, during, and in the aftermath of conflict. It also elaborates on states' due diligence obligation to hold non-state actors accountable for crimes perpetrated against women¹⁶ How effective have the government and all stakeholders involved in

¹⁴ https://reproductiverights.org/wp-content/uploads/2020/12/GLP_GA_SRHR_FS_0817_Final_Web.pdf

¹⁵ https://reproductiverights.org/wp-content/uploads/2020/12/GLP_GA_SRHR_FS_0817_Final_Web.pdf

¹⁶ Id., para. 15

promoting women's reproductive health rights in the BAY states adhered to this recommendation? Collecting data and conducting research on violations of women and girls' sexual and reproductive health and rights, such as accurately measuring maternal mortality and morbidity rates, unintended pregnancies and unsafe abortion rates, would also constitute a powerful accountability measure for women and girls affected by conflict. The paper noted that some limiting factor to getting accurate data are that some women and girls might be difficult to reach or unwilling to share information because of fear of reprisals, stereotypes or social and cultural norms, but strongly recommended that collecting such data is absolutely critical to promoting evidence-based interventions and advocacy strategies aimed at ensuring the full realization of women and girls' sexual and reproductive health and rights. It points out the general recommendation No. 30 by the CEDAW Committee which states that there is a need for a concerted and integrated approach that places the implementation of the Security Council's WPS agenda into the broader framework of the implementation of the CEDAW Convention and its Optional Protocol¹⁷ The results of the Global Study on implementation of UNSC Resolution 1325 echo this recommendation by calling for increased linkages between the WPS agenda and existing human rights mechanisms, such as CEDAW as well as the Human Rights Council and its mechanisms¹⁸

I also looked at the resolution adopted by the Human Rights Council on October 7 2020 on "Promoting, Protecting and Respecting Women's and Girls' Full Enjoyment of Human Rights in Humanitarian Situations" which requests the United Nations High Commissioner for Human Rights to submit to the Human Rights Council at its 49th session an analytical report on a comprehensive approach to promoting, protecting and respecting women's and girls' full enjoyment of human rights in humanitarian situations, including good practices, challenges and lessons learned at the national, regional and international levels, with input from all relevant stakeholders, including Member States of the United Nations, United Nations bodies, agencies, funds and programs, the treaty bodies, the special procedures of the Council, national human rights institutions, civil society organizations, and women and girls in humanitarian situations. I also review OHCHR's report on comprehensive approach to promoting protecting and respecting

¹⁷ 7 Id., para. 26

¹⁸ UN Women, Preventing Conflict, Transforming Justice, Securing the Peace: A Global Study on the Implementation of the UNSC Resolution 1325, at 347-351(2015), available at <http://www.unwomen.org/~media/files/un%20women/wps/highlights/unwglobal-study-1325-2015.pdf>.

women's and girls' full enjoyment of human rights in humanitarian situation as it relates to health, including sexual and reproductive health and rights.

The report states that numerous factors limit the availability, accessibility, acceptability and quality of health services and the enjoyment of determinants of health in humanitarian situations, whether it concerns natural disasters, armed conflicts or forced displacement. This report also points out that for women and girls living in such circumstances, the risks to their health, wellbeing and rights, including in relation to sexual and reproductive health, are decidedly more pronounced, in particular for those who have experienced gender-based violence. They face much higher risks of maternal mortality and morbidity, owing to collapsed health systems, prohibitive costs of services, lack of information and decision-making power, lack of privacy, insecurity, restrictions of their movements and fear of further violence if they venture to seek health care. Would creating a mechanism for enlightenment, awareness and security help victims more open to seeking health care? It points out that as a result, it was estimated in 2019 that 66 per-cent of all maternal deaths occurred in fragile settings, totaling more than 500 deaths each day¹⁹. The paper suggests that this number was likely to have increased further, including as a result of the COVID-19 pandemic and new and protracted conflicts. The report also went further to state that even when health care is available, a lack of information and insecurity means that many women and girls do not know what type of health-care services they can access²⁰ and as a consequence, many pregnant women and girls give birth without assistance from a skilled health professional. The barriers faced by women and girls in accessing health services have been further exacerbated by the COVID-19 pandemic, effectively limiting women's and girls' access to life saving and essential health services, including sexual and reproductive health services²¹. The report also notes that multiple and intersecting forms of discrimination, in particular those faced by girls in humanitarian situations, create additional barriers in access to health services, driven by preexisting discrimination, harmful gender norms and stereotypes. For example, women and girls with disabilities encounter increased barriers in accessing sexual and reproductive health services and obtaining menstrual hygiene items because information is often not available in accessible formats, which leads to difficulties in seeking services and

¹⁹ UNFPA, Humanitarian Action 2019 Overview, 2019, p. 3

²⁰ Submissions by Alianza Con Ellas and the Commission on Human Rights of the Philippines.

²¹ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G22/003/23/PDF/G2200323.pdf?OpenElement>

communicating with health professionals and also harmful stereotypes, such as those stating that women and girls with disabilities need only disability-related services, can lead to the denial of sexual and reproductive health services, putting women and girls with disabilities at higher risk of unwanted pregnancy or sexually transmitted infections.

The paper also points out the discriminatory gender norms and how it affects women's and girls' enjoyment of determinants of health for example, in situations of food insecurity, gender norms and lack of awareness about the nutrition needs of women and girls often also mean that the needs of men and boys are prioritized. Malnutrition can heighten risks for women's and girls' health, including risks for maternal mortality and morbidity²². All women and girls in humanitarian settings urgently need sexual and reproductive health care and services. The provision of sexual and reproductive health information and services is a crucial component of rehabilitation and reparations for victims and survivors and should not be overlooked²³. This review also looked at the prevalence of women in conflict areas and their needs for reproductive health rights. In 2018, an estimated 34 million women of reproductive age, at least 5 million of whom were pregnant, were in need of humanitarian health assistance, due to conflict. Not addressing sexual violence and the lack of sexual and reproductive health information and services in these settings is central not only to an ineffective humanitarian response but also to not fulfilling fundamental human rights obligations. This paper reveals that the growing number of violent conflicts worldwide has been accompanied by an increase in sexual violence targeting women and girls and an increase in internally displaced persons (IDPs) and refugees, the majority of whom are women and children.

According to the United Nations High Commissioner for Refugees (UNHCR), there are nearly 60 million forcibly displaced people throughout the world and 13.9 million were newly displaced due to conflict or persecution in 2014. Research shows that in low income and under developed countries, the estimated lifetime risk of maternal mortality is 1 in 54. While there continues to be a need for more reliable data for maternal mortality in conflict and displacement settings, there is little doubt that conflict has a negative impact on maternal mortality and reproductive health. In addition, unsafe, restrictive, or repressive environments; prohibitive costs; lack of information in

²² <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G22/003/23/PDF/G2200323.pdf?OpenElement>

²³ [Humanitarian Settings - Center for Reproductive Rights](#)

a language they understand; and fear of further violence or stigmatization for seeking care make it difficult for women and girls to access these services. In all these, we see that the major challenge is actually having the right records or reliable data for women's reproductive health rights lapses in conflict or crisis situations.

