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AFRICA: UK – FGM policies may be alienating some African diaspora communities

By Nazia Parveen and Aamna Mohdin

WUNRN (18.02.2021) - <https://bit.ly/2ZHwzDu> - Safeguarding policies introduced to protect women and girls against female genital mutilation (FGM) are instead eroding trust and alienating African diaspora communities, a study has found.

Current FGM safeguarding measures are undermining the welfare and safety of the women and young girls they seek to protect, with families feeling racially profiled, criminalised and stigmatised, according to the report.

The report, published by African women's rights organisation Forward and the University of Huddersfield, examines the lived experiences of FGM safeguarding policies and procedures in the UK.

Based on interviews with communities and professionals, including serving police officers, it found that health and social care workers, teachers and the police are concerned about the growing mistrust within their communities, and are sceptical of the need to single out FGM from other forms of child abuse.

Key findings included that safeguarding policies enacted since 2014 may have inadvertently done a great deal of harm to families, communities and young girls, potentially across the UK.

They increased the scrutiny, suspicion and stigmatisation experienced by families in many areas of their lives, from school, to healthcare, to overseas travel, the report said. These experiences had taken a significant toll on the mental health of parents, who said they had no intention of carrying out FGM on their daughters, and in some cases even campaigned against it.

Professionals participating in the study expressed equal concern over the ways in which the current policies had burdened some families, and warned against a growing disconnect between them and the diaspora communities.

"The current FGM safeguarding policies are causing quite a lot of harm. Communities are feeling targeted and that they are racially profiled. There is a general sense of assumption that many of these African diaspora communities are having the intention of subjecting their daughters to FGM, even if in some of the cases that's not actually true," said Amy Abdelshahid, lead author and head of evidence at Forward.

She added there is an excessive focus on families from certain communities when they travel abroad. "Sometimes they may receive home visits from social services and police investigating them and interrogating before they are able to travel," she said.

Asha, from the Somali community, who participated in the study, said: "When children are going on summer holiday, mothers face fear ... The assumption is that you are going on holiday and you are doing FGM to your daughter. It's really the holiday that you were thinking about."

Abdelshahid said participants also spoke of having to endure repetitive and uncomfortable conversations about their own FGM and their intention of having it carried out on their daughters in healthcare settings.

"What we're seeing is that in different touchpoints of their lives, they are getting that constant scrutiny by different types of professionals across many areas," she added.

In an interview with a police detective, she said singling out FGM as a particular issue could be stigmatising for a community, "whereas we should be looking at all forms of abuse within every community".

Abdelshahid said: "We think the policies could end up being counterproductive."

She pointed to a quote in the report by a social worker who warned communities are staying away from them. "And that is really alarming, because if community organisations are not able to do the awareness raising and grassroots work that has proven to be very effective in the past, then we're risking undermining quite a lot of fundamental and essential work."

The report makes a series of recommendations to address FGM in a more compassionate and inclusive way, including the introduction of more holistic training for professionals, re-examining the current policies and a focus on policies that recognise the role of communities in eliminating FGM.

However, the feminist campaigner Nimco Ali – who has been a key figure in the global fight to end FGM – praised the work being carried out by the government, stating that the practice would only be eradicated via legislation and state-level involvement.

Ali, who is a survivor of FGM and was appointed by the Home Secretary, Priti Patel, as an independent adviser to help draw up a strategy to tackle violence against women and girls, said: "When I was growing up it was all about trying to work with communities – which is good – but FGM is an organised crime. The idea that we need to return to talking and negotiating with communities is a non-starter.

"I absolutely understand [the need] for the state to take control of this issue, and it is the reason FGM was added to the Children's Act. We are going to ask uncomfortable questions. Why are we offended that these questions are being asked? We need these safety nets."

Victoria Atkins, the Safeguarding Minister, said: "Female genital mutilation is a crime. It causes extreme and lifelong physical and psychological suffering to women and girls and we will not tolerate this child abuse taking place in our country.

"The government introduced tough safeguarding laws which compel certain professionals to report if they have encountered a potential child victim of female genital mutilation, regardless of what community they are from."

ALGERIA: Chaïma: Algerian women protest over teen's rape and murder

Protests have been held in several cities in Algeria to demand action to stop violence against women following the rape and murder of a teenager.

BBC News (09.10.2020) – <https://bbc.in/3745VyK> - The charred body of Chaïma, 19, was found in a deserted petrol station in Thenia, 80 km (50 miles) east of the capital Algiers, this month.

Her killer confessed to the crime and is under arrest, local media say.

There are also reports that the charred body of another woman was found in a forest overnight.

Women held sit-in protests in Algiers and Oran, chanting Chaïma's first name and calling for an end to gender-based violence. Activists also took to social media with the hashtag #JeSuisChaima (I am Chaïma).

Activists say there was a heavy police presence despite the small protests.

"This government offers no shelters or mechanisms to protect the victims from their torturers, this government says it has laws, but in reality women are asked to forgive their aggressor, be it their brother or their father or whatever," one woman at the rally in Algiers said.

"Women file a complaint and wait three or four years for it to be resolved and for a judgement to be rendered. These are unacceptable conditions. Algeria is for Algerian men and women."

Chaïma's mother said the suspect had attempted to rape her daughter in 2016, when she was 15, but the case was dropped.

Femicides Algeria group, which tracks such killings, says 38 women have been killed on account of their gender in the country since the start of the year. They recorded 60 in 2019, but believe the actual number is far higher as many such killings go unreported.

CAMEROON: 'No girl is safe': The mothers ironing their daughters' breasts

Cameroonian girls are enduring a painful daily procedure with long lasting physical and psychological consequences.

By Philip Obaji Jr.

Al Jazeera (03.02.2020) - <https://bit.ly/2SkWG30> - For most children, their birthday is a time of celebration. But that was not the case for Mirabel when she turned 10.

For Mirabel, a Cameroonian refugee living in Nigeria, turning 10 marked the start of gruelling daily torture - having her breasts ironed with hot stones by her mother.

Every morning, a neighbour from the refugee community where she lives in Ogoja, in Nigeria's southeastern Cross River State, holds her legs firmly in place while her mother takes a burning hot pestle straight from the fire and presses it against her daughter's chest in an attempt to flatten her breasts.

The procedure can be repeated for months, or even years, and is intended to either stop young girls developing breasts or to flatten them once they have.

"It feels like they are placing real fire on my breasts," Mirabel says. "I have been in pain since the first day."

Gender-based violence

Her mother, Angela, says the pain and discomfort her daughter is enduring worries her less than the reports she has heard of teenage girls being sexually harassed or exploited by men. She is determined to focus her efforts on making her daughter less desirable to men.

"I just don't want her to become a target of boys around her," says Angela. "I'm aware that many boys here like to chase after little girls."

Although many of the families Al Jazeera spoke to mentioned the vulnerability of young girls growing up as refugees as one of the reasons for their decision to iron their daughters' breasts, the practice has been happening in Cameroon for generations.

The origin of the practice is unclear, but about a quarter of women in Cameroon have undergone breast ironing, according to research by Gender Empowerment and Development (GeED), a non-governmental organisation based in Yaounde, Cameroon, which found that in nearly 60 percent of cases, the procedure is carried out by mothers.

The United Nations has described breast ironing as one of the most under-reported crimes associated with gender-based violence. It is thought to affect 3.8 million women globally.

'No girl is safe here'

Like many other refugees in Cross River State, Mirabel and Angela fled the southwestern Cameroonian town of Akwaya for Nigeria after fighting broke out between government forces and English-speaking separatists who complain that they have been marginalised in the majority French-speaking country. The conflict has forced some 500,000 people from their homes and created a humanitarian crisis in the region.

According to the latest figures from the UN refugee agency (UNHCR), Nigeria currently hosts more than 50,000 refugees from Cameroon, with 70 percent of these in Cross River State. Roughly half the refugees live in one of four refugee settlements, while the rest live in host communities.

Angela and her daughter arrived in Ogoja in February 2018, joining thousands of other refugees taking shelter in the Adagom and Okende host communities where women and girls have reported being sexually harassed by members of the host communities as well as by other refugees.

"These days, you cannot step out of the house without meeting a man who is demanding sex or inviting you to his home," says Queen, a 17-year-old girl who fled the southwestern Cameroonian border town of Mamfe with her parents for Adagom. "No girl is safe here."

More than 12 Cameroonian girls living in settlements in Adagom and Okende told Al Jazeera that they are regularly sexually harassed by men.

"I needed money to buy sanitary pads, so I went to ask a man [in the community] for help but he started touching me as soon as I walked up to him," says Lydia, a 16-year-old girl who lives in the Adagom refugee settlement. "I ran away as he tried to drag me to him."

Worried about the safety of their 13-year-old daughter, Helen and her husband made the decision to iron her breasts after she reported that a man whose home she cleans regularly touched her inappropriately.

"The harassment she faced made our decision [to iron her breasts] easier," explains Helen, who fled Akwaya and lives in the Okende host community with her family. "All we did was for her own good."

But, Salome Gambo, a senior protection specialist at the Caprecon Development and Peace Initiative, which is based in Abuja but works on child protection in refugee camps across northeast Nigeria, says: "This practice just ends up harming children and putting them at risk of severe complications. Families should rather channel their efforts towards educating their daughters on sex issues."

'Survival sex'

The refugee families' fears for their daughters are not unfounded. Female refugees and displaced people in Nigeria are at high risk of sexual harassment and exploitation. The UN has said it is aware of a high level of "survival sex" - women turning to prostitution out of desperation - in camps housing Cameroonian refugees in Cross River State.

UNHCR spokesman William Spindler said: "For women, the lack of work combined with the over-stretched reception facilities, creates a higher risk of sexual and gender-based violence, particularly from survival sex. So far, only a limited number of such cases have been recorded, mainly in the Amana community of Cross River state. However, UNHCR is concerned that many more incidents go unreported or are referred only to community elders."

But even in their home country, Cameroonian girls are at risk of early marriage and pregnancy. According to UNICEF, in the period between 2008 and 2014, 13 percent of Cameroonian children were married by the time they are 15 and 38 percent by the time they were 18. According to the Cameroon Medical Council, 25 percent of pregnancies occur in school-age girls, and 20 percent of pregnant girls do not return to school.

Many Cameroonian families may fear that living as refugees adds an element of danger for their daughters. But for others, breast ironing is a matter of societal expectation.

"It felt like I was the only one left out," says Pamela, whose two closest friends had ironed their daughters' breasts. "I just had to do it like the others did."

But whether it takes place in Cameroon or refugee communities elsewhere, activists have been warning of the consequences for the victims' physical and psychological health.

"Girls who undergo the procedure risk issues like breast cancer, cysts and an inability to breastfeed, not to mention the physical and psychological scars associated with the custom," said Gambo, who has counselled a number of victims of the practice. "It's time families put an end to such abuse."

EGYPT toughens penalties for FGM; activists remain sceptical

Most of the 28 countries in Africa where FGM is endemic have banned FGM, although enforcement is generally weak

By Menna A. Farouk

Thomson Reuters Foundation (26.04.2021) - <https://tmsnrt.rs/2R3BI1K> - Egypt has toughened penalties for female genital mutilation (FGM), imposing prison terms of up to 20 years in a push to end the ancient practice.

It is the second time Egypt's parliament has cracked down on FGM - which typically involves the removal of a girl's external genitalia - but activists remain sceptical about enforcement in a country where cutting is deep-rooted and widespread.

"It's fantastic news that Egypt has strengthened its law on FGM again. However, unless the government takes it seriously this time, nothing is likely to change," Brendan Wynne, co-founder of The Five Foundation advocacy group, told the Thomson Reuters Foundation on Monday.

"Medical professionals are still performing FGM in Egyptian clinics - and even offering their services publicly," said Wynne by email from his group's New York headquarters.

Most of the 28 countries in Africa where FGM is endemic have banned FGM, although enforcement is generally weak.

World leaders have pledged to end FGM by 2030, but the practice remains as common as it was 30 years ago in Somalia, Mali, Gambia, Guinea Bissau, Chad and Senegal.

In Egypt, the government and civil society groups have tried awareness campaigns, field visits and tougher penalties.

But Wynne said perpetrators are rarely held to account - particularly in rural areas, where FGM is more entrenched.

"We need to see a few high profile cases of doctors being given long sentences and struck off for performing this horrific act of violence. Unless this happens it doesn't really matter what type of law there is," he said.

Amendments approved on Sunday include increasing the maximum sentence from seven years and banning medics involved in FGM from practising for up to five years.

Under the changes, prison terms of five to 20 years will be recommended, depending on who performed surgery and whether it caused permanent damage or death, a government statement said.

Whoever requested the FGM - usually a close family member - will also face imprisonment, according to the amendments, which must still be approved by the president.

Nearly 90% of Egyptian women and girls aged 15 to 49 have undergone FGM, according to a 2016 survey by the United Nations, in a ritual practised widely by Muslims and Christians.

Entessar El-Saeed, a woman's rights activist and director of the Cairo Foundation for Development and Law, said stricter penalties alone would not sway minds.

"It is a good step, but we are still struggling with a deeply-rooted concept in the Egyptian society and even among some doctors and judges that FGM is not (a) crime," El-Saeed told the Thomson Reuters Foundation.

Egypt has struggled to stamp out FGM since 2008, when its parliament first passed a law to criminalise a practice some researchers have traced back to Egypt in the fifth-century BC.

EGYPT: Egyptians outraged over some schools forcing girls to wear the hijab

A 13-year-old girl was recently forced to wear the hijab at her school in Egypt, which prompted a wave of condemnation that revealed similar practices across the country.

Al-Monitor (30.10.2020) - <https://bit.ly/3mLP73K> - Controversy has recently surfaced in Egypt after a 13-year-old girl was forced to wear the hijab at the school she attends in Sharqia governorate. The incident has shed light on similar cases across the country.

Lamia Loutfi, the girl's Muslim mother and program manager at the New Woman Foundation, a human rights institution based in Cairo that provides support to female victims of violence and discrimination, filed complaints Oct. 21 against the school's teachers over their attempts to force girls, including her daughter, to wear the hijab.

She told Al-Monitor about the incident that took place Oct. 20. She was shocked to hear her daughter telling her that school officials had forced the girls to wear the hijab, including Christian students.

Loutfi contacted the school and the director confirmed what her daughter had told her, saying that all the girls are required to wear the hijab at school as part of their uniform and are free to remove it when they leave, and that girls in other schools are required to wear the hijab, too.

When she threatened to file a complaint against the school, the director said she will not allow Loutfi's daughter to enter the school campus unless she wears the hijab. "They told me, 'Take whatever measures you want. We will not allow the girl to enter the school. These are our conditions,'" Loutfi said.

Article 53 of the Egyptian Constitution stipulates, "Citizens are equal before the law, possess equal rights and public duties, and may not be discriminated against on the basis of religion, belief, sex, origin, race, color, language, disability, social class, political or geographical affiliation or for any other reason."

The hijab is an Islamic practice adopted by many women in Muslim countries. However, some Muslim women choose not to wear the veil.

This incident drew condemnation across the country, with parents launching the Arabic hashtag [#forcing_girls_to_wear_the_hijab](#), revealing similar practices in many schools across Egypt. Some families have not opposed such practice out of fear that their children would be kicked out of school.

Hanan Nouredine, a Muslim housewife, told Al-Monitor that her two daughters, aged eight and 10, were forced to veil at the two schools they attend. "We got angry at first, but then we decided to let them wear the veil in order to avoid troubles with the school and bullying from the teachers."

On Oct. 21, the National Council for Women filed a complaint to Minister of Education Tarek Shawki. The complaint included a plea from a mother whose daughter, along with other students, was threatened by her teachers and forced to wear the hijab under the pretext that it is part of the school's uniform.

Kamal Mughith, an expert on educational affairs at the National Center for Educational Research and Development, condemned the attempts to force girls to wear the hijab at school, saying such practices deviate the attention from the school's main role of providing education.

