



Policy Advocacy Toolkit

How to Influence Public
Policy for Social Justice
and Gender Equality in
Africa



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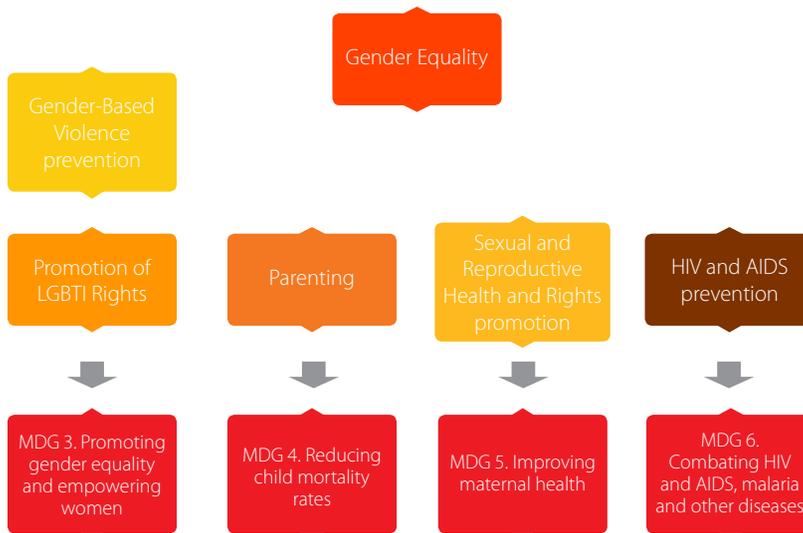
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Introduction |

Introduction

This policy advocacy toolkit was developed to assist African civil society organisations to effectively contribute to the development and implementation of public policy for social justice and gender equality or to challenge proposed laws and policies that undermine gender equality and human rights. It outlines policy advocacy strategies that can be used to influence policy processes, especially those that are counter to the principles of democracy, gender equality and human rights. This toolkit provides definitions of advocacy and policy advocacy; identifies key players in the production of policy; provides a step-by-step guide on how to successfully advocate, including examples of advocacy strategies that can be used, as well as a detailed case study example; discusses the use of the MenEngage Africa policy report series and policy advocacy work with regional economic communities; and provides a list of resources, including their web addresses. It targets organisations that work with men and boys for gender equality and the empowerment of women and girls. Furthermore, it is designed for use within an African context but may be amended to suit any country's social, political and economic conditions. It is hoped that this toolkit will be particularly useful for MenEngage Africa partners who are committed to the task of creating gender equal societies on the continent.

In addition, this toolkit can be used to support advocacy on a variety of topics. The resources provided within this toolkit specifically address issues related to the achievement of gender equality; the prevention of HIV and AIDS and gender-based violence; the promotion of sexual and reproductive health and rights; as well as involved parenting and the rights of lesbian, gay, bisexual transgender and intersex (LGBTI) people. All of these areas link to the Millennium Development Goals and more specifically to: MDG 3. 'Promoting gender equality and empowering women'; MDG 4. 'Reducing child mortality rates'; MDG 5. 'Improving maternal health'; and MDG 6. 'Combating HIV and AIDS, malaria and other diseases',⁴ as well as to commitments made within the Maputo and Abuja Declarations and the SADC Gender Protocol.



⁴Where this document refers to policies, it should be understood that this refers broadly to policies, laws, frameworks, guidelines and plans.

MenEngage Africa

MenEngage Africa is part of the Global MenEngage Alliance of nongovernmental organisations and United Nations (UN) agencies that work to engage men and boys to achieve gender equality. The official name of the Alliance is “MenEngage.” The official tagline of the Alliance is “Working with Boys and Men for Gender Equality.” The official name of the African regional network of the Alliance is the “MenEngage Africa Network.”