3.2 Review on women's reproductive health rights in Nigeria (The conflict in north-east Nigeria's impact on the sexual and reproductive rights of women and girls)

In 2017, the Center for Reproductive Rights had published a briefing paper that analysed existing international legal standards relevant to the protection of SRHR of women and girls affected by conflict. The paper focused on international human rights obligations, including economic, social, and cultural rights, which continue to apply during situations of armed conflict. It also highlighted key human rights principles that should guide humanitarian service in conflict settings. A critical aim of this project was to assess how the application of human rights legal frameworks and principles might address the current challenges in accessing SRH services and seeking accountability for SRHR violations for women and girls affected by the conflict. An overview of the findings on the effects of the conflict in the Northeast Nigeria on sexual reproductive health rights indicate high levels of sexual exploitation of IDPs and a correlated increase in HIV transmission rates; a wide range of inadequacies in the provision of SRH services, such as contraception, abortion, SRH trauma related psychosocial counseling; evidence of preventable maternal injuries and deaths; inadequate financing and coordination of acute and protracted humanitarian response and concerns about financial and technical capacity to undertake recovery efforts; overlooked linkages between access to shelter, food, and education for children, and susceptibility to SRHR violations, among other violations; and a lack of accountability mechanisms²⁴

This report also goes to look at the applicable National, Regional and international legal framework that protects and promotes women's reproductive health rights. These include: the national law, the National Health Policy and Strategy to Achieve Health for all Nigerians, the National Health Act. It also looks at the regional human rights laws that have been ratified by the

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https://reproductiverights.org/sites/default/files/documents/The%20Conflict%20in%20Northeast%20Nigeria%27s%20Impact%20on%20the%20Sexual%20and%20Reproductive%20Rights%20of%20Women%20and%20Girls_1.pdf

Nigerian government which include the African Charter on Human and Peoples' Rights (the African Charter), the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol) and the African Charter on the Rights and Welfare of the Child (the African Children's Charter).

The African Charter provides for the following, which underlie women's and girls' reproductive rights: the right to life; the right to health; respect for dignity; and protection from cruel, inhuman, and degrading treatment. The African Charter provides that these rights and freedoms shall be enjoyed by all, on a nondiscriminatory basis, irrespective of race, ethnic group, color, sex, language, national and social origin, economic status, birth, or other status. It also requires states to “ensure the protection of the rights of the woman. The Maputo Protocol enshrines protection of women from all forms of violence, particularly sexual and verbal violence; and protection and respect of women's rights to health and reproductive health in Article 14 (1), including the right to control one's fertility and choose preferred means of contraception. It also outlines women's right to receive information on health, including on HIV. Article 14 (2) requires the state to provide access to comprehensive SRHR services and information to all women, including on specific issues such as prenatal, delivery, and post-natal care. In the same vein, it guarantees access to safe medical abortion, including 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.” Specifically, for situations of conflict and for women and girls affected by conflict, the Maputo Protocol emphasizes women's right to peaceful existence and states' obligations to protect women “against all forms of violence, rape and other forms of sexual exploitation” during armed conflict.

The African Children's Charter requires states to “take all appropriate measures to eliminate harmful social and cultural practices affecting the welfare, dignity, normal growth and development of the child...” and enshrines the rights to life and health. It also emphasizes the state's duty to take care of children and protect their rights during armed conflict. The African Charter has been domesticated into law in Nigeria by virtue of the African Charter on Human and Peoples' Rights (Enforcement and Ratification) Act of 1983. Regarding those that are not yet domesticated, the obligation of compliance that accompanies ratification of a treaty persists. IHL is applicable only in times of armed conflict, including both international armed conflict and non

international armed conflict, and binds all parties to an armed conflict, including non state armed groups. IHL allows for no derogation or reservation. In addition, many, but not all, of the customary international law rules, including those rules related to fundamental guarantees, such as the right to be protected from torture, or from cruel or degrading treatment, apply to both international armed conflict (IAC) and non international armed conflict (NIAC) and hence, non state armed groups. The situation in Nigeria has been determined to be a non international armed conflict for the purposes of the application of IHL. The report also states that IHRL is applicable in Nigeria's case. Nigeria has ratified several international human rights treaties, such as the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); Optional Protocol on the Elimination of all Forms of Discrimination against Women (OPCEDAW); UN Convention on the Rights of the Child (CRC); Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OPAC); UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); International Covenant on Civil and Political Rights (ICCPR); International Covenant on Economic, Social and Cultural Rights (ICESCR); and Convention on the Rights of Persons with Disabilities (CRPD). These treaties also enshrine rights and obligations that underlie access to and enjoyment of women's and girls' reproductive rights, even in conflict settings.

With all these laws and guidelines provided, Nigeria lacks a coordinated system to ensure the implementation of these laws.

3.3 Review on the National Health Promotion Policy for women.

I went ahead to look at some national health policy document to see if there was any inclusion for women in conflict settings. I looked at the 2019 health policy document and this is my findings as it relates to women's reproductive health rights.

This 2019 revised National Health Promotion Policy sets standards and provides accurate guidance on best practices and what should be done by decision makers, managers and service providers of health promotion at various levels. The revised policy further identifies the relevant human resource necessary to implement health promotion activities effectively and efficiently by expanding the skills-base of Health Promoters to include persons with the minimum required

qualifications and skills in line with global best practice. It aims to ensure that health promotion steps out of its less successful past. That way, it can become a formidable contributor to the achievement of the health-related Sustainable Development Goals, as well as the Universal Health Coverage; thereby improving the health and wellbeing of the Nigerian populace.²⁵

Objective One

To foster health promotion interventions targeted at addressing social determinants of health, reducing inequities, and tackling priority burden of diseases in Nigeria

Action points no.3: Support health promotion interventions that:

- promote reproductive health that increases access and utilization of health services (family planning, antenatal care, Sexually Transmitted Infections, etc) that prevent and address determinants of reproductive health such as hygiene, legal aids against gender based violence including female genital mutilation, women empowerment and encouragement of safer sex practices

Objective Two

To facilitate Health Promotion interventions in support of Government's efforts directed at ensuring sustainable healthy behaviour, healthy lifestyle and enabling environment including healthy public policies

Action points no.6: Promote positive behavioural measures to:

- reduce maternal, newborn, child and adolescent morbidity and mortality including child and orphan support.
- improve childcare practices including uptake of immunization, exclusive breastfeeding and additional feeding (complementary).

3.4 The Minimum Initial Service Package

The Minimum Initial Service Package (MISP) for Sexual and Reproductive Health (SRH) in crisis situations is a series of crucial, lifesaving activities required to respond to the SRH needs

²⁵ [NHPP_2019.pdf \(health.gov.ng\)](#)

of affected populations at the onset of a humanitarian crisis. These needs are often overlooked with potentially life-threatening consequences. Over 500 women die in pregnancy or childbirth every day in humanitarian and fragile settings²⁶. It is therefore essential to provide lifesaving SRH services as morbidity and mortality related to SRH is a significant global public health issue and those in humanitarian and fragile settings often face heightened risks and additional barriers to SRH services. The timely provision of SRH services can prevent death, disease, and disability related to unintended pregnancy, obstetric complications, sexual and other forms of gender-based violence, HIV infection, and a range of reproductive disorders. The MISIP is developed by the Inter-Agency Working Group for Reproductive Health in Crisis (IAWG). UNFPA, in partnership with stakeholders, supports the implementation of the MISIP to make sure that all affected populations have access to lifesaving SRH services. The key aims of the implementation are that there is no unmet need for family planning, no preventable maternal deaths and no gender-based violence (GBV) or harmful practices, even during humanitarian crises.