Speaking to Al-Monitor, Mughith stressed "the need that the education minister goes public on whether or not he supports such practices. The hijab should be a personal matter that girls themselves need to decide on, not an obligation under the pretext of a school uniform."

Meanwhile, the New Woman Foundation circulated Oct. 21 a petition against forcing schoolgirls to wear the hijab, which dozens of institutions and public figures signed. The petition stressed the state's obligations under the constitution to guarantee the rights of women and children to citizenship without any discrimination on the basis of gender or religion.

Shawki condemned the campaign and said that he is against forcing students to wear the hijab at school. He referred to this case as "an isolated incident" that people overreacted to. He said in a TV statement Oct. 22 that such campaigns are "similar to what the malicious channels and Egypt's enemies do."

EGYPT: Spate of 'morality' prosecutions of women

Arrests, jail for violating 'family values.'

HRW (17.08.2020) - <https://bit.ly/3hsguNT> - Egyptian authorities have since late April 2020 carried out an abusive campaign targeting female social media influencers on charges that violate their rights to privacy, freedom of expression, and nondiscrimination, Human Rights Watch said today.

The authorities have arrested at least 15 people, including a 17-year-old girl after she posted a video about being beaten and raped, on vague charges such as violating "public morals" and "undermining family values." Three of those arrested are men accused of aiding two of the women. Many of the women were arrested based on what authorities said were "indecent" videos on social media applications, particularly the TikTok app. Yet

in the majority of the videos and photos, the women appear fully dressed, at times singing or dancing. Those prosecuted have large followings on social media in the hundreds of thousands or millions.

"Arresting women and girls on very vague grounds simply for posting videos and photos of themselves on social media sites is discriminatory and directly violates their right to free expression," said Rothna Begum, senior women's rights researcher at Human Rights Watch. "Policing women's peaceful conduct online smacks of a new effort to control women's use of public spaces."

These prosecutions appear to be the first use of morality charges under the 2018 cybercrimes law. Statements by the prosecutor general indicate that these criminal proceedings, in some cases, began after "social media users" complained about the videos on the prosecution's Facebook page.

Courts have already sentenced 2 of the women and the 3 men to 2 years in prison and 2 more women in separate incidents to 3 years. The remaining 7 women and the 1 girl face ongoing prosecutions. The Interior Ministry's Morality Police have been involved in several cases.

The first arrest, on April 21, was of Hanin Hossam, 20, a university student and social media celebrity with hundreds of thousands of followers on TikTok and Instagram. The prosecution's main evidence against her was a video she posted on TikTok, which Human Rights Watch reviewed, inviting her women followers to use another video-sharing platform, Likee, telling them they can earn money by making live videos for Likee that get more viewers.

Other arrests followed a May 2 statement by the Office of the Prosecutor General that said "forces of evil" were abusing the "new virtual electronic space" to "destroy our society, demolish its values and principles and steal its innocence."

Prosecutors on June 11 referred Hossam for a criminal trial before Cairo's Economic Court, which oversees cybercrimes, media reports said. The prosecution reportedly charged Hossam with "undermining family values and principles."

In the same case, the authorities charged another woman, Mawadda al-Adham, 22, arrested on May 14, as well as three men they said assisted al-Adham and Hossam. The authorities also charged al-Adham with "undermining family values and principles" by publishing "indecent" videos and creating and managing websites for that purpose. All were sent to pretrial detention.

On July 27, Cairo's Economic Court convicted al-Adham and Hossam, sentenced them to 2 years in jail, and fined them 300,000 Egyptian pounds (EGP) (almost US\$19,000) each. Defense lawyers appealed the verdict. The court convicted two of the men for assisting Hossam. The charges and the sentences are based on the 2018 cybercrime law, several provisions of which mandate up to five-year prison sentences and/or large fines for online content deemed to violate undefined terms such as "family values" or "public morals." The third man was convicted of managing al-Adham's account and possessing unlicensed software.

The authorities arrested Aya, 17, known on social media as "Menna Abdelaziz," on May 28. She had posted a video on May 22 in which her face appeared bruised. In it, she says she was beaten by a group of young men and women, and that the men also raped her, filmed the acts, and then blackmailed her with the footage. On May 30, the Office of the Prosecutor General issued a statement saying prosecutors ordered her detained pending

investigation as a victim of sexual assault but also as a suspect in morality-related offenses for her videos generally.

The statement confirmed Aya's allegations of the assault and rape and said she was examined by forensic authorities. Three men, a boy, and two women were arrested in connection with the assault and rape.

On June 9, the prosecution moved Aya to a government-run women's shelter where she would receive psychological and social rehabilitation while the investigations continued. On July 26, the prosecutor general referred the three men and two women to criminal trial on charges of beatings and sexual assault. The boy was reportedly referred to a children's court.

On June 29, the Cairo Economic Court sentenced Sama el-Masry, 42, a well-known TV personality, actress, singer, and dancer, to 3 years in prison and a fine of 300,000 EGP for "public indecency." A public prosecutor's statement on April 27 said authorities had ordered el-Masry detained for publishing "sexually suggestive" videos on YouTube and other social media platforms. She is appealing the verdict. The prosecution also referred el-Masry for a separate trial for "inciting debauchery," which began on July 6.

The authorities should drop prosecutions and quash convictions based on arbitrarily vague laws that interfere with freedom of expression and privacy, Human Rights Watch said. They should immediately release Aya from detention, while ensuring her safety and that she receives appropriate care. International law prohibits the detention of children except as a last resort and for the shortest appropriate period of time.

These Egyptian laws and government practices violate the right to privacy, freedom of expression, and the prohibition of discrimination against women, including social and cultural discrimination, under international human rights law. Egypt's obligations under international human rights law and the African Charter on Human and Peoples' Rights require that any limitations to freedom of expression must be proportionate, stated in a precise manner, and be necessary to protect national security, public order, public health, or morals in a democratic society. Morals must not be derived from one set of traditions, religion, or culture, but rather in light of the diversity of a society. Any limitations on these rights should respect the principle of nondiscrimination. Any criminal law should be so clearly defined as to allow anyone to predict what conduct will be a crime.

The Convention on the Elimination of All Forms of Discrimination against Women, to which Egypt is a state party, requires state parties to "take all appropriate measures to eliminate discrimination against women in the political and public life" and "to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women."

The recent arrests of women take place against the backdrop of a #MeToo social media campaign in which dozens of Egyptian women are speaking out on platforms such as Instagram, Twitter, and Facebook about their experiences of gender-based violence, assault, and rape.

"These serial arrests of women send a chilling signal about the state of women's rights in Egypt," Begum said. "Instead of tackling pervasive domestic violence, sexual harassment, and violence, Egyptian authorities appear intent on reinforcing societal discrimination by persecuting women and girls for how they appear online or what they say."

Abusive 'morality' laws

On July 29, the prosecutor general said in a statement that it "is necessary to protect national societal security" and that the general prosecution's role requires not only prosecuting criminals but also acting as "a guardian of social norms."

Several Egyptian laws restrict the right to privacy and freedom of expression. Among these overbroad laws that target women and girls in discriminatory and disproportionate ways are several Penal Code provisions that criminalize acts of "public indecency," "inciting debauchery," and the possession or distribution of materials deemed to violate "public decency." The law does not define "public decency," "debauchery," or the acts that are punished.

In 2018, Parliament passed a cybercrimes law that restricts online content deemed to "undermine public morals" (article 26) or "family values" (article 25). The government is required to adopt and publish implementing regulations (or bylaws) within three months of passage, which it has not yet done. Article 27 criminalizes the use of the internet to "commit any other criminalized offense," such as those in the Penal Code.

The recent trials were conducted by the economic courts, established in 2008 and consisting of appeals courts judges. Their jurisdiction includes violations of the 2018 cybercrimes law and the 2003 telecommunications law.

Human Rights Watch reviewed a 30-page court verdict with its reasoning in Hossam's and al-Adham's case as published by local news websites and also reviewed media reports and statements by the prosecution regarding these cases.

The court invoked articles 25 and 27 of the cybercrimes law and other Penal Code provisions about the complicity in helping al-Adham as a fugitive before her arrest and not reporting offenses.

In some recent "morality" prosecutions, such as those of Hossam, al-Adham, and el-Masry, the initial prosecutorial statements leveled broader accusations against them that could be interpreted as relating to sex work.

Such accusations do not appear in the actual charges and verdicts but led to heightened media coverage, in which commentators pressed the authorities to punish the women and girls. Pro-government media heavily covered the prosecutions, including publishing photos of the women and their full names.

In many of these recent arrests, the prosecutor general's statements said that investigations were initiated after receiving "complaints" by "social media users" through the prosecution's Facebook page or after "lawyers" filed complaints. Human Rights Watch reviewed several videos on YouTube posted by people calling for the women's arrest for "immoral content," following which some of the women were arrested.

Egyptian law allows hisba complaints (accountability based on Islamic Sharia) by members of the public for a wide range of acts, such as a journal article, a book, or a dance performance that the person believes harmed the society's common interest, public morals, or decency.

The authorities have acted upon such complaints for years to prosecute peaceful journalists, writers, and activists who appear to challenge government politics or societal norms. In 2015, a TV presenter, Islam al-Beheiry, received a five-year prison sentence on charges of "defaming religion" based on his criticism of some Islamic scholars and

teachings. His sentence was reduced on appeal to one year and he was released in November 2016 after a presidential pardon.

Regarding the recent multiple arrests of women, the prosecutor general, Hamada al-Sawy, has publicly acknowledged acting upon such complaints.

Hanin Hossam and Mawadda al-Adham

On April 23, two days after Hossam's arrest, the Office of the Prosecutor General issued a 13-page statement detailing the Interior Ministry's Morality Police investigation into her case. The statement said authorities found "evidence," including written and audio communications and bank transfers, that they claim indicated that Hossam was involved in a network aimed at recruiting women and girls to join certain social media platforms that allow them to offer paid online chat and video services.

The Cairo Economic Court's verdict on July 27 says that the prosecutor general received several complaints about the women, including from a lawyer named Abdel Rahman al-Gohary. The main evidence cited in the court's reasoning are Hossam's video in which she invites women to join Likee, saying that they can earn money by making live videos that get more viewers, as well as bank transfers and two social media accounts of Hossam's and four of al-Adham's on Instagram, TikTok and Facebook.

The court said in its reasoning for al-Adham's prison sentence that she "undermined family values" by posting social media videos aiming at "seducing young men" to gain more viewership and followers to gain more money through advertisements. The court also said she appeared in the videos "in revealing clothes dancing in an immoral way in public places."

The court said the three men – named in the verdict as Mohamed Abd al-Hamid Zaki, Mohamed Aladdin Ahmed, and Ahmed Sameh Ateya – were employees of Likee and Bigo Live, another Chinese app, and sentenced them for assisting al-Adham and Hossam in managing their media accounts, and possessing and using encrypted channels of online communications, a criminal offense under the 2018 cybercrimes law.

The court rejected the defense lawyer's request to have the Constitutional Court review and define acts that violate "family values." The court claimed that such laws do not restrict free expression but are necessary to address "deviant ideas" and "moral degradation." The court also said that parents should monitor their offspring and restrict their access to online content that changes their "identity, traditions and morals."

Press statements by al-Adham's lawyer say that the prosecution asked her to undergo a "virginity test," which she rejected. The authorities may have subjected at least one other woman and the girl to such virginity testing.

"Virginity testing" is recognized internationally as a violation of human rights, regarded as a form of cruel, inhuman, and degrading treatment, gender-based violence, and discriminatory. The World Health Organization has said that "virginity tests" have no scientific validity and that healthcare workers should never conduct them.

In December 2011, Egypt's Administrative Court condemned forcing detained women protesters to undergo virginity tests ordered by army generals, including Abdel Fattah al-Sisi, then-head of military intelligence. The court ruled that virginity tests "constitute a violation to women's body and an assault on their humanity and dignity." Despite the ruling, Egyptian rights organizations have documented the authorities' continuing use of such tests.

Egyptian prosecutors and judicial authorities should immediately cease this abusive practice and Egyptian legislators should pass a law making it illegal, Human Rights Watch said.

Manar Samy

On July 1, the authorities arrested Manar Samy, 30, a popular TikTok and Instagram content maker with more than 250,000 followers, following a hisba complaint submitted by a lawyer, Ashraf Farahat, saying that she had been “publishing sexually provocative videos on TikTok.” The prosecution ordered Samy detained for using her social media accounts in a way that “undermined the values and family principles of the Egyptian society.” A judge sent her to pretrial detention.

On July 29, Tanta’s Economic Court convicted Samy as charged, sentenced her to 3 years in prison, and fined her 300,000 EGP. On August 9, Samy was released on bail of 20,000 EGP (US\$1,250) pending her appeal.

During a detention renewal hearing on July 5, the prosecution in Qaliubiya governorate ordered the arrest of Samy’s father, brother, and sister, media reports said, after an argument arose outside the courthouse over whether Samy could see her 3-year-old daughter. On August 5, the prosecution renewed the 3 family members’ detention for 15 days on charges of attacking a police officer.

The 2010 United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules) provide that “women prisoners’ contact with their families, including their children, and their children’s guardians and legal representatives shall be encouraged and facilitated by all reasonable means.”

Sherifa Refaat and Noura Hisham

In early June, the authorities arrested Sherifa Refaat, 46, and her daughter, Noura Hisham, 24, a popular mother-daughter duo on TikTok and Instagram with more than 100,000 followers, for “undermining the family values of Egyptian society.” In a video posted on YouTube on April 30, one person who had made several complaint videos said that the authorities should arrest Refaat and Hisham “to send them where they sent Sama el-Masry.” A few weeks later, the Interior Ministry’s Morality Police arrested the two at an apartment in Cairo’s Heliopolis neighborhood. The person who made the complaint video was the first to announce the news of their arrest on June 10.

Prosecutor General Hamada al-Sawy said on June 12 that the prosecution’s “analysis and monitoring” unit “received several complaints calling for their arrest” and that the prosecution staff “monitored the anger of social media users” over videos published by the two women.

Media reports said prosecutors accused the two of posting “sexually suggestive” pictures and videos “amounting to incitement to prostitution.” On June 27, a judge renewed pretrial detention for both. Their trial began on July 29 before Cairo’s Economic Court.

Menatullah Emad

On July 1, police in Cairo’s Dokki neighborhood arrested “Renad” (her real name is Menatullah) Emad, 20, in a café. Prosecutors ordered her detained pending investigation over charges of posting “indecent” content on TikTok. Emad is a social media influencer on Instagram and TikTok with over 2.3 million followers on both platforms. Both accounts appear to have been deleted.

Hadeer al-Hady

On July 6, Giza's Morality Police arrested Hadeer al-Hady, 23, who has more than a million followers on TikTok and Instagram, for posting "indecent" videos online. They confiscated al-Hady's laptop and phone and, on August 4, renewed her pretrial detention until August 18. Media reports indicate that the authorities might subject her to virginity testing.

Basant Mohamed

Morality Police arrested Basant Mohamed, a 20-year-old student from Alexandria, on July 10, regarding her video content on TikTok. Mohamed, who has almost one and half million followers on TikTok and Instagram, was released on July 11 pending an investigation.

Discrimination and violence against women, and media censorship

The recent "morality" arrests of women are taking place in an environment in which media and human rights organizations have been reporting escalating government restrictions aimed at "reshaping" artistic and cultural expression. For President al-Sisi's government, the red lines are not just about political dissent but also "public morals" and societal norms. President al-Sisi has made several statements in which he criticized media that "has harmful effect on the society."

In 2018, Human Rights Watch reported a campaign to crush artistic freedoms in Egypt, including arresting pop singers, writers, and belly dancers. The authorities prosecuted several for alleged "indecentcy."

"Morals" prosecutions frequently affect women disproportionately as they revolve around women's clothes or behavior, reinforcing the deep-rooted societal discrimination women face compared to men. Most of the recently prosecuted women appeared in videos and photos – which constituted the basis for their arrest – in regular clothes that are common in Egypt. Many of the women social media influencers targeted also reportedly come from poorer social and economic classes.