MenEngage Africa was formed in 2006 with the goal of working in partnership to promote the engagement of men and boys in achieving gender equality, preventing HIV, promoting human rights and reducing violence at all levels across the continent, including questioning the structural barriers to gender inequalities. This African regional network has both a regional steering committee and country networks.

MenEngage Africa country networks bring together partner organisations working on gender-based violence (GBV), sexual abuse and sexual exploitation, women’s rights, youth and child rights and abuse, masculinities, HIV, fatherhood, sexual and reproductive health and rights (SRHR), maternal health, refugee and migrant rights, and other issues. They aim to undertake joint programming, research, and policy and advocacy activities. MenEngage country networks strive to have strong working relations with the local and national government, UN country offices, the women’s and youth movements (who generally form part of the network), non-governmental agencies and grassroots organisations.



Hon. Cecily Mbabire, Chairperson Kenya Women’s Parliamentary Association, at the launch of the MenEngage Africa Policy Report for Kenya on engaging men in HIV and GBV prevention, SRHR promotion and parenting.

What is Policy Advocacy?

What is advocacy?

What is policy advocacy?

Why use policy advocacy?

**Working with men and boys in the
area of policy advocacy**

What is Policy Advocacy?

What is advocacy?

To advocate (verb):

To speak, plead or argue in favour of; to support or urge by argument; to recommend publically.

Advocate (noun):

A person that promotes/ supports the interests of a group or individual.

Before defining policy advocacy, it is necessary to look at the concept of **advocacy**. The term 'advocacy' is often used as if people share a common understanding of it. In reality, there are many definitions of advocacy and much debate exists regarding which one is most appropriate to make use of. Simply put, advocacy is **the act or process of pleading or arguing in favour of a cause, idea, group or policy**. It includes multifaceted and multileveled strategies that can be taken to bring about/ elicit societal or broad change. It is about influencing people, policies, practices, structures and systems in order to bring about such change. It can include work that focuses on one specific issue, campaigns that span a specific period of time or ongoing work that addresses a range of issues.

Advocacy can be conducted at international, national, regional or local levels. In most cases, effective policy advocacy works through what can be defined as **advocacy networks or alliances**. These are **groups of organisations and individuals working together to achieve changes in policy, positions or programming**. It is generally accepted that the mission of advocacy is to create a society that is fair and just, where the needs and interests of marginalised individuals or groups are represented and addressed.

What is policy advocacy?

Policy advocacy is a specific type or form of advocacy, of which there are many. It is **the process of taking action, using a series of strategies, to influence the creation and development of public policy**. It makes use of multiple targeted actions directed at changing policies, positions or programmes. Specifically, policy advocacy seeks to:

- Establish new policies;
- Improve on existing policies and/or;
- Challenge pieces of legislation that impact negatively on particular individuals or groups:

Policy advocacy looks specifically at **public policy**, which is **a set of laws (or other types of legislation) taken by government, or other governing bodies that have a local, national, regional or international reach**. Its development involves a system of courses of action (or inaction), regulatory measures, legislative acts, judicial decisions and funding priorities concerning a particular issue. In summary, policy advocacy is directed at shaping public policy.

Why use policy advocacy?

There are numerous reasons why policy advocacy is an effective way to bring about change in society. For a start, laws and policies are implemented across large jurisdictions and therefore affect large numbers of people, sometimes the populations of entire countries or regions. Policy advocacy targets **policy and decision makers; the people who are mandated**

to develop, implement and evaluate policy. By alerting them to policy gaps and shortfalls, organisations are able to influence the content of policies, which in turn allows for shifts to take place around social norms and practices.

In addition to this, policy advocacy:

- Takes the work we do to scale - meaning that it has the ability to reach large numbers of people;
- Gives people leverage to demand their rights because they are protected by law;
- Commits government to implementing the strategies contained in policy or legislation, to fund and support civil society, and adopt best practices as developed by civil society.