3.5 Humanitarian Response Plan Nigeria

The Humanitarian Response Plan (HRP) is prepared for a protracted or sudden onset emergency that requires international humanitarian assistance. In 2021 the Humanitarian Response Plan strategic focuses were:

- Improving IDP camp conditions and services
- Alleviating acute food insecurity and related severe vulnerabilities
- Strengthening self-reliant livelihoods for IDPs
- Control and prevention of communicable disease outbreak
- Achieving alternative and durable solutions as opportunities allow in 2021²⁷

From this we see that women's reproductive health rights were not clearly stated, maybe it was enshrined in the outlined response strategic plan. In 2021, the sectoral objective for the health sector was to timely respond to epidemic outbreaks through rapid response mechanism and coordinated preparedness and prevention actions, provide basic essential quality health care

²⁶ [Minimum Initial Service Package \(MISP\) for SRH in Crisis Situations \(unfpa.org\)](https://www.unfpa.org/publications/minimum-initial-service-package-misp-for-srh-in-crisis-situations)

²⁷

https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/ocha_nga_humanitarian_response_plan_march2021_0.pdf

services to affected IDPs, returnees and host populations and maintain and improve access to health care, strengthening health system recovery, enhance resilience and promote humanitarian-development linkages. On legal, policy, regulatory environment and framework, the report states that the legal and policy environment remains complex for humanitarian response to the crisis in the north-east.

The Government continues to grapple with implementation of a number of federally ²⁸approved policies and legal frameworks that relate to humanitarian risks, needs and response. Implementation is particularly difficult in a context of nascent institutions with limited resources and capacity at the helm at both the state and federal levels. Further challenges are bureaucratic systems, coordination challenges, frequent turnover of staff, and unpredictable changes in government institutions and coordination architecture. The multiplicity of stakeholders, including the security apparatus, adds to confusion and transaction costs associated with stakeholder engagement. Federal and State approaches are not always consistent, and institutional responsibilities not always well delineated. This has directly impeded the continuity and consistency of frameworks for engagement, compelling the humanitarian community to constantly keep track of these changes and devote time-consuming efforts to renegotiating issues and re-establishing relationships at all levels.

3.6 Conclusion from reviews

Even though the sexual and reproductive health rights of women and girls affected by conflict are protected by multiple, complementary bodies of law: national laws; regional human rights laws, and international laws, including international humanitarian law (IHL) and international human rights law (IHRL), they are enshrined in these laws making it difficult to enforce and implement. In Nigeria, these multiple bodies of law intersect to form a framework that is applicable in the protection of the SRHR of women and girls affected by the conflict but how far have they been adhered to and how does this impact women's reproductive health rights in conflict settings?

4.0 Materials and Methodology

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https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/ocha_nga_humanitarian_response_plan_march2021_0.pdf

The method deployed was qualitative research in addition to online research. I carried out physical interviews with organizations directly involved with protecting and promoting women's reproductive health rights in the BAY states. In cases where physical interviews weren't possible, I went online to search for information on their website. The government organizations I had contact with are the Ministry of health, Ministry of Humanitarian Affairs, the National Human Rights Commission and the SDG Nigeria office.

5.0 Research Findings

Even though substantial advances have occurred in the issuance of sexual and reproductive health guidance in humanitarian settings, implementation of these policies and standards has severely lagged behind the enormous need. Advocates and agencies alike have identified a range of problems in delivering sexual and reproductive health services in humanitarian situations.²⁹

5.1 Access to reproductive health services by women in humanitarian crisis in the BAY states

An interview conducted in one of the IDP camps that houses about 3,200 families from the BAY states reveals that they didn't receive any Minimum Initial Service Package (MISP) for Sexual and Reproductive Health (SRH) at the onset of the crisis before they migrated to the FCT. Liyatu Ayuba- the women's leader at the Area 1 IDP camp Abuja narrates her story of how she became a traditional birth attendant after experiencing the death of a co migrant and her baby due to eclampsia in a government hospital. Her story mirrors what happens in a typical IDP camp or conflict community in the BAY states with one or two exceptions where international organization's projects are focused. She narrates that they have no form of assistance from the government. She noted that in the past, they did get some skeletal support from the government in the form of trainings and referrals. NGOs, CSOs, international organizations and individuals come to support but there's little or no involvement of the women in the development of programs, monitoring and reporting. Sometimes, they are involved in implementation of project activities. Few organizations and NGO's like Direct Consulting & Logistics have come to

²⁹ [In a State of Crisis: Meeting the Sexual and Reproductive Health Needs of Women in Humanitarian Situations | Guttmacher Institute](#)

support with family planning, NGOs like Theodora Anavhe Adamu Foundation (TAAF) and The SHE project have supported with delivery & menstrual kits, hygiene training and management including training to strengthen TBA's capacities, Network Aid for Humanitarian Assistance (NAFHA) built a delivery station for the camp, The Nigerian Army Officers' Wives Association also built a mini clinic for them which is almost always empty but for intervention of NGOs, individuals, professionals that support. A particular doctor has supported voluntarily with drugs since 2016. Rape was on the rise but has recently been curtailed. There's a rise in domestic violence and abuse even in pregnancy. Young girl's who cannot afford to buy their monthly hygienic products resort to sleeping around to get money for their basic needs as a result increase in STDs and HIV/AIDS cases. They weren't aware or didn't have proper information on activities by the government to protect their reproductive health rights or even means to access justice.

5.2 Efforts by stakeholders to promote women's reproductive health rights in the BAY states:

5.2.1 The National Human Right Commission

The Commission serves as an extra-judicial mechanism for the respect and enjoyment of human rights. It also provides avenues for public enlightenment, research, and dialogue in order to raise awareness on Human Rights issues.

I was requested to write to the Executive Secretary and will be directed to the appropriate office. Due to limitation of time, I went ahead to compare findings on the NHRC website. One of the projects the NHRC undertakes is the project on the protection of persons of concern through human rights monitoring in the BAY states. The Project on Protection of Persons of Concern through Human Rights Monitoring in Adamawa, Borno and Yobe states is a collaborative effort of the National Human Rights Commission and The United Nation High Commissioner for Refugees (UNHCR) which started in 2015 with 10 project states. The commission's programs:

(i) on women's rights in the BAY states: The cases relating to rights to women recorded under the reporting period are Sexual and Gender Based Violence, Inhuman and degrading treatment,

forced marriage, harassment, rape, sexual exploitation, sexual abuse, security threat against women etc³⁰

(ii) on the rights to health: The report identified issues such as access to timely, acceptable and affordable health care services by the PoCs in the camps, host and returnees communities in Adamawa, Borno and Yobe state within the first quarter of 2020. The report states that the highest total numbers of cases were recorded in February. There were minimal increase and decrease on the number of reported cases from February and January and February to March respectively³¹

(iii) Access to justice: During the first quarter of 2020, it was recorded that the monitors did not file any report on any issue jeopardizing the PoCs access to justice in January. In February, 12 cases were identified and there was a decrease on the number of identified cases to 46% in March. The reported cases revolve on the PoCs who could not post bail, those who are detained for bailable offences, cases of no legal representation, awaiting trial for over 2 years and lack of documentation

5.2.2 Nigeria National Emergency Management Agency

The agency focuses on disaster management in all parts of the country. The agency was established in 1999, and functions to formulate policies relating to disaster management in Nigeria. They didn't have any specific program for women's health in conflict situation online.

5.2.3 The North-East Development Commission

The North-East Development Commission (NEDC) is the focal organization charged with the responsibility to assess, coordinate, harmonies and report on all intervention programs, and initiatives by the Federal Government or any of its Ministries, Departments and Agencies (MDAs), States; and other Development Partners and for the implementation of all programs and initiatives for the North East states; Adamawa, Bauchi, Borno, Gombe, Taraba, Yobe, respectively. Unfortunately, I couldn't reach anyone here. I went on their website @ <https://nedc.gov.ng/> and didn't get anything in particular they do for women's reproductive health rights in conflict situation.