These arrests are taking place against the backdrop of a #MeToo social media campaign in which dozens of Egyptian women are speaking out on platforms such as Instagram, Twitter, and Facebook about their experiences with gender-based violence, assault, and rape. Egyptian security and judicial authorities often fail to pursue men accused of sexual harassment or assault.

The government also has failed to prioritize a draft law stalled in parliament since 2017 that would define and criminalize domestic violence. The UN estimates that almost a third of Egyptian women experience intimate partner physical or sexual violence in their lifetime. Weak implementation of a recent law that criminalizes female genital mutilation allows for the practice to remain highly prevalent.

In addition to squeezing online space for women, the authorities have waged against independent women's and human rights groups, making it difficult for them to work without facing retaliation and prosecution. The authorities have, for the past five years, prosecuted and banned from leaving the country leading independent women's rights activists, including Mozn Hassan, head of Nazra for Feminist Studies, and Azza Soleiman, head of the Center for Egyptian Women's Legal Assistance. Nazra had to shut down their offices in March 2018 as a consequence of a years-long asset freeze in connection with the ongoing prosecution.

The National Council on Women, a government entity tasked with empowering women and ending discrimination, has not issued any statements or taken any action to support women's rights activists facing prosecution and travel bans or the women caught in the government's serial arrests targeting social media content makers.

KENYA: When the price of water is sexual assault

By Rebecca Root

Devex (22.10.2020) - <https://bit.ly/3oAZsRO> - In a village in Kenya, women wait to fill their jerrycans. While 2 Kenyan shillings (\$0.01) should be payment enough, oftentimes the men operating the informal pumps, boreholes, or kiosks demand a higher price.

Sometimes, it's not just money they're after.

In many households that lack access to safe, readily available water at home, the responsibility of visiting the nearest clean water facility often falls to women and girls. But experts warn that leaves them vulnerable to harassment, sexual assault, or abuse.

Women may feel pressured to flirt or "play along" with utility workers out of fear of having their connection cut off, according to a report by the Water Governance Facility.

Coercive sex is also common. "Essentially, they're being raped in order to get the services they're entitled to," said Barbara Schreiner, executive director at the Water Integrity Network.

Such acts of sextortion — defined by the International Association of Women Judges as "the abuse of power to obtain a sexual benefit or advantage" — for access to water have been recorded in Kenya, South Africa, and Colombia. Experts believe the practice is widespread elsewhere, too.

"It's prevalent in all sectors, all regions, all countries. It affects women from all backgrounds," explained Marie Chêne, head of research and knowledge at Transparency International.

COVID-19 has only exacerbated the situation, according to Sareen Malik, executive secretary at the African Civil Society Network on Water and Sanitation. As water becomes even more critical in order to stave off the virus, and the loss of livelihoods exacerbates poverty, the ability to afford water has been put at risk, leaving women more vulnerable to sextortion in places where official services are lacking.

While Malik has worked with water organizations to raise awareness of the issue, historically she said they encountered a lack of belief and resistance to addressing the situation.

Transactional sex has been normalized, she said, but the arrival of the #MeToo movement has helped pave the way for the conversation to be taken more seriously and for action to be taken.

Raising awareness

According to a report that looked at access to water in Kibera, Kenya, sextortion and sexual harassment was "a common phenomenon" and "common knowledge to the residents."

It noted that “vendors capitalise on the socioeconomic vulnerabilities of women and girls” and the scarcity of water “to coerce them into sex for water,” building off regressive attitudes toward women.

It also noted that most survivors do not report the abuse and that there was little support available for them.

While the issue may be well-known among residents and community members, there is much lower awareness of it among professionals working on water, according to Tasneem Balasinorwala, network officer and gender focal point at the Water Integrity Network.

The WASH sector and other local organizations need to get sensitized to this lesser-known “evil,” she said. “My own personal experience and conversations have shown that people inside and most prominently outside of the water sector who work on water are not always clued in.”

Malik urged practitioners to pay closer attention to what’s happening within communities and identify the issue. “Stop looking at a queue of women at a waterpoint and think that is just a queue ... The stolen glances, the flirtatious behavior, the woman who was at the back and is all of a sudden getting her water given to her. There’s something more going on,” she said. Only through this recognition can steps then begin to be taken to address the assault these women are forced to endure.

Advocates are pushing for sextortion to be criminalized, arguing that without a legal framework to address the issue, women are unable to file a complaint and perpetrators cannot be held to account.

As well as a form of sexual exploitation, many advocates believe it should be classed as corruption. However, it is not included in the United Nations Convention against Corruption, and “in terms of a legal framework, there are almost no countries that explicitly refer to sexual acts as a currency for bribery,” Chene explained.

The Water Integrity Network recommends that sextortion be included in all corruption reporting and anti-corruption policies. “When you don’t have a name or don’t recognize the practice, it’s not measured, you don’t collect statistics, you don’t pass laws or think of strategies to address it so it’s invisible,” Chene added.

Providing support

Balasinorwala urged WASH practitioners to explore whether practical changes to water facilities could help prevent assault, such as additional lighting around a pump, or installing automatic water meters to eliminate the need for a utility worker to visit the home.

But where incidences do happen, survivors must be better supported, the advocates said. Research has found cases largely go unreported because of a lack of knowledge of how to do so and fear of stigma.

“There’s a lot of shame, social stigma, taboo linked with this kind of offense,” Chene said, adding that in some cases women are forced to marry an abuser or can be fined for adultery.

She called for governments and organizations to implement reporting mechanisms and support for victims. That could mean providing access to physical and psychological health services, as well as financial and legal support.

Authorities must also be provided with training on how to handle such cases, Avello said. In the Philippines, for example, gender sensitivity training for judges includes information on sextortion. In the Middle East and North Africa region, the Water Governance Facility also offers a course on water integrity and gender that touches upon sextortion and the gender lens of corruption.

"More needs to be done in terms of people talking about it, especially at the high level," Malik said.

KENYA: High Court suspends move to dissolve parliament over lack of women

By Nita Bhalla

Thomson Reuters Foundation (25.09.2020) - <https://reut.rs/2GjQYq9> - Kenya's High Court on Thursday suspended any move to dissolve parliament after the country's top judge said it was necessary as neither of the legislative houses had enough women lawmakers.

Chief Justice David Maraga on Monday advised President Uhuru Kenyatta to dissolve parliament, saying lawmakers had failed to meet a 2010 constitutional provision which allows for one third of seats to be occupied by women.

The chief justice's move upset many male parliamentarians, including the speaker of the house, who said it was unlawful, ill-advised and premature and would plunge the East African nation into a constitutional crisis.

Under Kenyan law, once parliament is dissolved, elections must take place within 90 days.

In response to a petition challenging Maraga's advisory, the High Court suspended any move to dissolve parliament pending a full hearing on the case.

"I have carefully considered the petition and find that it raises substantial questions of law," wrote High Court Justice Weldon Korir in his judgment, ordering a hearing.

Women hold 22% of seats in the country's lower house of parliament, and 31% in the upper house. Kenya's 2010 constitution states no more than two-thirds of any elected or appointed body can be of the same gender.

Court rulings in Kenya have directed parliament to pass legislation to enforce the rule or risk being dissolved, but previous attempts have failed with female MPs accusing male lawmakers of deliberately blocking efforts.

In the advisory to Kenyatta, Maraga said the failure to enact the legislation was clear testimony of lawmakers' "lackadaisical attitude and conduct" in relation to the two-thirds gender rule.

A panel of appointed judges will hear the petition on Oct. 7.

KENYA is having another go at passing a reproductive rights bill. What's at stake

Kenya's Senate is considering a reproductive healthcare bill, which seeks to address reproductive health gaps. This is the second time the bill has come before the senate. It has, once again, drawn fire from religious groups, some politicians and civil society lobbies opposed to its proposals. Anthony Ajayi and Meggie Mwoka unpack the bill and the lessons from previous failed attempts.

By Anthony Idowu Ajayi & Meggie Mwoka

The Conversation (12.07.2020) - <https://bit.ly/2ZqaoXK> - Kenyan women and girls face an array of reproductive health risks that can be addressed by comprehensive reproductive health care services. These include sexually transmitted infections, HIV, unsafe abortion and unplanned pregnancies.

Each year, 6,300 women die during pregnancy or childbirth in Kenya. Unsafe abortion contributes close to 17% of maternal deaths in Kenya.

The bill provides a framework governing access to family planning, safe motherhood, termination of pregnancy, reproductive health of adolescents and assisted reproduction.

It makes clear that every person has the right to access reproductive health services. It also stipulates that every health care provider is obliged to provide family planning information and services to women who need them.

There is also a provision in the bill directing the national and county government to provide free antenatal care, delivery care and postnatal care for women and girls in Kenya.

In addition, the bill sets conditions under which a woman can seek abortion services. These include when there is an emergency, when the pregnancy would endanger the life or health of the mother and where there is a risk that the foetus would suffer from a severe physical or mental abnormality. It is worth noting that the bill allows for conscientious objection on the part of health providers to perform an abortion as long as they refer the patients to a willing provider. This doesn't apply in the case of an emergency.

The bill also has provisions ensuring access to adolescent-friendly reproductive health services, but requiring parental consent.

Lastly, the bill also covers the issue of assisted reproduction services to address infertility. The sector is currently unregulated. The proposed bill sets out rules for providers as well as the rights of donors, surrogate mothers and patients.

Reproductive health has been enacted into law in different ways across the continent. A number of countries have similarly opted for a stand-alone law. They include Cameroon, Equatorial Guinea and Rwanda. But in many, various aspects of reproductive health are covered in a range of health-related bills, and sometimes in the constitutions of countries.

All countries in Africa have laws regulating the termination of pregnancy. Abortion is not permitted for any reason in seven out of 54. The rest permit abortion under certain circumstances ranging from; to save the woman's life, to preserve health, on broad social or economic grounds, and/or on request with variations on gestational age.

What are the main controversies around the current bill?

There are three main points of contention.

The first is termination of pregnancy. Opponents include religious leaders and civil society lobby groups.

There are three lines of argument against it.

The first is the assertion that the constitution of Kenya forbids abortion. This is in fact incorrect. The proposed bill simply reaffirms the legal basis for access to safe abortion, which is already in the Kenya Constitution.

The second area of contention around termination is that those who oppose the bill crudely characterise it as extending the legalisation beyond what's in the constitution.

And finally, opponents also erroneously allege that the bill mandates all medical providers to perform abortions irrespective of their religious beliefs or values. The bill in fact allows for conscientious objection.

The second controversial aspect of the bill is on sexuality education for adolescents. It provides for vocational training, mentorship programmes, spiritual and moral guidance, and counselling on abstinence, consequences of unsafe abortion, HIV and substance use. It also mandates the government to integrate age-appropriate information on reproductive health into the education syllabus.

From the look of it, this aspect of the bill has been watered down. For example, it's more abstinence focused than the earlier version. This flies in the face of research findings that this approach denies adolescents critical information to reduce their risk of unintended pregnancies and sexually transmitted infections.

Third is the controversy over the treatment of infertility. Opponents of the bill are against legalisation of surrogacy and "test-tube" babies, with the argument that it's an unnatural process.

Why have previous attempts to pass such a bill failed?

This is the second attempt in six years to guarantee reproductive rights in law. The first bill was introduced in 2014.

The failure was due to a variety of reasons. These included a lack of public awareness and political will, and misinformation by well-organised and coordinated opposition groups.

Most Kenyans were unaware of the scientific basis for the bill. They were also unaware of the magnitude and cost of unsafe abortion and maternal deaths. Also the case was not persuasively made that access to quality and comprehensive sexual and reproductive health information and services is in everybody's best interests.

This enabled local and foreign opponents to put out arguments not based on evidence. An example of misleading narratives is the claim that comprehensive sexuality education promotes high-risk sexual behaviour. This is contrary to scientific evidence which shows it delays initiation of sexual intercourse and reduces risk-taking, thus decreasing the number of unintended pregnancies and sexually transmitted infections.

Public apathy coupled with misinformation undermined the political will to push the bill through. While there were some politicians willing to champion the cause of women and girls, the vast majority were quick to withdraw their support in the face of the orchestrated public outcry.

Who suffers if the bill is shelved again or is watered down?

We know from evidence in demographic surveys and literature that socially, geographically and economically disadvantaged women and girls have worse reproductive health outcomes. They are least likely to access lifesaving reproductive health services and more likely to have early, unintended pregnancies, unsafe abortions, and die as a result of pregnancy.

Additionally, adolescents continue to suffer disproportionately from poor sexual reproductive health outcomes, as indicated by the high rates of teenage pregnancies and HIV infection.

HIV and pregnancy are the leading causes of deaths among adolescents and young women aged 15-24 years in Kenya. Over half of the 46,000 new HIV infections in 2018 occurred among adolescents and young people. Over 378,397 teenage pregnancies were recorded between July 2016 and June 2017 and 28,932 of these pregnancies occurred among girls aged 10-14.

The perception of adolescents as lacking political power often makes politicians reluctant to act in spite of the obvious need for intervention.

What to do?

Rather than shelving the bill, as recommended by the opposition, the senate must work with reproductive health experts to strengthen the bill in alignment with existing national laws and policies such as the National Adolescent Sexual and Reproductive Health Policy, 2015.

Learning from the previous attempt, it's imperative to improve public engagement and to communicate scientific evidence in a way that people can easily understand.

KENYA: For love or land – the debate about Kenyan women's rights to matrimonial property

Kenya's Matrimonial Property Act, which is discriminatory towards women and inconsistent with the country's constitution, means few married women own land. Less than five percent of all land title deeds in Kenya are held jointly by women and only one percent of land titles are held by women alone.

By Miriam Gathigah

Inter Press Service (01.06.2020) - <https://bit.ly/2Yh2E80> - Ida Njeri was a civil servant with access to a Savings and Credit Cooperative Society (SACCO) through her employer, and her husband a private consultant in the information and communication sector, when she began taking low-interest loans from the cooperative so they could buy up land in Ruiru, Central Kenya. She'd willing done it. Part of their long-term plan together for having a family was that they would acquire land and eventually build their dream home. But little did Njeri realise that 12 years and three children later the law would stand against her right to owning the matrimonial property.

“As a private consultant, it was difficult for my husband to join a SACCO. People generally join SACCOs through their employer. This makes it easy to save and take loans because you need three people within your SACCO to guarantee the loan,” Njeri tells IPS.

“My husband had a savings bank account so we would combine my loans with his savings. By 2016, I had 45,000 dollars in loans. My husband would tell me the amount of money needed to purchase land and I would take out a loan,” she adds, explaining that her husband handled all the purchases.

By 2016 the couple had purchased 14 different pieces of land, each measuring an eighth of an acre. But last year, when the marriage fell apart, Njeri discovered that all their joint land was in her husband’s name.

“All along I just assumed that the land was in both our names. I never really thought about it because we were jointly building our family. Even worse, all land payment receipts and sale agreements are also in his name alone,” she says.

Worse still, there was little she can do about it within the current framework of the country’s laws.

Despite Article 45 (3) of the 2010 Constitution providing for equality during marriage and upon divorce, and despite the fact that Njeri’s marriage was registered (effectively granting her a legal basis for land ownership under the Marriage Act 2014) there is another law in the country — the Matrimonial Property Act 2013 — which stands against her.

More specifically, it is Section 7 of the act that states ownership of matrimonial property is dependent on the contributions of each spouse toward its acquisition.

- “Ownership of matrimonial property rests in the spouses according to the contribution of either spouses towards its acquisition, and shall be divided between the spouses if they divorce or their marriage is otherwise dissolved,” Section 7 states.

Because Njeri had no proof of jointly purchasing the land, upon her divorce she is not entitled to it.

Hers is not an isolated case of married women struggling to ensure their land rights.