Working with men and boys in the area of policy advocacy

Policies affect lives and determine the opportunities and resources men and women can enjoy. For example, they establish people's property rights, their access to health services, and even who they can or cannot marry. Additionally, it is one of the collective forces that defines and sustains gender norms. With specific reference to working with men and boys, policy interventions have been shown to bring about positive changes to men's gender-related attitudes and behaviours. Policy initiatives have the potential to lead to larger-scale changes in men's behaviours and attitudes relating to gender and health and to challenge social norms and institutional cultures that continue to perpetuate inequalities and violence.ⁱⁱ In order to achieve this and be most effective, policies should be *gender transformative*ⁱⁱⁱ and *gender synchronised*^{iv} so as to ensure they do not reinforce negative societal values and norms.^v It is nevertheless important to remember that policies and laws alone cannot effect long-term and sustained change. While they are an integral first step, they must be followed up by effective implementation.



Bafana Khumalo, Sonke's Senior Programmes Specialist, with Jody Williams, a Nobel Peace Prize Laureate, at a CSW panel discussion on Men, Boys and Gender Equality convened by Sonke together with the Norwegian and South African governments and the Nobel Women's Initiative.

The Four Spheres of Influence: Who is involved in policy advocacy?

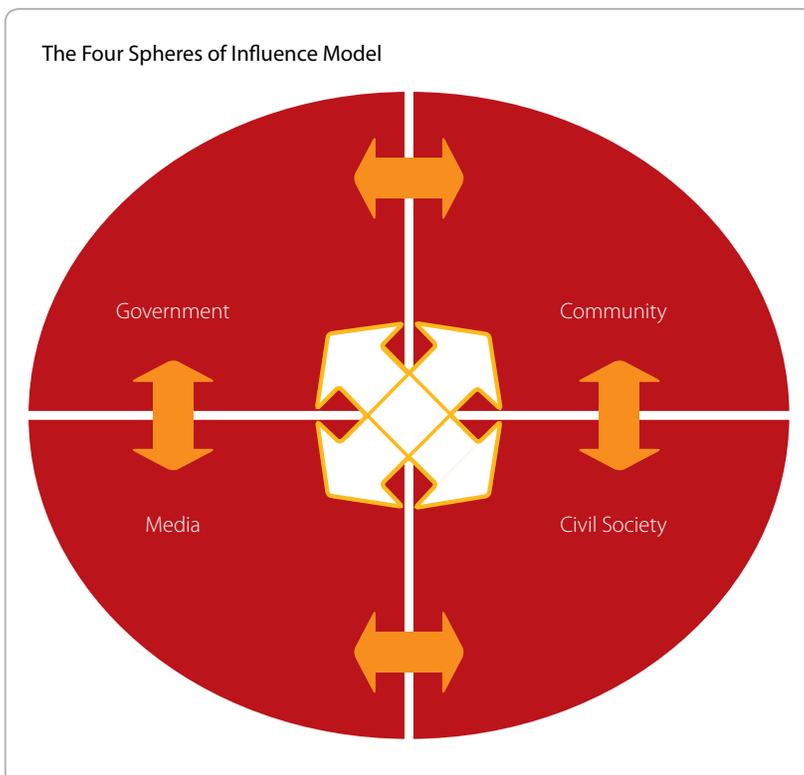
**Identifying the Four Spheres of
Influence**

The Four Spheres of Influence: Who is involved in policy advocacy?

Policy advocacy is multi-levelled in its approach to shifting policy for social justice. To be effective, organisations will need to engage with people and institutions that are key to the development of legislation. These may include, but are not limited to:

- Government;
- Civil society;
- the Media; and
- Affected communities.

The development of public policy is informed by each of these spheres. For example, government should not pass legislation which civil society has identified as anti-democratic or which infringes on human rights. Therefore, although these spheres are often seen as separate entities, in reality, they are interrelated and mutually reinforcing. Any policy advocacy initiative must be prepared to engage with each of these spheres in order to make an impact and yield a positive policy outcome.



Identifying the Four Spheres of Influence

Who is government?