³⁰ <https://www.nigeriarights.gov.ng/files/North-East%20Project/1-quarter-pdf-1.pdf>

³¹ <https://www.nigeriarights.gov.ng/files/North-East%20Project/1-quarter-pdf-1.pdf>

5.3 International organizations & CSOs working with women in the BAY states

5.3.1 UNFPA- Access to justice had always been weak as a component of service delivery to those whose human rights have been bruised. UNFPA is working assiduously to change this and we have established a Forensic Lab in Yola, Adamawa State, to support GBV survivors and put GBV perpetrators behind bars. This lab which is a model in the entire country is being further developed to support other States in this regard.

5.3.2 CSOs- there is VAP law awareness at the state and local government levels. The Nigerian police have established help desks in their office for reporting gender related crimes.

6.0 The SDGs and women's reproductive health

The SDG target 3.7 is to ensure universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes. I contacted the UN Nigeria SDG office and I was referred to the Ministry of Humanitarian affairs. I was told that Nigeria has activated the cluster coordination system in the north east which is where the BAY states are located. The UN and Nigerian cluster leads for health are the WHO and the Ministry of Health. At the ministry of health, I was directed to the Family Health Department of the Ministry of Health. I understand that they only make health policies, develop M&E frameworks and curriculums for training and implementation but do not have any specific policy for women in conflict situations. I was directed to a unit called Special Duty Project which deals directly with health in humanitarian crises and the head of the unit also said they do not have any specific project or policy that ensures that women's reproductive health rights in conflict situations are upheld. The little information I got was that women are involved in the process of humanitarian responses from development to evaluation and not necessarily reporting or making input in policies.

UNFPA is the lead UN Organization in the coordination of the SRH Sub-Working Group under the Health Sector Cluster in Nigeria. "We provide leadership and guidance in ensuring that the Sexual and Reproductive Health and Rights (SRHR) of individuals, including and especially, women and girls, are protected. We do this in multiple ways through supporting partners to deliver on this mandate. We are the UN Organization that the Federal Government of Nigeria relies upon to ship RH commodities to Nigeria for distribution to all the States for effective

family planning service delivery. We build the capacity of government and local organizations on LARC, BEmONC and CEmONC to deliver quality services. UNFPA states that these women are involved in all stages of humanitarian response that is from development/planning, implementation, M&E, reporting and policy drafting.” UNFPA says accountability is first to the individuals and local communities they serve. They provide the full range of information and feedback to the local communities they serve on what they are doing and seek their satisfaction feedback. They also account to the partners they work with as well as to donors and their monitoring system.

7.0 Key challenges that were identified by stakeholders in carrying out reproductive health services to women in conflict in the BAY states were;

Cultural inhibition in wide use of family planning services, lack of sustainability of gains due to poor funding by state and local authorities, security challenges which often leads to fresh displacement of communities and sacking of well established service delivery points as everyone scampers to safety, unpredictable environment laden with fear by community members and anticipation of terror attack.

8.0 Gaps in reporting reproductive health issues in conflict settings

UNFPA often keys into the existing reporting tools of the government and supports the development of the capacity of the State health workers to do better, for sustainable gains. Gaps observed include poor capacity of health workers meant to report, high attrition rate despite training and retraining by UNFPA and partners, poor counterpart funding of health humanitarian/development programmes, paucity of human resources, absence of reporting tools in some service delivery points.

9.0 Conclusion

The Federal government has done a lot in protecting and promoting the rights of women in crisis in the BAY states but doesn't have a coordinated guideline or framework that protects and promotes the reproductive health rights of women in conflict settings. International bodies, INGOs, NGOs, CSOs, CBOs, FBOs and all stakeholders directly involved in protecting and promoting women's reproductive health rights in the BAY states all have internalized

mechanisms or policies to safeguard the rights of women's reproductive health rights. There isn't however a unified mechanism in implementation and reporting by all stakeholders involved. This has created a lot of gaps in achieving international human rights mandates regarding women's access to reproductive health rights in these crisis or conflict settings. Conflict and post-conflict states, host states, and donor states should prioritize the realization of women and girls' sexual and reproductive health and rights, including through the provision of maternal health care, contraception, safe abortion care, and post-abortion services. There should be a rationalisation of existing institutions, policies and frameworks to ensure complementarity, coherence and clarity, avoid duplication and unnecessary bureaucracy.

10 Recommendation

To the Government

1. The government should work on a coordination platform with relevant stakeholders to ensure that all activities are in sync for more impactful outcome and for reporting and evaluation by stakeholders, donors and international bodies.
2. The government and key stakeholders should clearly point out standalone legal and policy guidelines that protect and promotes women's reproductive health. The government should ensure the input of women from these conflict zones.

International bodies & relevant stakeholders

3. International human rights bodies and political bodies, including the Human Rights Council, must address sexual violence and violations of sexual and reproductive rights in conflict settings by including this issue in state reviews, passing relevant resolutions calling on states to recognize the importance of a human rights-based response, and strengthening the human rights underpinnings of the women peace and security (WPS) framework.

Humanitarian and development workers

4. Humanitarian and development actors should ensure that their organizational design, implementation, and evaluation of humanitarian programming and responses include the meaningful participation and inclusion of women, girls, and other affected populations.

5. Human rights and civil society organizations, including the National Human Rights Commission, should prioritize the provision of technical support to stakeholders to increase awareness and the application of a human-rights-based approach to all humanitarian interventions.

Promoting Economic Freedom of Women Workers in the Informal Sector in Kenya

Moses Ochieng Oduor

ABSTRACT

The fourteen years of civil war in Liberia had come to an end, thanks to women. They had formed a movement, Women of Liberia Mass Action for Peace in Monrovia in 2003, whose actions played a primary role in ending hostilities and thereafter resulting in peacebuilding. What is intriguing is how Liberian women tried to end the first civil war and failed yet never lost hope. Instead, they carried on with their activism for peace in the second civil war and that is when their message was not just heard, but most importantly became manifest. What greater good could happen when women are economically empowered in the Informal sector?

INTRODUCTION

Research Question: How relevant is economic empowerment of women, in increasing women's income?

The social status of women from the global south is mainly featured by the role of caregiving and childbearing; which extends to the workplace. This has been characterized by the grip of cultural practices and social norms rooted in traditional systems. In the past decades, much research has focused on the nature of women in terms of their gender roles and how it limits

them in the world of work. Herein, the social status of women, unfortunately, renders women's income in the Informal Sector incapable of advancing their economic viability.

Angela Y Davis (1971) argues that women come out as a product of nature's inevitable powers. This is to say that it is still impossible to separate womanhood from sexual, childbearing, and natural characteristics. As further posited by Erik Erickson, the female self-realization of a woman involves bearing an offspring of a chosen man in a design to be biologically, psychologically, and ethically committed to taking care of human infancy(148:4)³². As such, it is impressive how women have tried to fit into their multi-tasking prowess in order to flow with the system of work. Particularly, most women in the informal sector, be it agriculture or business, still find the energy to go back home and do house chores.

For the purpose of my research, much focus is on the need to invest in economic development of women precisely in the informal sector at the low class income earners. This is because they are more vulnerable to lacking ownership of capital which is key for plowing profits and subjected to low paying jobs in the informal sector.