In 2018, the Kenya Land Alliance (KLA), an advocacy network dedicated to the realisation of constitutional provisions of women’s land rights as a means to eradicate poverty and hunger, and promote gender equality, in line with Sustainable Development Goals (SDGs), released an audit of land ownership after the disaggregation and analysis of approximately one third of the 3.2 million title deeds issued by the government between 2013 and 2017 — the highest number of title deeds issued in any regime.

Odenda Lumumba is a land rights activist and founder of KLA, which is a local partner for Deliver For Good, a global campaign that applies a gender lens to the Sustainable Development Goals (SDGs) and powered by global advocacy organisation Women Deliver. She explains that the data on land ownership is a pointer to the reality that gender disparities remain a concern, especially because of the intricate relationship between land tenure systems, livelihoods and poverty.

“There is very little progress towards women owning land. There are so many obstacles for them to overcome,” Lumumba tells IPS.

- The KLA audit of land ownership found that only 103,043 titles or 10.3 percent of title deeds were issued to women compared to the 865,095 or 86.5 percent that went to men.
- Even greater gender disparities were found in terms of the actual land size. While men own 9,903,304 hectares in titled land, representing 97.76 percent of land, women own 1.67 percent or 10,129,704 hectares of land during this five year period.
- Further, this audit found that men own 75 percent of land title deeds of all allocated land settlement schemes.

In 2018, the Federation of Women Lawyers (FIDA) in Kenya petitioned Kenya's High Court, arguing that Section 7 of the Matrimonial Property Act was discriminatory towards women and inconsistent and in contravention of Article 45 (3) of the Constitution.

The court dismissed the petition, ruling out a blanket equal sharing of marital property as it would "open the door for a party to get into marriage and walk out of it in the event of divorce with more than they deserve".

Within this context, less than five percent of all land title deeds in Kenya are held jointly by women and only one percent of land titles are held by women alone who are in turn disadvantaged in the manner in which they use, own, manage and dispose land, says FIDA-Kenya.

But as gender experts are becoming alarmed by the rising numbers of female headed households — 32 percent out of 11 million households based on government estimates — securing women's land rights is becoming more urgent.

"The Matrimonial Property Act gives women the capacity to register their property but a majority of women do not realise just how important this is. Later, they struggle to access their property because they did not ensure that they were registered as owners," Janet Anyango, legal counsel at FIDA-Kenya's Access to Justice Programme, tells IPS. FIDA-Kenya is a premier women rights organisation that, for 34 years, has offered free legal aid to at least three million women and children. It is also another Deliver For Good/Women Deliver partner organisation in Kenya.

Anyango says that in law "the meaning of 'contribution' was expanded to include non-monetary contributions but it is difficult to quantify contribution in the absence of tangible proof. In the 2016 lawsuit, we took issue with the fact that the law attributes marital liabilities equally but not assets".

- In 2016 FIDA-Kenya sued the office of the Attorney General with regards to act, stating the same issues of discrimination against women.

In addition to the Matrimonial Property Act, laws such as the Law of Succession Act seek to cushion both surviving male and female spouses but are still skewed in favour of men as widows lose their "lifetime interest" in property if the remarry. And where there is no surviving spouse or children, the deceased's father is given priority over the mother.

Women Deliver recognises that globally women and girls have unequal access to land tenure and land rights, creating a negative ripple effect on development and economic progress for all.

"When women have secure land rights, their earnings can increase significantly, improving their abilities to open bank accounts, save money, build credit, and make

investments in themselves, their families and communities," Susan Papp, Managing Director of Policy and Advocacy at Women Deliver, tells IPS.

She says that applying a gender lens to access "to resources is crucial to powering progress for and with all during the COVID-19 pandemic, even as the world continues to work towards the SDGs".

And even though marriage services at the Attorney General's office have been suspended due to the COVID-19 pandemic, as have all services at the land registries, women like Njeri will continue to fight for what they rightfully own.

KENYA: Kenyan cardinal blasts cult advocating female circumcision

Archbishop of Nairobi is concerned that sect is targeting Catholics.

La Croix International (10.03.2020) - <https://bit.ly/3d9gMr6> - Kenya's Cardinal John Njue has warned Catholics in his Archdiocese of Nairobi against the emergence of an outlawed group advocating for outdated cultural practices such as female circumcision.

Archdiocesan investigations have revealed that the group is also advocating for the reinforcing of male chauvinism and the subjugation of women within the Church.

The cardinal, 76, sent a circular letter to all parishes in the archdiocese, saying he's concerned that the group, Gwata Ndaĩ, is coercing Catholics to join it.

The group bears all the characteristics of a cult and the cardinal says it has adversely impacted individuals, families, the Church and society, Daily Nation reported.

Njue's circular letter was read out to Catholics in Kiambu and Nairobi March 8. The sect has its base in Kiambu County as well as areas in Nairobi County.

Female circumcision is common among certain ethnic groups in Kenya, even after a 2011 law made it completely illegal.

UNICEF reports that 21 percent of Kenyan girls and women aged 15 to 49 have undergone female circumcision.

Reasons for its continued practice range from initiating girls to womanhood to making them spiritually pure.

LIBYA: Prominent activist killed in eastern Libya

Prominent human rights lawyer shot dead in Libya.

Middle East Monitor (11.11.2020) - <https://bit.ly/2ID94eM> - A prominent human rights lawyer and activist was killed in a shooting in the eastern Libyan city of Benghazi yesterday.

Hanan Al-Barassi was livestreaming to Facebook from her car when gunmen opened fire on her vehicle. A security source told AFP that Al-Barassi "was shot dead in Road 20, one of the main commercial streets in Benghazi."

Benghazi is controlled by the Libyan National Army (LNA) who are loyal to warlord Khalifa Haftar.

"[Al-Barassi's] tragic death illustrates the threats faced by Libyan women as they dare to speak out," the UN mission in Benghazi said in a statement, urging a prompt investigation into the killing.

Al-Barassi has been known to criticise human rights abuses by Haftar's forces. On Monday she posted on social media that said she was planning to publish a video exposing the corruption of Hafar's family.

LIBYA's forgotten half: between conflict and pandemic, women pay the higher price

Now more than ever, the country needs everyone's contribution to survive the upcoming changes.

By Asma Khalifa

openDemocracy (14.05.2020) - <https://bit.ly/3g6bm1E> - Immediately after the state of emergency was declared in Libya, the government in Tripoli began dispensing funds intended to combat the pandemic. Half of it tangled in corrupt deals and used to silence the public's worries as the population knows well enough that if a health crisis hits them, they would have nowhere to go.

Libyans have been traveling to Tunisia for medical treatment long before 2011. While the virus now prevents travel due to closed borders, travel restrictions for women existed long before the pandemic arrived. Due to the breakdown in the security apparatus, the restriction on movement prevents women from freely driving on their own between towns to access services, including health. The security situation of roads is often precarious, not only armed conflicts could erupt at any point, the roads are also littered with fake check points where citizens are highjacked or kidnapped for ransom.

Women stuck between conflict and health

The situation in the west has worsened due to the ongoing war, with hospitals, health facilities and medical personnel readily targeted. On 7 April, Libyan Arab Armed Forces' (LAAF) heavy shelling hit Al Khadra Hospital maternity ward, injuring a health worker and damaging the hospital's facilities. Al Khadra hospital was one of the potential COVID-19 assigned health facilities. Royal hospital in Tareeq Al-Shouq, south of Tripoli was destroyed in late April. Hospitals also lack equipment, water and beds to host a potential influx of patients. This puts medical staff at risk of infection with women making up the majority of the nursing staff.

At the Al Jalaa paediatric hospital, a suspected COVID-19 patient was received by a female doctor who later had to quarantine herself. Such situations can lead to the stigmatisation of health workers. This can particularly affect women, leading to dire social consequences in a society that uses reputational damage to control women far more than men, which may lead to women withdrawing from the sector altogether.

Given the political division along geographical lines in the country, each side has developed its own response mechanism to the pandemic. The authorities in the east aimed to control and silence any dissident voices that are remotely critical of the

conditions of the health care system. In Tripoli, the government pre-occupied with the fighting in the south of the capital, took on preventive measures and imposed strict curfew hours, fining those who break it. This has further empowered the security forces that already operated with impunity in the capital.

While the curfew could indeed contribute to flattening the curve, it remains oblivious to the humanitarian impact on families already struggling due to a decade of conflict. But this has had greater impact on women. Women who are most vulnerable, including the internally displaced, women with low income, or women who live in remote locations and are sole providers are in a dire situation financially and logistically. Many of them do not have the luxury to stop working as they need access to their daily income, and the freedom to access public transportation. These vulnerabilities facing women have not been assessed nor considered in government policy, neither when it comes to allocation of resources, nor in lockdown measures.

Government is not gender inclusive

When the COVID-19 crisis committee announced some of its plans, it was immediately clear that there was no consideration for the gendered implications of the pandemic on women. In response, fourteen local organisations that work on women's rights co-signed an open letter to the presidential council to urge them to include their gender sensitive recommendations in their action plan to address COVID-19.

No response or action was taken towards this letter. There has been no humanitarian assistance or compensation provided for the female internally displaced or an assessment for those at risk of losing their livelihoods because of the pandemic. Add to that the lack of any consideration to address the rise in gender-based violence. In fact, within the first weeks of the lock down, three women were reported murdered by their partners across the country. There are no official mechanisms to report domestic violence, a taboo topic that is not widely discussed in Libya. Women who are at risk at home have nowhere to turn and now even less resources to seek help elsewhere.

On the other hand, the presidential council proceeded to reduce salaries (excluding their own of course) as part of austerity measures due to the oil blockade and the lock down. According to Hala Bugaighis, women working in the so-called pink-collar jobs, are paid less than men and are more likely to lose their jobs since men's labour is more valued in the workforce. This may significantly impact the migrant community in Libya, especially female migrants and refugees who are likely to be most severely affected.

Women taking measures in their own hands

Despite the significant shrinking of civil society space since 2014, non-governmental organizations are unremitting in their service delivery, often in partnership with municipalities. Civil society organizations often lack the resources to implement their own responses, however many have begun voluntary independent initiatives. There are now multiple online campaigns such as Quarantine and Don't overburden yourself to raise awareness on COVID-19 and its gendered impact, flagging the rising incidents of domestic violence and providing legal consultations to the survivors and assisting women who are in need.

Women who run small businesses have been impacted negatively by the pandemic. However, some women who run sewing workshops and fashion houses have proven inspirational in their local communities by manufacturing medical equipment needed for the hospitals. Another example is the work carried out by Lybotics who printed 3D medical masks. Libyan civil society has remained flexible, with very little heed from the state.

Government policies tend to ignore civil society despite their direct contact with the communities in need, and therefore are able to assess potential risks and mitigation measures better. Due to the very gendered nature of the Libyan conflict, women are particularly missing from the picture since they are not fighting and are not represented in the government. Due to lack of communication channels between the decision makers and CSOs, their work is largely missing from policies. The government should establish regular communication channels to consult CSOs and particularly women.

The pandemic's implications are very tangible, warring factions and their foreign backers must stop all hostilities not only to come up with a solution to the conflict but also to face the immense economic and social challenges COVID-19 poses on Libya. Now more than ever, the country needs everyone's contribution to survive the upcoming changes.

MALI's failure to ban FGM challenged in West Africa's top court

After years of unsuccessfully campaigning for an anti-FGM law in Mali, rights groups file complaint at the ECOWAS court

By Nita Bhalia

Thomson Reuters Foundation (12.04.2021) - <https://tmsnrt.rs/32W4j6l> - Mali's failure to outlaw female genital mutilation (FGM) is being challenged in West Africa's highest court by rights groups, who accused the country on Monday of failing to protect girls and women from "a grave and systematic violation".

Nine out of 10 women and girls in Mali have undergone the ancient ritual, which usually involves the partial or total removal of the external female genitalia and can cause serious health problems, according to the [United Nations](#).

Women's rights NGO [Equality Now](#) said it had jointly filed a case with two partner organisations at the [Economic Community of West African States](#) (ECOWAS) Court of Justice after years of campaigning unsuccessfully for an anti-FGM law.

"We have made several calls to Mali for the past 18 years urging it to honour its national, regional and international obligations to protect girls and women from this harmful practice," said Faiza Mohamed, Equality Now's Africa director.

"However, this remains to be done and we can no longer sit still as thousands of girls and women in Mali continue being subjected to FGM," she added in a statement.

Malian government officials could not immediately be reached to comment on the filing.

An estimated 200 million girls and women globally have been cut - and about four million girls are at risk of being forced to undergo the rite every year.

Practiced in at least 27 African countries and parts of Asia and the Middle East, FGM is often seen as necessary for social acceptance and improving a woman's marriage prospects.

But health experts say [girls can bleed to death or die from infections caused by FGM](#), and it can cause fatal childbirth complications later in life.

The U.N. Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) said in June 2020 that the failure to criminalise FGM was putting the lives of girls and women in Mali, as well as from neighbouring states, at risk.

[It voiced concerns over the transnational nature of the practice](#), with reports of girls from countries such as Burkina Faso, Benin, Guinea and Togo that prohibit FGM being taken to Mali to undergo the cut in order to avoid prosecution at home.

Attempts by the Malian government to criminalise FGM in 2002 and again in 2009 failed due to opposition from religious leaders, CEDAW added in its latest report.

The women's rights groups said in a statement that Mali had ratified international and regional agreements on women's rights such as the CEDAW and The Maputo Protocol - and was therefore obliged to take action to curb FGM.

[The Institute for Human Rights and Development in Africa](#) (IHRDA), one of three groups that filed suit with the Abuja-based court, said the case had the potential to establish a landmark in women and girls' rights jurisprudence in Africa.

"This case would not only prompt the ECOWAS court to make binding pronouncement on the situation of FGM in Mali, but would also establish legal precedent and standard applicable not only in Mali and West Africa, but across Africa as a whole," said Gaye Sowe, IHRDA's executive director.

Most countries in West Africa, including Benin, Burkina Faso, Ivory Coast, Gambia, Ghana, Guinea, Guinea-Bissau, Mauritania, Niger, Nigeria, Senegal and Togo, have adopted laws prohibiting FGM.

In March 2020, Sierra Leone overturned a [ban on pregnant girls attending school](#) after Equality Now and its partners challenged the rule in the ECOWAS court and won.

MOROCCO'S CNDH campaigns for women with disabilities' rights

The initiative comes in response to a recommendation from the UN Committee on the Rights of Persons with Disabilities.

By Zakaria Elaraj

Morocco World News (01.01.2021) - <https://bit.ly/38nqqPo> - Morocco's National Council of Human Rights (CNDH) launched on Wednesday a digital campaign in an effort to stop discrimination against women and girls with disabilities.

The initiative also aims to promote the rights of people living with disabilities and raise awareness on respecting the rights of women and girls with disabilities, according to a Council press release.

CNDH initiated the campaign for social media users since social networks reach large segments of society.

Living with a disability adds to the existing challenging situation of women in Morocco, said CNDH President Amna Bouayach in the Council's statement.

Women and girls with disabilities are like the rest of females in the country, and Moroccans should join forces and stop all forms of bullying of those individuals, Khaoula Sika, CNDH's Guelmim-Oued Noun regional committee member, said in a video introducing the campaign.

This segment should be engaged in society and enjoy the same rights other people do, said Zhou El Horr, Coordinator of the National Mechanism for the Protection of the Rights of Persons with Disabilities. In the video, she referenced employment and leadership positions as areas where greater engagement of women with disabilities can better benefit Morocco's society at large.

Taoufik Berdiji, president of CNDH's Laayoune-Sakia El Hamra regional office, said in the video that the situation of women and girls with disabilities is a pivotal case in the CNDH since many females with disabilities suffer discrimination in his region.

CNDH communicated that the campaign is not only the council's duty, it is also a nationwide responsibility and every individual in Morocco should engage and help promote tolerance towards women and girls with disabilities. All segments of society should help sensitize the importance of respecting their rights, CNDH officials stressed in the video.

