

RIGHTS vs REALITY:

GENDER BASED VIOLENCE AGAINST WOMEN



Fifty-one out of fifty-four African countries have signed a ground-breaking legal framework known as the Maputo Protocol; forty-one have ratified it. The Maputo Protocol is a powerful instrument enshrining women's and girls' rights. Fifteen years after the Protocol was conceived, progress has been made, yet many women and girls are still deprived of their fundamental human rights.

i WHAT IS GENDER BASED VIOLENCE AGAINST WOMEN (GVAW)?

- Any act of violence that is directed against a woman or girl because of her gender, or violence that affects women disproportionately.
- The Maputo Protocol defines GVAW as including acts or threats of violence in both the private and public spheres, in peacetime as well as during armed conflict.
- According to the Maputo Protocol, this violence includes: physical, sexual or psychological violence; economic abuse and exploitation; deprivation or neglect.
- The Maputo Protocol's provisions cover all spheres in which women experience violence—in the family, in the community (eg. at school or at work), and at the hands of the state.

? WHAT RIGHTS ARE GUARANTEED BY THE MAPUTO PROTOCOL?

According to the Maputo Protocol, every woman has the right to:

PROTECTION
from all forms of violence in both the public and private spheres



RESPECT
for her dignity, her life, and the integrity and security of her person

Her government has the responsibility to:



PROHIBIT

all forms of violence against women, including disabled, elderly, and refugee women.



PREVENT, PUNISH AND ERADICATE

violence against women via legal, administrative, social, and economic measures.



SUPPORT

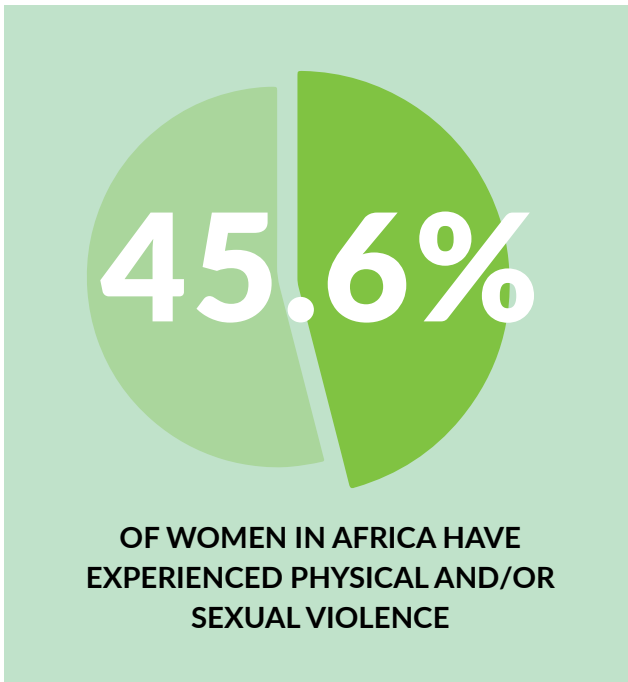
women survivors of violence via accessible services for information, reparation, and rehabilitation.



PROTECT

women and girls from abuse and sexual harassment in educational institutions and the workplace.

WHAT IS THE REALITY?



WHAT NEEDS TO CHANGE?

All countries who committed to the Maputo Protocol must:

- **Develop** a comprehensive legal framework to address GVAW. This should cover prohibition and prevention of GVAW, protection and support of survivors, prosecution and reform of perpetrators.
- **Criminalise** domestic violence and marital rape. Strengthen implementation of legislations on gender-based violence.
- **Reform** and harmonise laws that condone or promote GVAW, such as laws allowing perpetrators to marry the rape survivor to avoid prosecution, or laws that exclude marital rape from the definition of rape.
- **Train** all officials in referral pathways for survivors of GVAW on gender-sensitive approaches that can improve survivors' access to justice, protection, and support. This includes medical officers, the police, prosecutors, the judiciary, judges, and magistrates.
- **Strengthen** efforts to prevent all forms of GVAW. This involves challenging patriarchal gender norms and promoting gender equal norms and institutions.
- **Allocate** sufficient financial resources for governments to fulfil their commitment to a comprehensive response on GVAW.

The #RightByHer Campaign works across Africa to reduce the gap between rights and reality. At #RightByHer, we analyse the status of inequality, raise awareness, facilitate empowerment and together advocate for change.

This factsheet is based on the State of African Women Report. Full report and more info at rightbyher.org Oct. 2018

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