It is important to understand that this discussion identifies women as income earning adults whose nature is caregiving and childbearing. It remains unresolved as to why the informal sector, having created a pool of job creation attracting skilled, semi-skilled and unskilled labor in Kenya, fails to accommodate women's nature towards sustainability and development in the economy. Several structural changes, as highlighted by a Working Group from the Office of the High Commissioner for Human Rights, have led to new enthusiasm in advocating for the rights of women while at work and when seeking for work. These changes have been categorized into technological change, demographic change, globalization change, and the transition to sustainability.³³

Assumptions

The world of work is a portal to enter into the broader society. There is this woman from my neighborhood who has been selling maize for the past fifteen years ever since I was in primary school. And now that I am in my twenties, she is still in the same business with less development

³² A Y Davis, (1971). "Women and Capitalism: Dialectics of Oppression and Liberation".

³³ <https://www.ohchr.org/en/calls-for-input/report-womens-human-rights-changing-world-work>

on her business premises. This is only but a sample of many that can be said among women. Over time, women have come up to assume professions and occupations that traditionally did not ascribe to their social status and it is therefore key to ensure that women are exposed to a conducive working environment to allow income increase. There are several rights and freedoms entitled to women in the workplace as agreed upon by the global community to thus promote the rights of women when working. The debate of women economic empowerment revolves around most conversations; be it in offices, media, restaurants, at home and so on. As a note, only 4% of media news challenge gender stereotypes³⁴ where media houses host news segments such as Sokoni, Mwanamke Bomba, Women in Business among others. In as much as that is it, there should be more stories to tell about milestones arrived at in women economic empowerment.

The family structure in Kenya is changing from the case where men were breadwinners of the family to either being headed by single mothers or wives as the main income earners. This shift is factored in by a number of reasons where in some scenarios are due to the death of, separation with or negligence of responsibilities by the husband. With such outcomes in several households, women are therefore handed over economic responsibilities despite working in low paying jobs. It therefore becomes a tall order for them especially when they are unable to cater for basic requirements such as food, shelter and clothing. I need not to mention the trauma caused by social pressures including family break-up and toxic relationships with their spouses. Therefore, women empowerment comes with safe spaces where women can vent and educational gatherings to learn financial and life skills. Low income from the informal jobs contribute to the reason why women do not license their business in the name of evading high taxation due to low profit margin.

Women empowerment is best suitable to enhance technological skills to improve livelihoods. The shift to digital transformation of media in Kenya has created room for more stories about women and girls to be told inclusive of getting employment in the media industry.

The number of working mothers is increasing due to the compelling nature of work, hence as early as one and a half years old, most mothers take their children to 'baby care centers' so that they can find time to go to work. Working mothers are then forced to dedicate time for work at

³⁴ Gender Equality, Women's Rights, Empowerment and Inclusion: A New Model for Economic Growth, ORF, <https://youtu.be/kWIIQmVOODQ>

the expense of caregiving which is very essential for the early childhood development of a child. Research shows that when more women participate in the labor force, the gross domestic product of a country increases, with the United States accounting for a five percent (5%) increase. Hence, maternal leave ought to be adequate to maximize time for childbearing and caregiving and join the labor market when fully ready and committed. Empowering women through peace building and post-war development will transform the norm of having women as victims of war to assuming new roles such as agents of peace and development during and after war. In sum, women economic empowerment would prove a great deal to not just empower gender of women but on a critical look, bring about development in the country.

Literature Review of Efforts towards Women Economic Empowerment

Economic empowerment is a great deal to mention and we can't fail to recognize the numerous efforts that have been made towards realizing the economic freedom of women. With efforts from women themselves as well as institutions and policies, we can say that to a certain degree the goal is almost achievable. On a good note, almost all African countries, including Kenya, have ratified the Convention on the Elimination of all forms of Discrimination Against Women while more than half of the African countries have ratified the African Union's Protocol on the Rights of Women in Africa. There are strategies to further empower Africa's women and girls since there is low participation of women in politics, education, and involvement in science and technology³⁵.

As of November 2022, Diamond Trust Bank(DTB) has targeted women ventures especially those from the grassroots to expand its loan book capacity to Ksh 234 Billion.³⁶ The loan book is majorly encompassed by facilities such as real estate, manufacturing and trade as a means to grow Kenya's retail markets. The loans are due to rebounding and risk based pricing models in the financing sector. At the same time, DTB met women in groups and those in business in order to empower them in terms of how they grow their businesses, financial literacy alongside enlightening them on how to access the bank's credit guarantee schemes such as "Inua biashara" of which thirty percent (30%) of these funds have been targeted for women.

³⁵ Foresight Africa, (2022). "African Women and Girls: Leading a Continent".

³⁶ <https://youtu.be/F2a1yo3IGZs>

A program run by the European Union in partnership with Oxfam International dubbed "Wezesha" seeking to improve livelihoods of small scale businesses such as tailoring and domestic workers by teaching them business skills. The program has so far helped about 30,000 women in five informal settlements in Nairobi. Consequently, a domestic worker earning US\$ 200 dollars a month was able to save due to acquired business skills from the program. She also learnt about reproductive health and how to stay healthy.³⁷

According to the United Nations Economic Commission for Africa reports that Kenya is leading in informal employment within the African continent. Institute of Economic Affairs agrees that entrepreneurial support could spark industrialization in Africa. Such initiatives to empower women are still on. For instance, Women Economic Forum held on 23rd and 24th February 2022 was aimed at financing and market linkages for women's economic empowerment in a post COVID environment; through contributions of Crown trust in conjunction with National women Steering Committee³⁸. The forum created a platform to advance women's exclusion in economic matters in pursuit of ensuring economic freedom of women. Elsewhere, as recognized by the Office of the High Commissioner for Human Rights, there are significant loopholes in the quality and conditions of women's working environment and in seeking employment. It further highlights that women continue to flood in the lowest and most vulnerable forms of employment receiving limited or no access to decent working conditions and social protection.

Problem Statement on Low Women Income in the Informal Sector

Women have, over time, taken up the mantle to become income earners in households. Nevertheless, women workers face a significant number of challenges in the world of work and as a result hinder their participation and contributions to their family, community, and nation. Kenya has made commendable efforts in ensuring women equity through policies and legislative frameworks. Global Gender Gap Report 2020 points out that the country is still lagging in achieving gender parity especially in marginalized areas and scoring lower than its counterparts in the region. In extension, economic hardships caused by COVID-19 and Russia's invasion of Ukraine have worsened the situation in the last two years.³⁹

³⁷ <https://youtu.be/rpm8zTDGV2o>

³⁸ <https://youtu.be/kiGyKGOgYKQ>

³⁹ <https://youtu.be/kiGyKGOgYKQ>

Implementation and monitoring of policies is quite a challenge whereby women with small scale enterprises (SMEs) pay for taxes and fail to render necessary services that they pay for. Considering the low levels of profits or income made by informal workers, paying for taxes and government schemes is an overstretch for funds. Despite paying for public goods by the government, small scale enterprises barely enjoy service delivery such as cleaning of the market area, development of market infrastructure et cetera. Also, most informal sector jobs have limited to no wage surveillance and it is usually up to the employer to determine how much they are paying for the services offered. For instance, many domestic workers do not receive minimum wages which stands at US\$580, two days of resting a week, sick leave, maternity leave and an off-duty rest for twenty one days a year while receiving full payment, as recorded in the Regulation of Wages Order.⁴⁰In addition, highly competent women fail to reach the top of their occupations and careers and earn more because of the demand for longer working hours which penalize them for taking time off. As a result, it has led to negligence of article 5(b) of the CEDAW Convention⁴¹, where women are entitled to maternity leave. This also brings us to the question, is three months enough for a maternal leave? Extensively, it is true that there are existing policies nevertheless the execution is still a menace to resolve.