"We should all join forces to eradicate stereotypes and prejudice that serve to restrict the disabled instead of encouraging them. The objective of CNDH is to ensure that disabled women and girls are participating in the management of public affairs," Bouayach concluded.

MOROCCO: HCP: 5.3 million women in Morocco experience domestic violence

The statistics related to gender-based discrimination in Morocco show that policymakers still need to increase efforts to combat the prevalence of violence against women.

By Safaa Kasraoui

Morocco World News (28.09.2020) - <https://bit.ly/3jGTQIW> - A lengthy report from the High Commission of Planning (HCP) showcased the prevalence of several types of violence against women in Morocco, including domestic violence.

The 142-page [report](#) on Morocco's implementation of the UN's Sustainable Development Goals (SDGs) devoted a whole section to gender equality and the progress the country has made in the field.

The report showed some remarkable changes in terms of improving gender equality, but indicated that the country's institutions must increase efforts to combat domestic violence and sexual harassment against women in Morocco.

The document reported an overall decrease in violence against women based on searches and surveys that the HCP carried out between 2009 and 2019.

The rate of violence against women aged between 18 and 64 decreased to 57 % in 2019 compared to 63% in 2009.

The statistics show that psychological violence against women dropped from 58% in 2009 to 49% in 2019. Physical violence decreased from 15% to 13% during the same period.

Economic and sexual violence, however, recorded a notable increase. Economic violence increased from 8% in 2009 to 15% in 2019, while sexual violence rose from 9% to 14% during the same period.

In rural Morocco, physical violence against women increased from 9% to 13% between 2009 and 2019.

The HCP also highlighted a remarkable decrease in violence against women in public spaces between 2009 and 2019.

According to the recent statistics, violence against women in public dropped from 33% to 13%.

However, domestic violence perpetrated by family members or marital partners affected 52% of women and girls in 2019.

The rate of marital violence increased by 46% between 2009 and 2019, with 5.3 million women aged between 15 and 74 experiencing violence from their partners.

The perpetrators are mainly boyfriends, husbands, ex-husbands, or romantic partners.

Married women are the largest category who reported violence, accounting for 52%. Around 59% of the victims are aged between 15 and 24.

Marital violence is most prevalent among women with "average education (54%) and unemployed women (56%)."

The HCP report found that psychological violence tops the list with 43% of women (15-74) experiencing this sort of violence from their partners in 2019.

Between 2009 and 2019, sexual violence from a third party against women aged 15-74 increased from 4.3% to 8.5% in Morocco.

Some 10.5% of victims of sexual violence experience such crimes in educational and training spaces (16.2% in rural areas and 9.3% in urban areas).

Sexual harassment also increased by 50% in 2019.

In working spaces, 15% of women were victims of psychological or economic violence.

Despite the alarming numbers, the report lauded a set of reforms Morocco launched to combat violence against women.

The report recalled the approach Morocco's General Directorate of National Security (DGSN) launched last year to assist women exposed to gender-based violence.

In 2019, DGSN introduced support units for women and girls who experienced violence.

The units seek to provide psychological support and guidance victims.

The report also mentioned Morocco's decision to implement Law 103-13 against gender discrimination.

Morocco enacted Law 103-13 in September 2018 to criminalize sexual harassment, assault in public spaces, and cybercrime.

Feminists and activists have long argued that the law contains loopholes due to the absence of a legal framework that would accompany victims during the reporting process.

MOROCCO: Meet Mushmina: Women weaving ethics into fashion

A social mission brand with a passion for traditional artistry, Mushmina is helping Moroccan women to achieve financial independence and personal empowerment one handmade carpet at a time.

By Morgan Hekking

Morocco World News (08.02.2020) - <https://bit.ly/3bwsY4n> - In a world that seems to be dominated by fast-fashion giants like Forever 21 and Fashion Nova, it can be easy to get wrapped up in a culture of constant trend-chasing.

Growing alongside the thundering tidal wave of cheap materials and underpaid labor, however, is a strong undercurrent urging consumers to consider thrift-shopping, upcycling, and seeking out "slow" fashion brands that emphasize sustainable, ethical practices over profit.

One such brand is Mushmina.

Mushmina, a family nickname meaning "little sister," is the brainchild of New Jersey-born sisters Heather and Katie O'Neill.

Sitting at a cafe in Fez in 2004, the O'Neill sisters decided to start a business with the ultimate aim of empowering local artisans in Morocco, specifically rural women artisans.

Their dream became a reality in 2009, and Mushmina celebrated a decade in business in 2019.

At the mercy of middlemen

Heather first came to Morocco in 2003 as a 25-year-old Peace Corps volunteer with the US government.

"I left a design job in New York City and everyone thought I was crazy," she told MWN. "It was a leap of faith that I'm so glad I took."

Heather was assigned as a small business volunteer with the artisan sector in Boujad, a small town near Beni-Mellal in central Morocco. With her background in design, the assignment was a perfect fit.

She quickly picked up Darija and began forging meaningful connections with the artisans she worked with, taking a particular interest in women weavers, many of whom she is still linked to today.

Perhaps the most profound experience Heather had during her term with the Peace Corps was in Boujad's souk, an open-air market that takes place every Thursday starting at 5 a.m.

"One morning, I went with the women [weavers] to see how they sell [their handmade rugs], and that was my epiphany moment," she recounted. "I realized how at the mercy they are of the middlemen that come in from Marrakech and Fez."

She described seeing hundreds of women sitting on the ground with their carpets rolled out in front of them, waiting to make a sale. If hours pass and a woman has not sold any carpets, she may become desperate and take any price offered to her—even if it is well under what her product is worth.

"They had no bargaining power," she lamented. "That's when I decided that I wanted to help."

Mushmina: Made with love in Morocco

Heather wrapped up her three-year term with the Peace Corps and went on to graduate school. After completing her thesis on women's development, Heather moved back to Morocco—this time with a concrete plan to act on the revelation she had that day in the souk.

Heather and Katie launched Mushmina in 2009 with a clear vision: To empower Moroccan women and connect creators with US markets. Ten years later, the sisters still see the US as their main market but are looking beyond into more opportunities elsewhere.

Thanks to the duo's extensive background in design and retail, and with Heather's connections forged during her time with the Peace Corps, the sisters were able to launch Mushmina with only a shoestring budget.

"Our vision for the brand has always been colorful, creative, and discovering craft in rural regions. This is what we love most."

To get started, Heather reached out to the director of the Peace Corps, who connected her to current volunteers in Morocco in the small business sectors. The volunteers held focus groups with artisans who then crafted some of Mushmina's first orders.

The Peace Corps played an essential role not only in introducing Heather to Morocco and its colorful world of artisans but also in offering her an anchor of support upon her return to the country years later.

"I fell in love with Morocco—it's magic, its people, and the artisan craft," she said of her initial stint in Boujad. "I guess you could say Morocco called me back."

"I feel blessed to be able to live and work in such a creative and colorful country. Each day is different and some of my best days are those spent exploring new regions and working with rural women."

Morocco's family-oriented business model

While Katie fulfills her role as Mushmina's creative director from the US, Morocco has become home for Heather. She lives in a rural region outside of Casablanca with her Moroccan husband and their two children.

Her fluency in Darija has certainly given her a leg-up in handling business in the country. She personally finds and buys all of Mushmina's materials, trains and instructs her team, and hosts workshops for local women artisans.

"So much of working in Morocco is about personal connection," Heather explained. "People want to do business with people they like."

"We share tea, we know each other's families, and my children are often along with me for the ride," she said of her business partners and team members. "That is what I really appreciate about working in Morocco. It's a family-oriented place, even in business."

While Heather sees tough prospects for small businesses in the US, she is hopeful about Morocco. "The good news is that small business in Morocco is still very vibrant and the future is global."

Mushmina's social mission

Mushmina is arguably more of a social mission than a fashion brand, with Heather herself more interested in empowering women to perfect their craft rather than making profits from sales.

Unlike fast-fashion companies, Mushmina's success directly benefits the Moroccan men and women working for the small business.

"Our artisans are well-paid for their work because we believe in investing in handmade goods that have cultural integrity and intrinsic value," Heather maintained.

"We have seen artisans open bank accounts and buy land. Our metalsmith moved from a rooftop home studio to a full workshop with employees and a retail space. We have seen women gain confidence, finish training programs, and become businesswomen themselves."

A case in point is Halima, Mushmina's lead weaver.

Since working with the business, Halima has been able to buy land with her husband and become a businesswoman in her own right. Having made a name for herself in the local artisan community, Halima is often approached by women looking for work as weavers. Halima doles out order assignments to these women, and through offering them avenues for personal empowerment, she has become a local leader.

"Our customers feel connected to our brand as it is owned by women and our mission is helping women and artisans," Heather said.

"At the end of the day, we hope that we can continue to inspire the people who work with us and the customers who buy from us to think consciously about what we buy and who made it."

NIGERIA: Undressing for redress - the significance of Nigerian women's naked protests

Nigerian women use nudity to turn traditional ideas of protest on their heads.

By Bright Alozie

The Conversation (03.09.2020) - <https://bit.ly/3m76Cf7> - Social media went abuzz on July 23, 2020, when hundreds of women – mostly naked – staged a protest in the northwestern state of Kaduna, Nigeria. Wailing and rolling on the ground, they protested at the killing of people in ongoing attacks on their community.

The protesters, mostly mothers, demanded justice and called on the government, security agencies and international community to intervene.

Such naked protests are not new in Nigeria. Traditionally, among the Igbo and Yoruba of Nigeria, stripping naked signifies a curse against those targeted. Sometimes, mothers strip naked to put a curse on their truant sons or disloyal husbands. In some cases, it signifies their willingness to die for a cause.

Nigerian women have historically employed naked protests to seek redress – with success. In my book chapter contribution on this subject, I documented numerous naked protests dating back to the colonial period. I drew the conclusion that through the spectacle of such protests, women have rewritten the script on their bodies and used nakedness as an instrument of power, rather than shame, in making their voices heard.

Historically, in western and non-western worlds, women have used their bodies to protest unacceptable treatment by those in power. In Africa, the nakedness of women, especially mothers and grandmothers, is a historical and symbolic “shaming” tactic. Women’s enacting nakedness on their own terms disrupts dominant notions that depict their bodies as passive, powerless, or as sexual objects for sale.

A brief history of naked protests

Most studies have focused on the role of clothing in society and demonstrated how it can change the perception of an individual. Sadly, there is little research on naked protests, perhaps because society frowns on public displays of the naked body.

The unclothed female body is a powerful site of protest. By protesting naked, women have resurrected traditional forms of sociopolitical protests and resistance like the custom common among Igbo women known as “sitting on a man” or “making war” with men. This custom was a practice where women showed their disapproval of abusive men, men who failed to provide for their family or who disregarded market rules. Dressed as men in preparation for war, the women wore only loincloths with ferns on their heads, smeared ashes on their faces and carried sticks with palm fronds. They would dance around the house singing lewd and insulting songs that questioned the offender’s manhood, and would pound on the house using their pestles and in severe cases, destroyed the house. They would continue this activity until the offender repented. This act was viewed as the ultimate means by which women sanctioned wrongdoers.

History records several naked or half naked protests by women caused by displeasure with government policies or incidents seen as too dangerous to be ignored. These protests were mostly successful in achieving their objectives.

Naked protests are always employed as a last resort. This was the case in colonial southeastern Nigeria when in 1929, hundreds of naked and half naked women took to the towns of Owerri, Calabar and Aba. They protested harsh colonial policies. An English lieutenant described the women as nearly naked, wearing only wreaths of grass round their heads, waist and knees:

(I began) telling the women not to make noise. They took no notice of me and told me that I was the son of a pig and not of a woman ... (They) were calling the soldiers pigs ... (and) they didn't care if the soldiers cut their throats.

This protest resulted in the famous Ogu Umunwanyi or Aba Women's War. Before the incident, the protesters had employed other means like petitioning the colonial authorities. Eventually, "making war" on the officials became the last resort. About 50 women were killed and 50 others were wounded.

Also, in the 1930s, members of the Abeokuta Women's Union in southwestern Nigeria walked half-naked in protest against the Alake of Abeokuta's political actions and forced him into exile.

On July 8, 2002, about 600 semi-clad or naked women from six communities in the oil-rich southeastern Nigeria occupied the main oil terminal of Chevron Texaco. They protested how their water and land had been contaminated by the presence of Chevron Texaco, through oil spills and gas flares. They accused the company of gross exploitation of the people of the region and not distributing enough of the wealth it obtains from oil. They also demanded infrastructural changes.

Before then, their men had tried but failed. The actions of these women resulted in a peace meeting with Chevron Texaco. The company agreed to hire local workers, contribute to local infrastructure, set up a micro-credit scheme to help village women start businesses of their own, and provide communities with schools, hospitals, water, and electricity systems.

Naked protests also dramatically enact protesters' willingness to put their bodies on the line in order to advance a political cause, such as opposition to government and military interventions. This was the case on May 20, 2017 when some female members of the Indigenous People of Biafra staged a protest in Abiriba, Abia state, against an alleged attack on them by the Nigerian Army. Some women were unclad while others wore undergarments and wrappers.

Similarly, in July 2013, nearly 100 women walked naked through Kokoritown in Delta State to protest the "unacceptable siege" on their community by the Nigerian army.

Concluding insights

The symbolic resonance of protesting naked has ensured the endurance of the "undress tactic" among Nigerian women today. It has also signalled a return to the old fashioned but effective form of women's resistance. To fully understand this symbolism, we must not view the protesting naked female solely in sexual terms, as a commodity or an object without regard to their dignity.

Indeed, the female body is a site of immense power both inside and outside. Through naked protests, women engage in re-scripting and reconfiguring their bodies.

These women who have stripped naked to wage a righteous war must be duly acknowledged. So, when you see "our mothers go naked again", remember that they

represent power, subversion and resistance to the dominant scripts engraved on their bodies – scripts of subordination, passivity, sexuality, subservience and vulnerability.

NIGERIA: The all-women law firm helping prisoners get justice in Nigeria

Poor Nigerian inmates can wait years for their cases to go to trial, but now a group of lawyers are fighting the system.

By Nosmot Gbadamosi

Al Jazeera (24.06.2020) - <https://bit.ly/2Bmlgg0> - On a breezy February morning at the height of the dry season, Oluyemi Orija cranked down her car window and turned up the speakers, leaving trails of Jailer by Nigerian singer Aşa in the warm air.

It was a fitting but ironic choice of song as she drove south towards Lagos State Ikoyi Prison with three members of Headfort Foundation - an all-women law firm - in the backseat.

The prison was 15 minutes away and a world apart from Awolowo Road, an affluent stretch the 31-year-old criminal lawyer was cruising through. Luxury shop fronts displayed designer dresses while curb-side juice bars pumped out jazz.

"We are going into hell," Orija said. Seated beside her, I had volunteered with her team for the day to collect prisoner testimonies.

"The facility is built for 800, and 3,000 people are using it ... we had one client defecate himself because he couldn't access the toilet," she explained, her eyes focused on the road ahead. "The congestion leads to a lot of communicable diseases."

Earlier, in November 2019, on an afternoon visit without Headfort, I had glimpsed the blackboard inside the prison controller's office. It listed the total number of prisoners in each cell - usually overcrowded barred rooms with hundreds of people sleeping together on the floor. One cell had 1,065 inmates sharing. In December, five people were fatally electrocuted because a cell meant for 35 was accommodating 140.

Once every few months, volunteers from the non-profit organisation Orija founded in 2018 collect the cases of poor inmates who have spent months, sometimes years, in jail without trial. They provide free legal services in one of the toughest judicial systems in the world.

In April, Emmanuel Imhoudu, a taxi driver in the capital Abuja, was sentenced to six months in prison for working during a lockdown imposed to curb the spread of COVID-19.

Nigerian security forces killed 18 people in two weeks while enforcing lockdown measures, the country's National Human Rights Commission (NHRC) said.

Even before the coronavirus pandemic hit, campaigners said Nigeria's police made conditions in the country's congested prisons worse through brutality, extortion and harassment.