Government is not a homogeneous (uniform) or static entity but is instead multifaceted and fluid. Certain government departments, at certain times, may be hostile towards civil society and reluctant to engage. However, different departments, or different government representatives, may welcome and appreciate such engagement. Government departments may also be more, or less, amenable to civil society engagement at different points in time. When doing policy advocacy, it is very important to understand how government operates and particularly, who to engage concerning a particular public policy. This allows one to target the relevant ministries and departments, identify parliamentary processes and/or use the court system (such as municipal or high courts) as and when is necessary. Some government officials welcome external pressure and appreciate the space it opens up for them while others resist it determinedly. The task is to build relationships that allow for an understanding of how to operate in this fluid environment.

Who is 'the community'?

As the aim of policy advocacy is to extend human rights and/or bring about social justice for an affected group, it is important that organisations identify exactly who will be affected (or left out) of a particular policy proposal. In some cases the affected community can comprise of a group residing in a particular geographical area, or of marginalised persons belonging to, for example, LGBTI, women, people of colour, disabled people, refugees or migrants, children and youth or impoverished communities. Throughout the policy advocacy process, the community must be consulted so as to capture their views and experiences, as well as the outcomes they desire from a policy advocacy initiative.

Who is the media?

The media comprises of traditional media sources, such as print, film, radio and non-traditional media sources, such as the World Wide Web (internet), and social media. These media sources are communication 'mediums' used to communicate messages to society at large. Print media comprises of national and local newspapers, magazines, newsletters and other publications. Film messages are mostly delivered through television, although the radio tends to be a more popular communication tool given that radios are cheaper and more accessible than televisions or the internet. However, with the proliferation of smart phones, the use of the internet, and specifically social networks like *Facebook* and *Twitter*, has become a highly impactful communication tool, especially in situations of conflict where the state has control over mainstream media such as radio and television. Effective policy advocacy campaigns must engage with these various media in order to reach a wider audience and alert society to a particular problem or cause.

Who is civil society?

Civil society is distinct from government and the private sector. However, as one of its advocacy strategies, civil society does work with institutions and government to bring about social change. Civil society organisations include non-governmental organisations (NGOs); non-profit organisation (NPOs); community-based organisations (CBOs) and a host of other civil society groups that are founded outside of government. Civil society organisations are often seen as 'the voice of the people' thereby acting in the interests of marginalised individuals or groups. Through their efforts, civil society can:

- Lobby (attempt to influence) government to adopt or amend laws and policies;
- Provide input on laws and policies through research and data collected through service provision, consultation with communities and other means;
- Hold governments accountable for failing to comply with their legal duties;
- Assist government to implement laws and policies;
- Present the needs and concerns of marginalised groups of people to government and broader society.



Dean Peacock, Sonke's Executive Director, presenting at a side event at the UN's 57th Commission on the Status of Women.

7 Steps to Effective Policy Advocacy

7 Steps to Effective Policy Advocacy

Although these steps are presented sequentially, in most cases, some of these processes occur simultaneously. In addition, organisations may need to revisit particular steps, while others are ongoing in nature. Therefore, this step-by-step guide is an outline that may be consulted when conducting or planning policy advocacy strategies. Also keep in mind that continual work should take place to monitor the implementation of laws and policies.

Step 1

Identify the problem

Start by identifying the problem or issue at hand. It may emerge that the problem lies with policy. In order to identify what the problems or issues are, advocates should:

- *Conduct formative research*: this includes doing a policy scan or analysis which involves reading the policy, critiquing it and identifying gaps;
- *Understand the accountability landscape*: which organisations are working on similar issues and what national, regional or global accountability architecture exists, such as national human rights institutions, regional bodies, UN special rapporteurs, the Universal Periodic Review etc.
- *Carry out community consultation*: engage with the affected community to see if you have left out anything in your analysis of the policy and to gain a better understanding of their experiences. Community consultation should be an ongoing process;
- *Strategise*: your organisation needs to determine the course of action that it will take based on the formative research, accountability landscape and community consultation.