Exploitation from influential male workers and employers. When handing out slots for "Kazi mtaani" in various counties, some people were favored in the recruitment process for the jobs at the expense of those who followed due protocol. In some instances, some women were asked to consolidate their slots by having sex with those in charge of awarding the opportunities.

Lack of support from spouses. Women who work in the informal sector especially those operating in markets as vendors, dedicate most of their time to provide their labor or services; starting the day as late as 6am and ending their sales as early as 7pm. Still, they handle all the house chores in their homes despite the humongous workload at their disposal. Despite such challenges, some husbands quarrel and reprimand them for not cooking early and to some extent demanding for conjugal rights. Some husbands especially drunkards become violent when they are not satisfied or accorded their wants.

Another challenge is unclear processes for accessing funds such as Access to Government Procurement Opportunities (AGPO), UWEZO fund, Youth Enterprise Fund, grants from various

⁴⁰ <https://mywage.org/kenya/labour-laws/domestic-work-in-kenya>

⁴¹ <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women#article-5>

international and national programs. It is revealed that lack of information is among the reasons why women are not taking advantage of opportunities that come with women empowerment.⁴² Some women do not know how to acquire nor to register into these avenues with funds. Even if they might meet the criteria, you would still find that they lack some of the requirements. In particular, Kenyan women own over 60.7% of unlicensed business yet business certificate is a requirement in application for AGPO.⁴³

Failure to understand the dynamics of finance. Most women in Kenya are in groups, particularly "chama" which they establish as a mechanism for saving and catering for their needs. Nevertheless, it is still a tussle for some women to utilize the amount they are receiving, however little, to attain their financial goals and cater for their expenditures. For instance, some women find it difficult to separate personal funds from business funds or even risk money to invest⁴⁴. On average, women spend more than men even though they might have low purchasing power. Not to forget, the number of single mothers and women income earners in several households is on a rise. This has resulted in low saving culture to cater for the needs of the family. In extension, those with their spouse still contribute to family income since the economic hardship forces for joint sources of income from both the man and the woman of the house. The informal sector in Kenya is featured by low paying jobs and it is even worse when one is unskilled. Hence the wages are quite limited especially to women who needs to pay for school fees for her children above the seventh class in primary school. Nevertheless, the idea of having more than one stream of income is a mountain to climb.⁴⁵ The Kenyan economy is structured in a way that it does not favor stability of employment from the grassroots.

Study Objectives and Methods of Data Collection

Research Areas	Method of Data Collection	Study Objects
Identifying challenges affecting women workers in	Conducted interviews	Women workers from different occupations, that is, business,

⁴² <https://youtu.be/kiGyKGOgYKQ>

⁴³ <https://youtu.be/BrdTMlyVQE>

⁴⁴ The informal sector in Kenya. A Report by Gibson Nabuteya Amenyaa

⁴⁵ <https://youtu.be/U28QhMQ2qv4>



the informal sector		fishing, domestic services, hospitality. Secondary Data Review by International Center for Research on Women(ICRW)
Ways of improving skills of women workers	Internet search	Oxfam International, European Union
Efforts towards linking women and economic empowerment programs	Internet search	Diamond Trust Bank, Crown Trust and Women Steering Committee
Sources of funding for women in Medium Scale Enterprises (MSEs) and Large Scale Enterprises (LSEs)	Documentary and Television interviews	Richest women in Kenya, Zia Africa Clothing Line and Kahawa Coffee.
Government contributions towards affirmative action services	News reports, websites and articles.	AGPO, UWEZO fund, Regulation of Wages Order.

METHODOLOGY

My research was mainly through the use of secondary data from organizations and web search. More importantly, I was able to conduct personal interviews through conversations with women working in the informal sector. (As a note, the names of the interviewees are not in any way related to their real identities except for the name general term "Fishing women at Kalokol, Turkana" for privacy purposes).

Interview outcomes

The following are the findings of the interviews conducted;-

Interviewee 1 : Martha (Domestic worker)

Martha works in two stations in a day earning a total of Ksh8,000 per month. She leaves the house at 9am after conducting all the domestic chores. Her workplace is a 45-minutes walk since she barely affords Ksh 30 to board a matatu. The earliest time she gets back home is 8pm due to the two jobs she is handling.

Interviewee 2 : Maiwa (Waitress)

Had to leave her previous job due to sexual harassment by the hotel manager and now she is jobless. Maiwa has tried job searching for two months now without success.

Interviewee 3 : Fishing women at Kalokol, Turkana.

Women wait for floaters from nets to submerge in water to prove that the fish have been caught. They then have to tie the net with fish around their waists in order to pull out the net with fish out of the water. In addition, this is the lowest paid job in the ranks and is mostly done by women.

Interviewee 4 : Nyamasi (Maize vendor)

Nyamasi is a mother of three and resides in Mathare slums in Nairobi. She has a daily routine of going to buy her stock as early as 5am when maize is transported into the capital from other counties. She has to go at this time so that she can be able to find the best products for her customers after which she will only be able to collect poor quality maize that have been left out by other traders. She then goes back to her home mostly at 10am to do house chores before embarking on her business at 2pm when she sets up her workplace and begin to sell roasted and boiled maize until 9pm.

Interviewee 5 : ACT - Mombasa Office

What is the impact of human rights in addressing the need for women employment?

There are several positive feedbacks that we(ACT) have received from the community proving the impact of our functions in promoting human rights. We have witnessed several cases where women's rights have been violated in the workplace especially in the informal sector. Nevertheless, human rights advocacy and activism has played significant role in fighting for the rights of women.

FINDINGS

The following compose the findings of my research.



1. Vast majority of people fail to understand the conceptualization of women empowerment and how it is practiced hence there is need for creating awareness to the general public.
2. Many women-owned businesses in Kenya are unlicensed. About 60.7 percent of licensed businesses in Kenya are owned by women.
3. Lack information on how to access funds from women economic empowerment programs.
4. Most women have unskilled and semi-skilled labor which is a disadvantage in the sector which gives them low bargaining power for acquiring their salary. They also need additional skills such as financial skills, leadership skills, technological skills, writing skills eg writing proposals, projects and reports. Subsequently, they will be able to be effective in business planning, market survey and savings and investments.
5. The problem of discrimination and sexual harassments are still common due to high demand for scarce resources and opportunities.
6. Women with high networth are from mostly from rich backgrounds and in domains of large scale businesses hence can access funds easily as compared to women with small scale and medium scale businesses who have nothing to count on. Such sources include family support, inheritance, formal occupation, and personal savings.⁴⁶⁴⁷ For instance, Zia Africa Clothing Line came to be with the help of a family member who provided a loan of Ksh 60,000.⁴⁸
7. Some women prefer to engage in indecent work due to societal pressure in pursuit for a "good life" rather than struggling to seek informal jobs that pay less with low living standards.
8. Women are still subjected to unpaid maternity leave. The logic here is that employers are reluctant to pay for maternity leave since profit levels and income rates from informal jobs are quite low.
9. There are weak social institutions featured by family break-ups, government inefficiency.

RECOMMENDATIONS

⁴⁶ <https://youtu.be/CY9tA5p2lgl>

⁴⁷ <https://youtu.be/U28QhMQ2qv4>

⁴⁸ Impact of COVID 19 on Women Workers in the Urban Informal sector in Kenya and Uganda

From my research, the following are recommendations in response to improving the income of women;-

It is the mandate of the state as a policy making and implementation body to ensure that there is profound monitoring and implementation of policies. For instance, the government ought to provide public services on taxes paid by traders and proprietors in the market areas, ensure women are working in conducive environments

The government should revise its policies relating to maternal leave to increase the duration of maternity leave so that women can have more time for prenatal and postnatal care.