A 2016 Amnesty International report accused the Special Anti-Robbery Squad (SARS), a unit of the Nigerian police force, of regularly demanding bribes from suspects. In February this year, the assistant chief state counsel of Edo, Justina Odihirin, called for a review of police prosecution powers. "Seventy percent of the files on our table brought in by the police are those who don't have anything to do in detention at all," she said at a public meeting.

Today, Orija and her all-women team work on the front line to tackle the problem.

With each visit to the prison, they collect roughly 35 cases. Some 80 percent are imprisoned for minor offences, according to Headfort. Many are there longer than the maximum sentence for their alleged crime.

About 70 percent of the total prison population in Nigeria is people awaiting trial. In prisons where data is collected, the average time defendants spend on remand is three years, while some spend more than a decade.

Wallowing in prison

At Ikoyi, all visitors walk through two locked doors and submit to a thorough body search - removing mobile phones and every connection to the outside world - before entry. But Headfort women are allowed to keep a legal pad and pen.

In the crowded prison courtyard and within a strict one-hour time slot, hundreds of inmates queued up, eager to share their stories and have a lawyer take up their case pro-bono.

Family members are often unaware that their loved ones are in jail. One prisoner, Chijioke, whose surname is not being published because his trial is ongoing, said he had been in jail since April 2019 after he was charged with stealing because he could not keep up with his loan payments on a keke (motorised rickshaw) that he bought for work. He owed two weeks of payments. He could not remember anyone's mobile phone number to let them know he was in prison.

"If my brother only knew I was here, he would bail me out," Chijioke said. He worried about getting enough food in prison without any outside help and being able to find work when he is finally free.

Azeez, whose surname is not being published because his trial is ongoing, was picked up on the roadside at 11pm while walking home from work. He said police charged him with social disturbance because he had not given them a sufficient reason for being on the road and because he refused to give them money. He had been in prison for a month when we met him and was worried about his mother, who was sick.

Tracing family members, many of whom live on the outskirts of Lagos, is a time-consuming and unexpected part of the women's jobs.

"Your phone has been taken away from you so you can't have access to any information, so the family members are not aware," Orija explained. "Some of them believe that their family members are busy working in Lagos and they are blossoming, not knowing that they are wallowing in prison."

Headfort's project manager, Tolu Ajibogun, said that even when prisoners died, she suspected their families were not always informed.

"Last Monday, a man died, and it wasn't recorded on the board. A client reported to us that in his 19 months stay in Ikoyi prison about 10 people died," Ajibogun said.

"That's just it, if they are dead, they are dead," added Orija, referring to the perception some officials have that mourning or completing paperwork for the dead will not bring them back.

Passion for helping people

Orija did not start out with the aim of making the organisation exclusively women-led. "I realised that women are more passionate when it comes to injustice," she remarked, adding that a lot of men were put off by the low pay in pro-bono work.

"They are driven by money, and if the figures aren't adding up, they are not interested. While women will see injustice and want to do all that they can to ensure it is fought."

She concluded that women were better suited to the job and less susceptible to corruption. So far, the group has secured the release of more than 100 inmates, many of them men. They are currently handling a further 90 cases in various Lagos courts.

Associate Hairat Suleiman is one of the firm's three staff lawyers bolstered by a team of eight volunteers. At first, she appears shy - except around defendants. The 23-year-old spent most of her time in law school observing the system. "Not just in court but on the road, you see the way SARS policemen harass people, SARS will collect your phone and say they want to search through your phone as if it's their right," Suleiman said.

She believes many police officers carry their guns while off duty. "Which is wrong. It is just to scare citizens when they see the gun and the demand for money. You want to drop the money because you are at gunpoint," she said. Seeing that it was often those too poor to pay who ended up in jail, she was determined to fight back. But her path to Lagos was not easy.

Suleiman grew up in the northern state of Kaduna. There, attitudes are more conservative than in the south. "I really didn't want to stay in the north because I had a passion to help people ... but if I should stay under my parents, I will be confined to just one place," she said. It took a lot to convince her father to let her uproot and move to Lagos, but that tenacity drives her work.

"Our vision is to have this foundation everywhere in Nigeria," Suleiman explained.

And this starts by first educating citizens in Lagos on the law. "We are going into schools and talking to them about the likelihood of them being a victim of police brutality and what to do should they find themselves in that situation," Orija said. "We are giving them a helpline to call so that we can step in at that early stage."

One of their most basic lessons is "at least know one person's number off by head that you can call," Orija said, tapping her forehead.

Waiting for justice

Once cases go beyond the police, the obstacles are even larger. Judges delay court proceedings, sometimes by several months.

One crisp morning in January, I joined Suleiman at Ikoyi Federal High Court for a hearing. Two men were charged with stealing electricity cables, while three others,

including Suleiman's client Wasuru, were in prison on charges of aiding and abetting them.

We arrived at about 8:15am for the 9am court start. We were still waiting by midday when a clerk announced that the hearing was postponed because the judge had not turned up.

"Often there is no reason," Suleiman said, as she shuffled large folders back into her backpack. "Sometimes they say that the judge cannot make it, then they will give another date."

I followed Suleiman to the courthouse holding cell. The inmates had been brought from jail, and like us, were eagerly awaiting their trial, their arms hanging through the bars.

Wasuru, a homeless man, had spent two years incarcerated. In February 2018, he was sleeping in an abandoned estate in the Lagos district of Ebute Metta. He was arrested for allegedly collecting 6,000 naira (\$15) in proceeds from two men charged with cable wire theft near the area.

His trial started in October 2019, but this was the sixth time the case would not proceed. Wasuru's face froze for a moment, then dropped, when Suleiman broke the news.

"At least they only pushed it back by another month, they could have said three months," Suleiman told all three men charged with the same crime. It failed to raise spirits. The smiles that had spread across their faces upon seeing Suleiman had faded. They had already spent more time in jail awaiting trial than if they had been immediately convicted.

"He has given up all hope," Suleiman later said about Wasuru, as we walked back to the car park.

"Many of them do. Many change their plea to guilty in order to just save time and know how long they will be there for, but then they find nothing has changed, it has not made a difference."

Under Nigerian law, Wasuru was granted free bail but could not meet the conditions because he was unable to provide a wealthy guarantor. Research by PRAWA, a Nigerian justice NGO, found that most inmates had no formal education and about 76 percent were living on less than \$128 a month prior to arrest.

As a result, inmates have an incentive to plead guilty, even to crimes that they did not commit, because they cannot meet bail conditions. They view it as the fastest way to get released.

Fighting the system

Shortly after our visit, the Nigerian government temporarily suspended court activities to prevent the spread of COVID-19.

"Every year in July, the courts go on vacation and resume in September ... they will still be in there at least till 2021 and for 6,000 naira," Orija said. "At worst that should be community service, and now it will be three years and counting."

President Muhammadu Buhari made reforms to Nigeria's Prison Service last year, changing the name to Correctional Service and promising to speed up trials.

In turn, Nigeria's police force has said citizens should report officers who violate rules on conduct so "the rights of Nigerians are not infringed upon under any pretext".

"We have responded to some of the issues raised by the National Human Rights Commission Report ... Even before the report was issued, our position has always been very clear," police spokesperson Frank Ba told Al Jazeera via telephone. "Police officers must carry out their duties within the ambit of the law, they must be professional, must be firm but at the same time be caring, polite and respect the fundamental human rights of our citizens."

"We have continued to push this narrative and to walk the talk," he added. "In the few cases where we have found officers acting in manners that does not follow our code of conduct, we have not hesitated in calling them out and in bringing internal disciplinary procedures against them."

Anietie Ewang, a Human Rights Watch Abuja-based researcher, said disciplinary measures do not go far enough. "If I see a police officer commit a crime today in Abuja, I can see him tomorrow in Lagos - he's just been transferred."

But there are some signs of progress. A new police reform bill could result in better record keeping. "We've been part of the process just like many other civil society organisations being a part of the public hearing at the National Assembly," explained Ewang.

However, structural problems such as adequate funding also need to be addressed, Ewang pointed out. "When police officers are made to look for resources to be able to motor their vehicles, to be able to buy a bullet for their gun or to sew and make their uniforms and look presentable, obviously they are going to look to extra judicial measures to get that done."

The Nigerian correctional service declined to comment.

At least 2,600 elderly inmates or those serving less than six month terms have been released from Nigerian jails in order to decongest facilities amid the coronavirus outbreak.

Still, rights organisations say too many people arrested on minor offences remain in jail waiting for a hearing.

"It is a good move. But it is not enough," explained Isa Sanusi, Amnesty International Nigeria's spokesperson, adding that defendants are caught in a system that is slow to bring cases to trial.

"There are [those] who have even overstayed. The worst thing is that the majority of people in Nigerian prisons are those awaiting trial. A prison that is supposed to hold a capacity for only 600 people will end up accommodating 2,000 people," he added.

When the courts do run, judges pick which cases to hear from an overloaded daily list. "A few days ago, we had somebody that has been in prison since 2009, and I personally thought it should be a priority on that list," Orija lamented. "But the judge didn't pick it, it's about 11 years, and this person is just going to be re-arraigned because the judge that was initially hearing the matter was transferred to another court."

"Now it's not about just going to the prison and getting people out of prison but fighting the system," Orija said.

The group's ambitious plan is to have a desk at every court staffed by volunteer lawyers who can represent those arriving overnight with police to be remanded.

"If we are there from the very beginning, maybe they won't even get to prison at all," Orija said.

SIERRA LEONE: Discriminatory ban on pregnant girls attending school is lifted

Amnesty International (30.03.2020) - <https://bit.ly/3bGXJmq> - Following today's ministerial statement to overturn with immediate effect the ban on pregnant girls attending schools, Marta Colomer, Amnesty International's Acting Deputy Regional Director for West and Central Africa said:

"Today we have cause to celebrate as thousands of pregnant girls across Sierra Leone will be allowed back into classes nationwide when schools reopen after COVID-19.

"This inherently discriminatory ban which was formalized for almost five years now has already deprived too many young women of their right to education, and the choice as to what future they want for themselves. It has now rightly been consigned to the history books.

"Indeed, pregnant girls are given back their dignity and we welcome the government announcement to overturn with immediate effect the ban on them attending school. It's a victory for all those who campaigned tirelessly to make such a great change happen.

"We now hope that authorities in Sierra Leone will develop strategies to address the negative societal attitudes and stigmatization that pregnant girls have been facing for years. This decision gives also hope to other pregnant girls in Africa who have been stigmatized, discriminated against and, in some countries, also banned from school."

Background

Today, Sierra Leone's Minister of Basic and Senior Secondary Education issued a statement announcing that the 2010 government decision preventing pregnant girls from attending school and sitting exams was overturned with immediate effect. It is to be replaced by two new policies focused on the 'Radical Inclusion' and 'Comprehensive Safety' of all children in the education system. President Julius Maada Bio made it clear that his 'New Direction' Government makes decisions based on both evidence and constitutional due process.

On 12 December 2019 the regional Economic Community of West African States' (ECOWAS) Community Court of Justice ruled that the ban should be revoked. The case challenging the ban was brought by Sierra Leonean NGO (WAVES) in partnership with Equality Now and the Institute for Human Rights and Development in Africa (IHRDA). Amnesty International intervened as an amicus curiae ("friend of the court").

The organization has previously documented how the ban put the rights of thousands of girls under threat. The ban was formally issued in April 2015 during the Ebola crisis. Due to Ebola, there was a sharp increase in teenage pregnancies and government should put measures in place to ensure this doesn't happen in this time of COVID-19.

SOMALIA: Uproar after Somali lawmaker presents bill to legalise child marriage

By Abdi Sheikh

Reuters (20.08.2020) - <https://reut.rs/34sZ9ko> - Hafsa was married off at 13 by her father to a man who paid \$100. She and her mother say she was beaten and raped for two years before they convinced him to divorce her.

"The man just slept with me, beating me always," she said, sitting by her mother, who clutches her daughter tightly. "I regretted I was born."

There is no law mandating a minimum age for marriage in Somalia. A bill introduced in parliament this month by a presidential ally caused a storm of criticism from lawmakers when they realised it would legalise marriage at puberty - as early as 10 for some girls.

Data from a government survey this year shows that nearly a third of girls are married before their 18th birthday - just under half of those before the age of 15.

"Some families marry off their daughters to reduce their economic burden or earn income. Others may do so because they believe it will secure their daughters' futures or protect them," said Dheepa Pandian, a spokeswoman from UNICEF, the United Nations' Children's Fund.

Political turmoil in Somalia - the prime minister was sacked last month and elections due this year will likely be delayed - means it is unclear when parliament might vote on the bill. The Horn of Africa nation is also battling an Islamist insurgency.

Many lawmakers, like legislator and human rights activist Sahra Omar Malin, reject the bill.

"Our constitution is based on Islam. It says the age of maturity is 18, this is the right age for voting or for a girl to marry," she said.

Deputy speaker Abdiweli Mudeey, who presented the bill, did not return calls seeking comment but told lawmakers that it had been reviewed by clerics and "this bill ... is the correct one based on Islam."

Nadifa Hussein, who runs three camps in the capital for families fleeing violence, shelters many abused and abandoned child brides.

"Most women here were married at 13 and are divorced by the time they are 20," Hussein said. "They have no one to feed them."

Among them is Sirad, a shy 16-year-old with two children. Her husband has left, but if he comes back she must welcome him, she said sadly.

"Who else wants me?" she asked, covering her face. "If you are thrown into a well and can't come out, the only option is to try to swim."

SOMALIA sees "massive" rise in FGM during lockdown and Ramadan

By Emma Batha

Thomson Reuters Foundation (18.05.2020) - <https://reut.rs/2LVFgrI> - Somalia's coronavirus lockdown has led to a huge increase in female genital mutilation (FGM), with circumcisers going door to door offering to cut girls stuck at home during the pandemic, a charity said on Monday.

Plan International said the crisis was undermining efforts to eradicate the practice in Somalia, which has the world's highest FGM rate, with about 98% of women having been cut.

"We've seen a massive increase in recent weeks," said Sadia Allin, Plan International's head of mission in Somalia. "We want the government to ensure FGM is included in all COVID responses."

She told the Thomson Reuters Foundation nurses across the country had also reported a surge in requests from parents wanting them to carry out FGM on their daughters while they were off school because of the lockdown.

FGM, which affects 200 million girls and women globally, involves the partial or total removal of the external genitalia. In Somalia the vaginal opening is also often sewn up - a practice called infibulation.

The United Nations Population Fund (UNFPA) has warned that the pandemic could lead to an extra two million girls worldwide being cut in the next decade as the crisis stymies global efforts to end the practice.

Allin said families in Somalia were taking advantage of school closures to carry out FGM so that the girls had time to recover from the ritual, which can take weeks.

The economic downturn caused by coronavirus has also spurred cutters to tout for more business, she said.

"The cutters have been knocking on doors, including mine, asking if there are young girls they can cut. I was so shocked," said Allin, who has two daughters aged five and nine.

She said restrictions on movement during the lockdown were making it harder to raise awareness of the dangers of FGM in communities.

"FGM is one of the most extreme manifestations of violence against girls and women," said Allin, who has been cut herself.

"It's a lifetime torture for girls. The pain continues ... until the girl goes to the grave. It impacts her education, ambition ... everything."

The UNFPA, which estimates 290,000 girls will be cut in Somalia in 2020, said the spike was also linked to Ramadan, which is a traditional time for girls to be cut.

UNFPA Somalia representative Anders Thomsen said the pandemic was shifting world attention and funding away from combatting FGM.

But he said there were also grounds for optimism, pointing to the recent criminalisation of FGM in neighbouring Sudan.

"There are glimmers of hope and we do hope and believe that may rub off on Somalia, which I would call ground zero for FGM," he said.

New data also shows families are beginning to switch to less severe forms of FGM with 46% of 15 to 19-year-olds having been infibulated compared to more than 80% of their mothers.

