

GENDER POLICIES REVIEW IN RELATION TO WASH IN BURKINA FASO, GHANA AND NIGER

EXECUTIVE SUMMARY

The USAID West Africa Water Supply, Sanitation and Hygiene (USAID WA-WASH) Program developed a gender in WASH strategy for the Program based on three objectives: (1) improve women's and girls' access to secure and sustainable WASH services; (2) increase understanding and promote gender sensitive WASH policies, institutions and social norms; and (3) actively promote gender sensitive control over WASH services. In relation to this activity, CARE USAID WA-WASH implementing partner conducted a gender policies review that seeks to understand the institutional context in Burkina Faso, Ghana, and Niger.

Women in Niger constitute the greater part of the poor in the population. This poverty has a direct impact on their health and their ability to meet their needs and those of their families. According to the United Nations Population Fund (UNFPA), life expectancy at birth for women is 50.1 years in Niger. Access to health care, especially reproductive health services, is a challenge for women. In addition to difficulties with their physical and mental health, women in Niger have low education levels (25.6% of girls attend primary schools against 30.4% of boys) and literacy levels of 10.6% on average as compared to 30.4% among men. Women literacy level in rural areas is less than 5%. Consequently, the presence of women in decision-making bodies and in political participation is very limited. The country's commitment to improve the rights of women is embedded in the adoption of international and regional conventions and national policies. Internationally, the government of Niger ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1999. At the national level, the government adopted a National Policy for the Advancement of Women in 1996. It also developed, in 2006, a number of strategies such as the Accelerated Development Strategy and Poverty Reduction Plan which recognizes gender inclusion in policies to reduce poverty inequalities between the poor and the non-poor, men and women, boys and girls, between regions and between rural and urban areas. The National Gender Policy was developed in 2008 and was implemented through several institutions and bodies such as the Ministry of Women Empowerment and Child Protection, the National Commission of Promotion of Women; and gender focal points in various ministries and other public institutions. Other national legal instruments that promote gender equity include: (1) the Article 8 of the 1999 constitution that underscores the principle of equality and equity between men and women; (2) the revised Penal Code that provides for penalties against female genital mutilation, sexual harassment, and early marriages; (3) the 1993 Ordinance on the guiding principles of the Rural Code that support access to land by women; and (4) the 2001 decree that stipulates the implementation of the quota law.

In Burkina Faso, the situation of women is a source of concern particularly in access to land, access to credit, access to paid employment, and the development of human resources. The Accelerated Growth Strategy for Sustainable Development highlights inequalities such as the division of labor by sex, where women have more workload compared to men. This negatively impacts the health of women, their productivity, and the reinvestment in human capital. The cultural and religious context in Burkina Faso influences access and control of resources, basic services, social activities, and participation in decision-making spheres in favor of men. Internationally, Burkina Faso endorsed the policy recommendations of the 1995 4th World Conference on Women in Beijing. In these recommendations, the country prioritized critical areas in relation to gender including poverty, education, health, human rights, institutional mechanisms for the advancement of women, gender based violence, women in decision-making, environment, and media. This commitment by the government of Burkina Faso was formalized through the creation of the Ministry of Women Empowerment. In addition, many policies have been developed to enable the country's sustainable development and promotion of gender equity.

The Strategic Framework for the Fight against Poverty addresses issues related to gender as a cross-cutting priority in all the development policies and programs through actions such as the improved equitable access and control to basic social services by men and women, the promotion of equal rights and opportunities for women and men in terms of access to and control of resources and equitable sharing of revenues, the improvement of equal access for men and women to decision making spheres, and promotion of the institutionalization of gender through integration into the planning, budgeting, and implementation of policies at all levels. Other Burkina Faso national instruments that support gender inclusion are: (1) the constitution of June 1991; (2) the ratification of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1984; (3) the national commission to fight discrimination against women established in 1998; (4) the 1998 law on employment in the public service that does not discriminate based on sex; (5) the 1992 Labor Code; (6) the creation of the Ministry of Promotion of Women in 1997; (7) the 2009 Rural Land Law; (7) and the 2009 Gender Quota Act

Ghana is among the countries in West Africa that have markedly improved their economic development. According to the World Bank (2008), Ghana ranked among the best performing economies in Africa. The country context related to gender and poverty shows that gender disparities persist despite the economic development. At the international level, Ghana signed the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1986. The country also ratified the Convention on the Nationality of Married Women and the Convention of political rights of Women. At the national level, the Poverty Reduction Strategy Paper (PRSP) recognizes women as a social group, reflects the specific needs of women in several sectors (health, education, petty trade), and identifies access to resources (loans) as crucial for women. However, the PRSP has inadequacies in relation to gender. They include lack of gender analysis in the poverty dimensions, lack of a gender mainstreaming approach while addressing the needs of women, and lack of a linkage to macro-economics in relation to access to loans. Other national instruments that promote gender equity are the National Gender Policy and the creation of the Ministry of Women Affairs and Children that has two departments namely the National Council on Women and Development and the Ghana National Commission on Children. The Ministry of Women Affairs and Children has undertaken a number of projects and programs to promote the rights and protection of women and children and to integrate gender and children's concerns in all sectors and departments at national, regional and local levels. In addition, there are development programs which focus on women, such as the Enhancing Opportunities for Women in Development Program and the small loans/ grants for women.

The three countries have signed various international and national laws and conventions that support the rights of women and girls. The constitutions of these countries acknowledge the rights to access services and resources for men and women. The countries have also ratified quota laws that reserve electoral positions for women and in representational boards. A regional gender policy was developed and signed by the three countries. The policy emphasizes the complementary roles of men and women in the development process. There are many national gender laws, policies, and strategies applied in the WASH sector indicating the key reforms the WASH sector has undergone especially in relation to water supply. The key principle highlighted by the policies is the right to equal access by men and women to water and sanitation services. National water policies in these countries stress the essential role of women in development and conservation of water resources. However, the legislations do not address the issue of gender and the role of women in the management of water resources despite the key role women play in the water sector. Similarly, the collaboration between the ministries of gender and the ministries of water and sanitation is minimal. In Ghana, there is a law that stipulates 40% composition of women members in water and sanitation committees in addition to gender desk officers at districts level that integrate gender in implementation of activities at the community level.

Other international policies and strategies that integrate gender in the WASH sector include the Integrated Water Resources Management (IWRM) and its principle number three that states that women should play a key role in the provision, management and conservation of water, Article 24 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) requires party states to take "all appropriate measures" to ensure women's enjoy decent living conditions, in relation to housing, sanitation and water supply; and the African Charter on Human and Peoples' Rights Protocol that commits African states to "take the necessary measures to ensure women's access to safe drinking water.

The full report is available (in French) upon request via our website. For more details about our program activities and other reports please visit <http://wawash.fiu.edu/>.

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