Strengthen corporate social responsibility through joint efforts by the government and employers in the sector to secure funds within the National Social Security Fund (NSSF) for women workers who are in their gestation period.

With partnerships from various actors in regards to women empowerment, women especially those from the marginalized counties together with urban informal settlements, should be aware of ongoing and upcoming programs through transparent and need-based mechanisms.

Women empowerment programs should be undertaken in the trajectory of Article 4(1) of the CEDAW Convention⁴⁹ so that they can prevent superiority complexes from women towards the male gender. Otherwise, it will be solving a problem and creating another problem since both men and women coexist together and complement each other rather than competing against one another.

Women should be encouraged to register and license their businesses so that they can not only meet the requirements for accessing funds but also based on the notion of gaining trust from those providing funds for accountability and integrity. Also, it will provide ease for market linkages beyond local markets.

Women economic empowerment should include financial coaching cum life skills training so that women can develop positive mindset and leadership qualities to help them maneuver through economic hardships they are facing.

Programs towards women economic empowerment should be availed through communication channels that can reach women in the grassroots so that information e.g women groups such as chama and Sacco.

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<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>

Men should be included and considered, in forums and initiatives that involve women empowerment in order to materialize a positive response from men and as well achieve gender parity.

CONCLUSION

Human rights is an entitlement which is intrinsic to every individual. It is vital to harmonize the enjoyment of these rights in relation to employment of women in the job market. In the promotion of these rights, women empowerment in Kenya is therefore a stepping stone towards reaching the goal. The government should be up to the task to strengthen its institutions, especially the legislature, executive and judiciary, for a domino effect in the actualization of women economic freedom in the informal sector. The state should therefore restrain from adopting the capitalist nature in the corporate world and instead perform its due task to conduct budget allocation to operationalize policies and to run programs and services aimed at empowering women economically; including affirmative action funds. Consequently, it is necessary to formalize the Informal sector with the help of technological advancements for effective regulation of the sector by the government.

Social institutions should keep on extending support for the women gender in the world of work in order to attain gender equity until we can have equality of both men and women. The society should wipe out stereotypes on gender roles particularly in the informal jobs and acknowledge that all sex are fit to pursue any type of job in accordance to their interests. Also, in this contemporary world, social institutions especially family should acknowledge the fact that caregiving is the responsibility of both men and women. should enhance progressive partnerships with International and local organizations, civil society and non-governmental organizations alongside the Kenyan mwananchi who have proved to be key actors in providing both human and financial resources necessary for achieving the goal of women economic empowerment.

How can women change the World?

The role models from Jacinta Harden and Angela Merkel

Patrícia Matos, Portugal

Introduction

Leadership is considered an art, a skill, an outstanding ability to inspire, influence people and motivate them to develop outstanding work in order to achieve specific goals. Leadership can be motivated by fear or admiration, but never by both at the same time.

Companies are taken over by people and it is not possible to ignore this fact, in the most primitive sense of the word, and that can, in itself, be an obstacle to evolution, as a group of scholars in the field of leadership considers, in a book coordinated by John Renesh (1994), “More and more current wisdom indicates that companies cannot change a long-established culture if their leaders do not change either. Modern management books are full of examples of companies trying to change without the CEO and other senior management taking charge of the change themselves. These accounts almost always end with a tremendous disappointment. Tomorrow's leaders need to be willing to undergo personal transformation—that is, to be willing

to make a transcendent change in their entire way of thinking and feeling, not just a change in attitude about a certain part of the operation”.

In a society that has become accustomed to male leaders, women are increasingly gaining prominence and in the most diverse areas. How do they exercise their leadership? How do you put your assertiveness in favor of the projects you lead? What makes them different from men?

On the other hand, it is also important to understand what counts most for current leaders: are hard skills, technical skills consolidating their legitimate space or, on the contrary, soft skills are increasingly important and more prominent in the functioning of an institution? And what about women, how do they communicate? Are they close to people? Do they tell the truth?

In this work we will analyze two cases of outstanding leadership, in the specific case of women leaders who stood out in crisis situations, Jacinta Harden, Prime Minister of New Zealand and the German Chancellor Angela Merkel, in difficult moments of history, specifically, during the first year of the Covid-19 pandemic.

Thanks to new technologies, PM of New Zealand had the chance to communicate with citizens everyday, with daily lives on Facebook. The Government's direct and consistent leadership style contributed to the population's respect for the determination to remain locked up at home.

Methodology/ Framework

In this paper I will compare the period of pandemics in these two countries, New Zealand and Germany, during the year 2020.

So, I will study the role that Jacinta Arden took as Prime Minister of New Zealand, and Queen Elizabeth II, to keep people calm and to respect their lives, and to keep the confidence and skills for the worst time in their lives.

Jacinta Arden did the same thing about the pandemics, she made decisions to close the country, to limit traveling around the country, which has been seen as dramatic but was the only way to stop the progression of the disease in New Zealand in order to make it an exemplar country. By September 2020, New Zealand declared the country “free from covid”.

On the other hand, Chancellor Merkel promoted a lot of talks through zoom to hear what german people had to say about the pandemics. "This is Angela Merkel, what do you want to tell me?". The German Chancellor asks a policewoman from Lower Saxony who explains to her what her job is

like at the moment, marked by a pandemic that, in Germany, takes thousands of skeptics about Covid-19 to the streets to protest. The Chancellor puts herself within reach of the population through Zoom, and the chat is part of a series of dialogues that the head of government holds weekly with citizens, now through the screen.

Angela Merkel talked with interns, then caregivers, dependents, police officers, and students. It is about showing empathy, but also feeling the pulse of the population at a critical moment for the collective state of mind.

Sustainable Development Goals United Nations

The Sustainable Development Goals (SDG) are a seventeen measures list used by the United Nations (UN) to achieve development. As UN consider, ‘the unique and necessary SDGs for the exclusivity of a unique and exclusive, inclusive regenerative, without which it will be able to create an opportunity for creation, to which the person is equal to social asymmetries and inequalities. Consider that they have the capacity to develop unprecedented innovation, economic growth and scale’.

Both Angela Merkel and Jacinta Arden fight for a more equal world, where gender equality is a reality and not a desire. With these two female leaders the world has the goal and the example to achieve: a leadership with emotional intelligence, progress, strategy, assertiveness, close connection and the ability to hear everyone, everywhere.

Also by their job, Angela Merkel and Jacinta Arden fight to improve stronger institutions, considering peace, opportunities, sustainability and leadership.

Their Lives

Angela Merkel was German chancellor between 2005 and 2021, in that time many challenges were posed to the German leader, but the pandemic will have been the most intense due to the fundamental role that Europe played in the whole process. For the rest, Merkel was considered by many to be the leader of Europe, the most powerful woman in the world and the “leader of the free world”. A consensus enhancer, Merkel led the Germans during the 2008 global financial crisis, the Eurozone crisis, Russia's annexation of Crimea in 2014, the European refugee crisis in 2015 and 2016, and during the Covid-19 pandemic.

Since she entered politics, after the fall of the Berlin Wall – and especially after becoming Chancellor -, her manners, gestures, appearance, haircut, clothes, humor, way of speaking and the fact that she has no children, were under public scrutiny. “Among German leadership, Merkel is a triple anomaly: woman (divorced and remarried, childless), scientist (quantum chemistry) and from [former] East Germany,” says a report in the New Yorker magazine.