SOMALIA: Queensland mum convicted over female genital mutilation procedure

By Warren Barnsley

The Sydney Morning Herald (13.02.2019) - <https://goo.gl/VB78Yu> - A Queensland woman has been found guilty of arranging for her two daughters to have their genitals mutilated in Somalia.

The woman, who cannot be named for legal reasons, denied she had taken the girls, then aged 12 and nine, to her birth nation in April 2015 to undergo the procedure.

She was convicted by a Brisbane District Court jury on Wednesday of two counts of removing a child from the state for female genital mutilation (FGM).

The jury deliberated for about 90 minutes before reaching their verdict.

The trial heard the woman, who had undergone a similar procedure as a girl, had her daughters endure FGM a few days after arriving in Somalia.

One of the girls was called inside from playing outside her grandmother's house and had no idea what was about to happen when she had the painful procedure.

She was conscious throughout and it caused pain for days. Her sister was also subjected to the procedure, also with their mother by her side.

"(Their mother) had them in her care for the entire time. She was there when they were mutilated not long after they arrived in Somalia," crown prosecutor Dejana Kovac said.

"She extended the trip to give them time to heal before returning to Australia."

The family returned to their home seven months later. Then the girls' stepsister tipped off child safety services.

The girls told Queensland police about their experiences, leading to the charges against their mother.

Pediatrician Ryan Mills, who examined the girls, told the court the flattening of their clitoral hoods and discolouration of associated skin was "abnormal" and unlikely to be a "natural variation".

"(The abnormalities) could be explained or are consistent with, in medical terms, genital mutilation," he testified.

He said there was no therapeutic reason for the procedure.

Defence barrister Patrick Wilson said key medical evidence could have been interpreted differently by doctors not familiar with the case.

In a police interview, the woman said their trip had been to visit her mother and she'd done "nothing" in relation to a genital mutilation procedure.

Whatever had happened to the girls was "from God", she said.

Asked by Justice Leanne Clare if there was any reason why sentencing should not be passed down, the woman, through an interpreter, said she had cancer and back problems.

She was granted bail and will be sentenced at a later date.

SOMALIA under renewed scrutiny over FGM after two more young girls die

Death of sisters aged 10 and 11 undermines hopes of change inspired by announcement of landmark prosecution

By Kate Hodal

The Guardian (17.09.2018) - <https://bit.ly/2xqSBRC> - Two more girls in Somalia have died after undergoing female genital mutilation, just weeks after a high-profile case prompted the attorney general to announce the first prosecution against the practice in the country's history.

Two sisters, aged 10 and 11, bled to death last week after they were cut in the remote pastoral village of Arawda North in Galdogob district, Puntland, said activist Hawa Aden Mohamed of the Galkayo Centre.

The deaths of Aasiyo and Khadijo Farah Abdi Warsame have come at a time of transition in Somalia, where 98% of all women and girls undergo FGM, the highest rate in the world. Most cases go unreported.

The case of Deeqa Dahir Nuur, 10, who haemorrhaged to death in July after she was operated on by a traditional cutter, prompted Somalia's attorney general Ahmed Ali Dahir to send a team of investigators to her remote village with the aim of prosecuting those involved in her death.

The move was heralded at the time as a "defining moment for Somalia" by Mahdi Mohammed Gulaid, the deputy prime minister, who said: "It is not acceptable that in the 21st century FGM is continuing in Somalia. It should not be part of our culture. It is definitely not part of the Islamic religion."

However, activists in the country say the death of the two sisters proves that the government is not moving quickly enough to prevent further incidents.

"It is shocking that, with the massive publicity of the Deeqa case and subsequent commitment by the Somali government to do more, on the ground change does not yet seem to be happening," said Brendan Wynne of Donor Direct Action, an international

women's group that runs a fund to end FGM. "Girls continue to die from this devastating abuse while we wait for politicians to move."

FGM is technically illegal in Puntland, a semi-autonomous state in north-eastern Somalia, where lawmakers recently approved legislation outlawing the practice.

"Yet there seems to be reluctance in discussing and passing the anti-FGM law in Puntland, which was recently approved by the cabinet," said Mohamed.

"We hope that this will serve as a wake-up call for those responsible to see the need to have the law in place to protect girls from this heinous practice."

Most girls in Somalia undergo the most severe form of circumcision – during which external genitalia are removed or repositioned and the vaginal opening is sewn up, leaving only a small hole through which to pass menstrual blood – between the ages of five and nine. The operation is often performed by untrained midwives or healers using knives, razors or broken glass.

The two girls underwent the surgery on 10 September but bled continuously for 24 hours, said Mohamed. Their mother tried to take them to nearby Bursallah town to seek medical help but the girls died during the journey, according to Mohamed.

Somali-born FGM survivor and campaigner Ifrah Ahmed said the sisters' deaths were "very upsetting" given Puntland's professed interest in outlawing the practice.

"I'm still in shock after Deeqa's death and hearing this [news] is very upsetting, very sad, losing two little girls again to female genital mutilation," said Ahmed.

"Puntland has approved the anti-FGM bill and still young girls are losing their lives. Immediate action needs to be taken by international donors who support Somalia, and by the federal government of Somalia [itself]."

SOMALIA: First prosecution for female genital mutilation

By Emma Batha

Thomson Reuters Foundation (26.07.2018) - <https://tmsnrt.rs/2v4tfy4> - Somalia's Attorney General Ahmed Ali Dahir announced on Wednesday the country's first ever prosecution against female genital mutilation (FGM) following the death of a 10-year-old girl, an adviser to the government said.

Ifrah Ahmed, who advises Somalia on gender issues, said the attorney general was sending a team of investigators to find out more about the death of the girl, Deeqa, who suffered severe bleeding after her mother took her to a traditional cutter.

The announcement was made at a conference on FGM attended by officials, religious leaders and journalists, which was co-hosted in Mogadishu by the Global Media Campaign to End FGM and the Ifrah Foundation.

"We are ready to take it to court," the attorney general was quoted as saying on Twitter by the organisers.

Deeqa's death has prompted campaigners to renew calls for Somalia to pass a law on FGM, which affects 98 percent of women in the east African country - the highest rate in the world, according to U.N. data.

"This is really a defining moment for Somalia," Deputy Prime Minister Mahdi Mohamed Gulaid told the conference organisers in a video posted on Twitter on Thursday.

Somalia's constitution prohibits FGM, but efforts to pass legislation to punish offenders have been stalled by parliamentarians afraid of losing votes.

Ahmed confirmed news of the attorney general's announcement to the Thomson Reuters Foundation by phone from Mogadishu.

"He said they had opened the case in Mogadishu and that they would investigate and deal with the parents," said Ahmed, whose charity, the Ifrah Foundation, campaigns to end FGM in Somalia.

"He told the conference he would bring the family to justice."

Global campaigners against FGM, which affects around 200 million girls and women worldwide, welcomed the news.

"This is massive," said Nimco Ali, a prominent Somali-born British activist.

Somalia does not have a law against FGM, but campaign group 28 Too Many said offenders could still be prosecuted under the country's Penal Code, which makes it a criminal offence to cause hurt to another.

Many girls in Somalia undergo the most extreme form of the ancient ritual in which the external genitalia are removed and the vaginal opening is sewn up.

Deeqa was taken by her mother to a traditional circumciser on July 14 in central Somalia's Galmudug state and died in hospital two days later.

Her father was quoted by international media this week as defending the practice, saying he believed his daughter was "taken by Allah".

Many people believe the ritual is an important part of their tradition and a religious obligation, although it is not mentioned in the Koran.

Organisers said the attorney general had also urged Somalia's religious leaders to use radio and TV to speak out against FGM.

SOUTH AFRICA: Why access to decent toilets could help reduce sexual violence in South Africa

By Andrew Gibbs & Tarylee Reddy

The Conversation (17.09.2020) - <https://bit.ly/2EpiDw> - South Africa has exceedingly high rates of rape of women and girls by non-partners. It's estimated that between 5% and 12% of women may have been raped by a man who is not a romantic partner. This,

however, could be an underestimate. In earlier research, 21% of men reported perpetrating non-partner rape in their lifetime. Rape is a human rights violation. It also has a negative impact on the mental health and social wellbeing of women and girls.

An important but overlooked factor adding to the risk of rape by a non-partner is the issue of toilets.

Studies globally have made the link between the lack of adequate sanitation – particularly open defecation (outdoors) or shared community toilet facilities – and the increased risk of women and girls being raped. This can happen when women and girls walk during the day, and particularly at night, to use toilets. Poor maintenance of shared toilet facilities poses additional risks.

In South Africa, not everyone has a private secure toilet facility. A government survey in 2015 showed that access to private toilet facilities had improved. But a quarter (25.6%) of households only had access to shared toilets. Most shared toilets were within 200 metres of the household. But 6.1% of households reported having to go more than 200 metres to access toilets. Among those who had to use shared toilets, concerns included physical safety, poor lighting, lack of water to flush or wash hands, and poor infrastructure.

These challenges are particularly clear in communities where infrastructure has not kept pace with rapid growth. And it may be that women and girls who do not have private secure toilet facilities are more likely to be raped than those who do have decent facilities. We set out to examine whether this was the case.

Link between toilet type and non-partner rape

Our study was conducted in the South African provinces of KwaZulu-Natal and Gauteng. We looked at four health districts. In each of these four districts we identified communities with particular challenges related to HIV, where community partners work. We conducted a cross-sectional quantitative survey, designed to be representative of young women in these communities. The primary study was for a wider analysis exploring young women's vulnerability to HIV, and we re-purposed the data for our own analysis. Our analysis included 10,635 young women between the ages of 18 and 24, who were asked about their household's access to toilet facilities.

We found that only half of the women in our study had access to their own indoor toilets. A fifth had their own outside toilet (such as a pit latrine), and approximately one third of the women reported that they only had access to shared toilet facilities. In addition, a small proportion (0.6%) reported they had no access to any toilet facilities.

Overall, we found that one in 20 (5.7%) of the young women in our study had been a victim of non-partner sexual violence in the past year. The highest rate of past year non-partner sexual violence was observed in women who only had access to shared toilet facilities (7.2%) and those without any toilets (7.1%), compared to 5.5% and 4.8% in those with their own outdoor and indoor toilets.

After controlling for a variety of factors which may confound the association, including poverty, we observed that women who use shared toilets were at a 45% increased risk of past year non-partner sexual violence compared to those with their own indoor toilets. A similar increase in risk for past year non-partner rape was also seen for those with no toilets (43%), but because of the small numbers reporting this, it was not statistically significant.

Our findings importantly demonstrate that the lack of access to adequate private toilet facilities for young women and girls is increasing their risk of being raped by a non-partner.

Sustainable development goal 6, indicator 6.2, is specific about this: "By 2030, achieve access to adequate and equitable sanitation and hygiene for all and end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations."

As our study showed, despite a growing number of young women and girls having access to sanitation, this is not safe for them.

Preventing non-partner sexual violence

Addressing the significant public health and human rights burden of non-partner rape requires integrating these insights into urban planning, as well as focusing on social transformation. There needs to be continued effort by government and non-governmental organisations to address men's perpetration of rape, including improved policing, and holding men accountable for this.

Our study also highlights that improving access to sanitation facilities which are private and secure must be central to discussions on the prevention of sexual violence. Addressing the abhorrent level of non-partner rape in South Africa requires such a multi-sectoral approach, with those involved in urban upgrading and the provision of water and sanitation working closely with communities.

SOUTH AFRICA: In Pictures | Women protest against gender-based violence

By Barry Christianson

New Frame (06.09.2019) - <https://bit.ly/2kszs5m> - Women's voices reverberated in fury as protesters honoured those who have been raped and murdered in South Africa, and demanded that the government take better action against perpetrators.

HRWF comment: This protest was sparked by the murder of Uyinene Mrwetyana, a student at the University of Cape Town (for more information click [here](#)). The following are statements from women at this protest. Click [here](#) to view their photos.

Khanyisile Welani, 17, from Nyanga East (centre) is a high school student at Rhodes High in Mowbray.

Khanyisile is also the cousin of Uyinene Mrwetyana. "I'm here to protest against women being raped," she says. "I'm also a survivor and I'm here to stand for every woman who never had a word to speak out. I'm here to stand for every four or five-year-old child who isn't capable of standing up for themselves and saying, 'Enough is Enough!' The police are not doing anything. I'm here to stand for Uyinene."

Bonita Barnes from Tafelsig in Mitchells Plain is studying human resources management at the Cape Peninsula University of Technology.

"About a year and a half ago, a neighbour of mine, her daughter passed away," she explains. "She was raped and murdered by the guy who had a crush on her mom. So I felt obligated to be here on her behalf."

Bukiwe Sidini from Langa is studying safety in society at Northlink College in Bellville.

"I'm a woman who's concerned, a woman who does not feel safe anymore in a democratic society," she says. "I decided to come out here as a woman first because we're being violated so much. It needs to stop. It's been happening for years, but we haven't been speaking out and doing so much about it."

"But the time has come now for us to act and react as the youth, as the people that gives these votes to our government. We need to stand up today and we will not be deterred. We will not stop until we see change. We will come tomorrow and the day after. We will come until the government hears us. Until they do something that is tangible. Something we can see. Because currently we're not seeing anything."

"People rape children and at the end of the day, they still come out. Correctional services is not working right now. The rehabilitation process that they have in the justice system is not working. The person who raped Uyinene and killed her already had some other violations, so the justice system is not rehabilitating. So that's why we are here today."

Jonique Pietersen is a student at Stellenbosch University.

"Honestly, I don't want to leave my legacy knowing that I didn't make an impact," she says. "I'm not gonna stay silent anymore. This has been going on for way too long. So I actually went to the statue [of Louis Botha, outside Parliament in Cape Town]. I painted my hand red. That represents our blood that has been shed. I wanted to make my mark on the statue so it can be there and I know that I did something to make a change."

Shanlen Ishmail from Elsies River works at a call centre while studying education part-time.

"I'm here because I want justice for women," she says. "I have two little sisters, one goes to high school. They're definitely vulnerable and I am, too. And not just for my family but for everyone else. It's been going on for a while, we've been silent and it's just been escalating. So we are literally done being silent. It's close to home. We are all vulnerable. It's not happening because of what we wear, where we go ... It's happening any time, it's happening with people close to us. We can't trust anybody. It doesn't matter what we wear, it doesn't matter how old we are. Old people are getting raped, babies are getting raped. It's everywhere."

Abigail Bolisiki from Gugulethu goes to Sans Souci Girls' High School in Newlands.

"The most infuriating thing is that the men who are supposed to be protecting us, according to patriarchy, are the ones that are killing us," she says. "Why do we have to survive and not live? ... Why do we have to fight more than men for our space on this land, whereas men are entitled to their own space and way of living, and it has to always affect us because we are inferior to them? I won't say it has been a success because not all the rapists and perpetrators have been caught. When we fight we die, when we don't fight we die. So we might as well fight and die trying, so we know we did our part."

Robin Jones, 21, works in the film industry.

“What frustrates me is the fact that people are still not taking us seriously as a gender,” she says. “We have to fight to have a voice and, still, people are disregarding it.”

SOUTH SUDAN: UN official welcomes release of women and children abducted by armed group

The expert leading UN efforts to stamp out sexual violence committed during wartime has welcomed the release of 78 women and 50 children by an armed group in South Sudan.

UN News (04.02.2020) - <https://bit.ly/31Mk1i> - They were among more than 500 women and children abducted between April and August 2018 by the pro-Riek Machar Sudan People's Liberation Army in Opposition (SPLA-IO RM) and subjected to repeated rape, sexual slavery and forced marriage.

“This release is an encouraging and long-awaited development, in a context of prevailing insecurity and immense operational, logistical and resource constraints,” said Pramila Patten, Special Representative of the Secretary-General on Sexual Violence in Conflict, in a statement issued on Tuesday.

Release followed months of negotiations

South Sudan, the world's youngest country, has been marred by years of conflict and instability following a political crisis which led to conflict between supporters of President Salvar Kiir and Mr. Machar, his former deputy, in December 2013.

The two leaders were expected to form a unity government last November, in line with a September 2018 peace deal, but the deadline was extended to this month.

Ms. Patten said the release of the abducted women and children followed months of negotiation between Mr. Machar and his local commanders and her Office, the UN Mission in South Sudan (UNMISS), and its Senior Women Protection Adviser.

“When I met with Dr. Machar last year, I expressed my grave concern about the plight of these women and children, many of whom were reportedly subjected to systematic and brutal forms of conflict-related sexual violence”, she said.

“As a result of our discussion, he issued a command order calling for the release of all women and children held against their will and their transfer to the United Nations and its civil society partners. This order was in line with the Unilateral Communiqué on the Prevention of Conflict-Related Sexual Violence, which was signed by the SPLA-IO in 2014 in the framework of my mandate”.

Women and children inspired to come forward

The women and children who were freed had been held for many months in military bases in the Western Equatoria region of South Sudan.

They are currently being supported by the UN and its civil society partners and have been referred for medical and psychosocial support.

Several of the women are pregnant and also have been referred to prenatal healthcare facilities.

Ms. Patten said their release is encouraging other women and children to come forward and seek support.

Her Office will continue to advocate for the release of the remaining abductees being held in Western Equatoria.

TANZANIA: Australian women's rights activist faces charges

Supporters says charges against Zara Kay, who has had her passport confiscated, are 'politically motivated'.

By Daniel Hurst

The Guardian (03.01.2021) - <https://bit.ly/393rFK8> - An Australian ex-Muslim women's rights activist faces "politically motivated" charges in Tanzania, including for a tweet allegedly critical of the country's president, according to her supporters.

The Australian government is providing consular assistance to Zara Kay, 28, the founder of Faithless Hijabi, a group set up two years ago to support women who are ostracised or face violence if they leave or question Islam.

Kay tweeted on 28 December she was "going into the police station because someone reported me in for blasphemy" and a few days later told her supporters she was out on bail but "still quite traumatised from everything".

"Please don't stop fighting for me," she wrote. "They can try shaking me, but they won't break me."

The Australian Department of Foreign Affairs and Trade said on Sunday it was "providing consular assistance to an Australian in Tanzania". But a spokesperson said Dfat would not provide further comment "owing to our privacy obligations".

The case was first reported by the ABC on Sunday.

The International Coalition of Ex-Muslims issued a statement saying Kay had been held in police custody for 32 hours from 28 December "without an initial clear indication of charges" and had her passport confiscated.

It said she would be required to return to the police station in Dar es Salaam, the administrative capital, on Tuesday.

According to the statement, the charges relate to three issues, including "a social media post deemed to be critical of the president of Tanzania" over the handling of Covid-19 in the east African country.

The International Coalition of Ex-Muslims said Kay was also accused of not returning her Tanzanian passport after gaining Australian citizenship, but added that "she never

returned her Tanzanian passport as she misplaced and never used it after gaining Australian citizenship”.

The coalition said the final issue was the use of a mobile sim card registered in a family member’s name rather than her own name, under legislation that the group said “has been used to persecute other high-profile cases”.

“We believe these charges are politically motivated,” the coalition said.

“The International Coalition of Ex-Muslims reiterates its call on the Tanzanian government to immediately drop all the charges against Zara Kay and allow her to leave the country ... We also call on the Australian authorities to intervene and get Zara home to safety.”

Kay, who was raised a Shia Muslim in Tanzania, told the Australian newspaper in 2019 that she had been forced to wear the hijab from the age of eight but took it off when she moved to Australia to study in her late teens.

She has renounced Islam and campaigns to help people who struggle when they similarly leave the faith. Kay has held speaking events in Australia on the topic: “Losing your religion can be hard, and for some, it can be fatal”.

Christians comprise about 61% of Tanzania’s population of 59 million people, while Muslims represent about 35%, according to past estimates, and it does not have blasphemy laws. The Australian newspaper reports that Kay faces sedition charges.

It is understood the types of assistance provided by Australian consular staff can include visiting prisons to monitor welfare, checking with local authorities about the Australian’s wellbeing, and providing contact details for local lawyers.

But consular staff typically notify Australians in trouble overseas that they cannot provide direct legal advice, intervene in legal cases or get Australians out of prison.

TANZANIA: Witchcraft accusations and cataracts: The effects of open-fire cooking in Tanzania

By Rumbi Chakamba

Devex (17.11.2020) - <https://bit.ly/2J7if7l> - Three years ago, 66-year-old Christine Chizimu woke up to find a dead snake in front of her house in Kihumulo village in northwestern Tanzania. Soon afterward, her brothers accused her of being a witch, causing her to believe it was all orchestrated by her family in a bid to run her out of the village and grab her land. But she said many people in the community were quick to believe these accusations because of her appearance.

Chizimu, whose name has been changed to protect her identity, has a full head of gray hair and bloodshot eyes. She said that at the time of the accusations, she could not see properly and would often stumble as she was walking or ask those she was speaking to to move closer so that she could recognize them.

“Many of the children in the village were already afraid of me, and they would say I am a witch and run away from me. When a family member came forward and accused me of witchcraft, many began to believe this as it was coming from within my family,” she said.

Though activists for the rights of older adults have largely succeeded in educating communities that symptoms — such as bloodshot eyes — are caused by smoke from cooking and not a sign that someone is a witch, emerging research has shown that the negative effects of smoke on the eyes may go beyond these traditional beliefs.

Household air pollution has been identified as a risk factor for cataracts, the number one cause of blindness in low- and middle-income countries. Experts have called for improved access to modern energy cooking services to counter this and meet the clean-cooking target under Sustainable Development Goal 7.

Witchcraft in Tanzania

Although both witchcraft and accusing someone of practicing witchcraft are illegal in Tanzania, a Pew Research Center poll conducted in 2010 showed that more than 90% of Christians and Muslims, who make up nearly 97% of the population, believe in witchcraft.

According to HelpAge Tanzania, older women like Chizimu are often the targets of witchcraft accusations. Such accusations can lead to abuse from their families and community members and, in some cases, murder. In 2013, 765 older people were reported to have been murdered as a result of witchcraft accusations; two-thirds of these were women.

Joseph Mbasha, program manager at HelpAge Tanzania, said that most of these issues arose from perceptions and little understanding. In some areas, women were considered to be witches if they had bloodshot eyes, despite the fact that they spend a lot of time cooking using firewood or cow dung, which affects the eyes.

In response, the NGO, along with other civil society organizations and the government, initiated national awareness and sensitization training sessions with community members in various groups. Between 2014 and 2018, HelpAge Tanzania trained over 160,000 people in its project catchment area in the Lake Zone regions of Shinyanga, Mwanza, Simiyu, and Geita.

“The situation has really calmed down. It has almost normalized. We are now receiving very few cases of witchcraft killings. For the last year overall countrywide, we had 11 cases that were reported. In the previous year, we had 29, and the year before was 56, so it is really lowering down,” Mbasha said.

Possible links to cataracts

When accusations were leveled against Chizimu, she approached Kwa Wazee, a local NGO that focuses on the rights of older adults. It assisted her in reporting the case to the community leader, who intervened on her behalf.

Last year, the organization also referred Chizimu to a mobile eye screening clinic, where she was found to have cataracts in both her eyes. She has since had cataract removal surgery on her left eye, with a recommendation to also have the procedure for her right eye.

According to Edimund Revelian, program officer at Kwa Wazee, many of the women that the organization has assisted with witchcraft accusations and other problems have also needed cataract removal surgery.

“Most of them had cataracts. And normally when they go to the hospital, they are advised not to stay in a place with a lot of smoke, as this can affect their eyesight,” he said.

A 2013 research paper found strong evidence to suggest that there is an association between solid household fuel use and cataracts in LMICs. Researchers concluded that “given the high burden associated with these conditions, the widespread use of solid fuels for cooking, and the plausibility of associations, appropriate investigations are needed.”

A separate study that compared self-reported eye and respiratory symptoms among women who used wood as fuel with those who used natural gas in southern Pakistan also found that overall eye and respiratory symptoms were significantly associated with wood use in this setting.

The cost of household air pollution

A report from the World Bank estimated that 4 billion people — around 50% of the world’s population — still lack access to clean, efficient, convenient, safe, reliable, and affordable cooking energy. In sub-Saharan Africa, the rate of access to modern energy cooking services, or MECS, stands at only 10%.

Writing to Devex, a spokesperson for the World Bank said that “women bear a disproportionate share of the negative health risks from household air pollution, as well as the time poverty associated with traditional household cooking, leading to opportunity costs,” because in most lower-income countries, women like Chizimu have the primary responsibility for household cooking and rely on polluting stoves and fuels.

Though it is difficult to determine the direct cost of the negative effects of household air pollution on the eyes, the bank’s report estimated that failure to meet the clean cooking target under SDG 7 would cost the world \$2.4 trillion per year through the negative impacts for health, gender, and climate. The health impact alone was estimated to be \$1.4 trillion per year.

Finding solutions

To counter this, the World Bank spokesperson noted that there is a need to improve the overall cooking energy ecosystem by adopting several priority actions. These include creating high-profile coalitions to prioritize access to MECS in global and national arenas, ensuring that cooking energy is incorporated into national energy plans and development strategies, and dramatically scaling up financing.

“Progress toward universal access to MECS has been hindered by a lack of interventions and solutions that are fully responsive to the underlying needs of lower-income and rural households. In many countries, this situation is driven by a combination of higher up-front capital costs, low household awareness, and low availability of fuels, owing, in part, to underdeveloped infrastructure,” the spokesperson said.

In response to these challenges, SNV Tanzania has introduced an affordable solution to clean cooking. In 2013, the nonprofit development organization introduced affordable improved cooking stoves to the market through a project supported by the Energising Development program.

Hassan Bussiga, project manager at SNV Tanzania, said that through the project, training has been provided to over 100 people across 10 regions and 36 districts in Tanzania to produce improved cooking stoves known as matawi. Available in ceramic and metal

versions, the stoves are dual fuel, able to use charcoal and firewood. Their prices range from roughly \$2 to \$12, depending on the size and material used, Bussiga said.

"They have been designed to ensure that they are using very little firewood and charcoal, and the rate of emission is also reduced significantly. ... We also encourage users to use dry firewood, as it produces less emissions," he added.

Though Chizimu has not been able to purchase a clean cooking solution, she said she too has started to use dry firewood for her cooking, as she was advised that it produces less smoke and will cause less damage to her eyes.

TANZANIA: World Bank: Tanzania loan should promote all girls' education

New Q&A on discrimination against pregnant students, young mothers.

HRW (24.04.2020) - <https://bit.ly/2Sd8WUM> - The World Bank should work with the Tanzanian government to ensure that all pregnant girls and adolescent mothers can attend public schools, Human Rights Watch said in a question and answer document released today. The World Bank should not disburse the initial tranches of an education 19901990 loan to Tanzania planned for 2021 until the government guarantees equal access to free and compulsory primary education and equal access to secondary education for all girls.

On March 31, 2020, the World Bank's Board of Executive Directors approved a US\$500 million loan to Tanzania for its secondary education program. In doing so, the World Bank ignored a government policy, supported by President John Magufuli, which prevents pregnant students and adolescent mothers from attending the country's regular public schools. The World Bank has issued inaccurate information that dismisses the existence of this policy and disregarded the findings of nongovernmental groups that have documented the harm it causes.

"The World Bank, Tanzania's largest multilateral donor, is in a great position to help ensure that every girl in Tanzania gets education without discrimination," said Agnes Odhiambo, senior women's rights researcher at Human Rights Watch. "The World Bank should ensure that its investments improve, not undermine, the human rights of all Tanzanian girls."

In approving the loan, the World Bank did not address the concerns about the ban, leaving questions about its commitment to work to end this policy, Human Rights Watch said.

On April 6, Tanzania's Ministry of Education, Science, and Technology issued a statement about the World Bank loan and said that its Secondary Education Quality Improvement Program (SEQUIP) would be carried out "without discrimination and shall include girls who drop out of school for various reasons, including pregnancy." However, the ministry did not state that pregnant girls could return to regular public schools.

SEQUIP allows girls to study in so-called "alternative education pathways," or parallel education centers, which the World Bank has characterized as a viable secondary school alternative. But the program faces challenges around low quality of education and access even for those who were trying get into them and is fee-based.

The Tanzania government should immediately end the school ban. President Magufuli should publicly retract his destructive comments against allowing pregnant girls to stay in school and direct his government to adopt a human rights-compliant policy to support all pregnant girls to go to school.

The World Bank should ensure that pregnant girls and adolescent mothers are not forced to choose a parallel, inferior education system. They should ensure that every girl is included in the formal education system. Girls should have the option to attend public primary and secondary schools or alternative learning pathways such as SEQUIP, if they choose, when they have been out of school for long periods.

"By approving this loan, the World Bank has endorsed inadequate measures, such as inferior parallel education options, that discriminate against girls and support abusive government policies," Odhiambo said. "The World Bank should examine the evidence and listen to the many voices saying that while it is important to expand secondary education in Tanzania, it should not be at the expense of girls' futures."

ZIMBABWE makes it illegal for schools to expel pregnant girls

Women's rights campaigners say new law will help ensure girls have equal rights to an education.

By Farai Shawn Matiashe

Thomson Reuters Foundation (25.08.2020) - <https://tmsnrt.rs/3hNqYhN> - Zimbabwe has made it illegal for schools to expel pupils who get pregnant, a measure women's rights campaigners said would help tackle gender inequality in the classroom and stop many girls from dropping out of school.

A legal amendment announced last week seeks to reinforce a 1999 guideline that was patchily implemented, and comes as school closures due to coronavirus raise fears of a rise in sexual abuse and unwanted pregnancies.

Many parents of pregnant girls, or the girls themselves, decide to quit schooling due to the pregnancy, and schools do not always do enough to encourage them to stay, officials say.

"I'm expecting every parent and guardian and everyone else to understand that every child must be assisted by all of us to go to school," Cain Mathema, the education minister in charge of schools, told the Thomson Reuters Foundation on Monday.

"Every child whether boy or girl... has a right to go to school in Zimbabwe," he said.

In 2018, 12.5% of the country's roughly 57,500 school dropouts stopped attending classes due to pregnancy or marriage reasons - almost all of them girls, according to Education Ministry statistics.

Priscilla Misihairwabwi-Mushonga, an opposition lawmaker who chairs a parliamentary education committee, said making the previous guidelines into a law with possible sanctions would make the rules more effective and address gender disparities.

"In circumstances where the pregnancy was a result of kids of the same age, the boy would not be necessarily expelled from school," she said.

"It was also a double tragedy for the girl... as in most circumstances, it was not a consensual sex but some sort of abuse by some predator older than her. So, she has been traumatised and raped then she is further traumatised by being kicked out of school."

Nyaradzo Mashayamombe, founding director of advocacy group Tag a Life International and leader of a consortium of organizations that pushed for the law, said she feared lockdown measures may have caused a spike in unwanted teen pregnancies.

"We are in a dangerous time where children have been out of school for a long time. Most of them are not even attending radio and television lessons," she said, calling for the government to ensure the new law is enforced.

Pregnancy is just one of the reasons that girls in Zimbabwe could fail to return to classes after coronavirus restrictions are lifted, said Sibusisiwe Ndlovu, communications specialist at Plan International Zimbabwe.

Poverty and early marriage will also stop some from resuming their studies, she said, welcoming the new legislation as a step in the right direction.

"This amendment is crucial in fulfilling the access to education right for all children – especially girls," Ndlovu said.

However, campaigners in the southern African country say girls will still need extra support to continue with their studies even if they keep attending classes while pregnant.

"Social support and financial resources are required for girls to fully utilise this window of opportunity," said Faith Nkala, national director of education nonprofit CAMFED Zimbabwe.

"Especially girls from marginalised families, who will need the additional support to remain in school, and to come back after giving birth."