These qualities, while making her an outsider in German politics, also helped propel her extraordinary rise. However, some observers, trying to explain their success, look everywhere but at Merkel herself. “There are some who say that what should not be cannot really exist – that an East German woman, who does not have the typical qualities that a politician should have, should not be in this position,” Göring-Eckardt, another German woman Oriental, he said. "They don't mean she's just a very good politician." Over the course of her career, Merkel has made older, more powerful politicians, mostly men, pay a heavy price for underestimating her, can we read at New Yorker magazine

Jacinta Arden is the youngest Prime Minister ever in New Zealand, by the age of 37. Her career started at former Prime Minister Helen Clark’s office. After, she worked with former Prime Minister Tony Blair, in London, and she became Prime Minister in 2017, when in October, Winston Peters announced that he would be forming a government with Labor and the Greens, making Adern the next Prime Minister.

On March 19, 2020, New Zealand closed its borders to all foreigners, with the exception of those with citizenship, residents or close relatives, in the country.

A few days later, the Prime Minister announced a mandatory national quarantine that would only exclude companies from essential segments. At that time, the country had 102 cases and no deaths.

As of April 9, the gradual relaxation of measures began, as the curve of cases decreased.

New Zealand has implemented mass testing and has carried out around 300,000 Covid tests by June 2020, which equates to 6% of the country's population.

No deaths were recorded between June and September 2020 and between October 2020 and February 2021. As of April 2021, the country had recorded 2,555 cases and 26 deaths.

In October, Jacinta Arden was re-elected Prime Minister with a very comfortable margin, for a new term as Head of Government, at a time when she enjoyed great popularity, mainly due to the way she dealt with the pandemic and adopted without hesitation policies supported by experts, such as quarantines and social distancing.

From a personal point of view, Arden did not postpone his life due to the fact that he is head of government and announced her pregnancy in January 2018, reconciling the pregnancy with the position and completed 6 weeks of maternity leave. The last time this had happened was with Prime Minister Benazir Bhutto in Pakistan in 1990.

On September 25, 2018, the prime minister attended the UN General Assembly alongside her 3-month-old daughter and starred in an image that was widely widespread on social media.

5. The Leadership

Several authors consider proximity leadership as a more effective leadership, given what History has presented us so far. A kind of avatar leadership, which instead of male, will now be applied to women. A kind of leadership with an ambitious and modern communication, it meets what Weber (1918) suggested, even in the image. Young leaders, who present themselves informally and with a different attitude.

Until now, propaganda was the communication weapon used to the limit. An example of this model is the former Greek finance minister Yanis Varoufakis, an excellent communicator, who used drama to the fullest to create the idea, in Greece and Europe, that negotiations with partners, in 2015, had reached a high degree of difficulty. Even before winning the elections, Syriza and Alexis Tsipras assumed that austerity would not continue in Greece and repeated the idea until exhaustion, when the people already believed that it was true and that radical change was possible. Thanks to this technique of relentless repetition of the argument, the idea gained ground in the minds of the Greeks and the truth is that if the elections had been held 15 days later, Syriza would have managed to achieve an absolute majority (according to Greek polls). Moreover, the entire electoral campaign was also based on the idea of rejecting austerity, attributing to the troika the role of “scapegoat” and “guilty” for the current situation in the country. The Tsipras government was able to take advantage of the communication channels preferred by the masses - the media, which gain a prominent role because the most relevant information, in political terms, is acquired through television, newspapers and radio. Since the beginning of the 20th century, the public has trusted the media, not watched events unfold, and allowed images to be created in their heads, as happened with Hitler's consummate radio propaganda or, for example, the campaign to the American elections of 1932, when the candidate Franklin Roosevelt, with a motor disability, was presented. On the other hand, the emergence of cinema (in the early 20th century), radio (in the 20s), television (in the 50s) was seen as an extraordinary method of influencing people, their opinions, values and behaviors. Media liaison is essential because there is rarely a direct link between the candidate and the electorate; there are always several ways to reach people, it is important that the candidate is referred to and identified in and by the media, with the information available and the focus to exert influence (Lenard, 1994).

Jacinta Arden and Angela Merkel also took advantage of the new technologies that, alone, are not media projects- digital social networks are, on the contrary, a kind of ‘megaphone’ where it is possible to reproduce the message you want for free, easily and quickly. And, on the other hand, reach a greater number of people, belonging to different types of audience.

Several contemporary authors consider that a leader is a kind of commander of a larger (or smaller) ship, but who always has the objective of reaching a good port, fulfilling some goals.

Daniel Goleman noted that the best leaders “have one essential characteristic in common: they all possess a high degree of what has become known as ‘emotional intelligence. (...) It is a sine qua non condition of leadership (...) Without it, a person will not be able to be a great leader, even if he has the best training in the world, an incisive and analytical mind, and is an unlimited source of brilliant ideas”.

Corroborating this theory, an example that Goleman found from the researcher David McClelland, highlighted in the study of human and organizational behavior. In a 1996 trial at a food company, McClelland found that top managers were emotionally critical and that the divisions they led managed to outperform annual earnings targets by 20%. But managers who did not have this ability obtained values below the desired and expected.

Goleman concludes that "the numbers convincingly suggest that a company's success is linked to the emotional intelligence of its leaders."

Tony Robbins, the American motivational giant, believes that a leader moves because he is always hungry, because he is never satisfied, he always wants more. And more. And more.

Another guru of self-knowledge and leadership of modern times, Simon Sinek, very present and widely shared on social media, writes, at the beginning of the also very award-winning 'Leaders eat last' (2019), that 'leaders are those who throw themselves headlong into the unknown, they run towards danger, they put their interests aside to protect us or push us into the future. Leaders would more readily sacrifice what is theirs to save what is ours. (...) and when we are certain that they will keep us safe, we will follow after them and work tirelessly to bring their visions to life and proudly call ourselves their followers.

6. Conclusions

Female leadership is closer, more available, more emotional leadership. It is difficult to forget the images of Princess Diana of Wales visiting a minefield in Angola, which moved the world with their courage and humanism.

It was also women who achieved the best results, at the time of a pandemic. In addition to Angela Merkel and Jacinta Arden, other women assumed leadership positions during this period:

Ursula von der Leyen (European Commission), Christine Lagarde (World Economic Forum), Marta Temido (Health Minister, Portugal).

The two women on whom this work focuses realized early on that, in a catastrophic situation such as the pandemic, it was crucial to be with people, to listen to their problems, their anguish, their needs. And they have rightly and unhesitatingly chosen digital social networks to convey this message and communicate effectively and daily and reach all people, some isolated for a long period of time

In addition to the way of communicating, these two women also realized that it would only be possible to beat the virus with effective, assertive leadership that conveys confidence.

Trust is the basis of all relationships and is the most essential point in political life.

I conclude with Sinek's challenge: we need more leaders.

I add: and humans, who think about people, who work with them, who lead them to be better. And because your words are so simple, obvious and direct, I give up mine and turn to them.

“Leadership is not a license to do less; it's a responsibility to do more. And that's the problem. Leadership takes work. It takes time and energy. Effects are not always easily measurable and are not always immediate. Leadership is always a commitment to human beings. (...) To be a leader is to be a parent. It is a commitment to the well-being of those in our care and a willingness to make sacrifices so that their interests are taken into account and they can carry our banner long after we are gone. (...) Leadership, true leadership, is not a bastion of what sits at the top. It is the responsibility of someone who belongs to the group. While those in high positions have the authority to work on a larger scale, each of us has a responsibility to keep the Safety Circle strong. We must begin today to do small things for the sake of others... one day at a time.”



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