Step 2

Assess organisation priorities, resources and risks

Once you have identified an issue, you must determine whether or not your organisation has the financial and human resources needed to carry out policy advocacy. It is also necessary to determine if there are any risks to your organisation that would result from engaging in policy advocacy.



Step 3

Engage the community

Mobilise the community so that they become active citizens. This may include:

- Conducting training sessions;
- Carrying out rights literacy initiatives and awareness raising campaigns, which could include the distribution of materials such as pamphlets, booklets or manuals providing relevant information;
- Mobilising the community for any direct action activities such as pickets, protests or marches that may be necessary.



Step 4

Engage civil society

Build advocacy networks and alliances with relevant civil society organisations. You need to identify relevant partners who have an interest in the issue or who can contribute expertise or resources to the policy advocacy activities. You can either join existing coalitions who do, or plan to, conduct policy advocacy to address the issue; or you can form a new alliance. It is important to identify the roles and responsibilities of those within the alliance structure to avoid conflict and to ensure that the alliance operates effectively and optimally. Make sure you partner with organisations, or people, who share your stance and views, who are committed to the alliance's objectives and to fulfilling their roles and duties in the alliance. However, be aware of the 3 Bs:

- BE aware of the pitfalls of alliance building: reaching a consensus within a large group can sometimes be difficult and time consuming. You may have to take on more responsibility than you had originally envisaged;
- BE conscious of the power you may have in an alliance. Ensure you do not abuse this power;
- BE humble, learn to listen and do not impose your views or priorities on others.



Step 5

Engage government

Policy advocacy usually seeks to engage various sectors of the government which include public servants, policy makers, elected officials and legislators as well as ministers. Organisations must build relationships with key government personnel such as policy makers and policy implementing staff. In building these relationships, organisations should engage with officials by making recommendations (submissions) to parliament or state departments tasked with conducting research on a particular issue or area of law or policy in order to develop a new law, or to amend an existing law or policy. The recommendations must be justified with reasons. You should also participate, as far as the public is allowed, in observing parliamentary processes relevant to the statute or policy issue. Furthermore, be aware of who is an ally, opponent or who is indifferent to your position so that you can devise targeted strategies to engage with them on different levels and to influence them to support your position.



Step 6

Engage the media

The media can be used as a resource to advance policy advocacy, to gain community support and influence policy-makers. Your organisation should identify which media sources to approach in order to deliver key messages to the public. This can include the writing of articles and press releases for the print media; using social media to write organisational opinion pieces; or using the radio or television for interviews or debates, which can facilitate public dialogue on the issue.

Try to involve community members where possible.



Step 7

Measure the effects (monitor, evaluate and hold accountable)

Throughout the policy advocacy process, you must be aware of the impact of your activities on people on the ground as well as at the highest levels of government. By doing so, you will be able to identify the areas that require more targeted efforts, new strategies altogether or those who need to be held accountable. For example, if not enough people are aware of an issue, you may need to increase media coverage to reach a wider audience, or you may need to strengthen your support base by inviting more civil society organisations to join your cause. You may even consider instituting legal proceedings against the government through a court of law if your policy advocacy activities are unsuccessful and the policy is, for example, violating the fundamental human rights of a marginalised group of people. Also make sure to monitor the implementation of policies and laws. Without effective implementation, the best policies and laws in the world will be meaningless.

Worksheet Guide for Organisations

As an added tool, this worksheet can be consulted as you devise your policy advocacy initiatives.

STEPS YOU CAN TAKE	QUESTIONS TO ASK YOURSELF	YOUR NOTES
Identify the problem	<ul style="list-style-type: none"> • What is the issue you are trying to highlight? • What research can be collected to be used as evidence? • How does the research reveal a policy gap or area that needs to be amended or removed? • What are the key steps in developing and supporting policy implementation? 	
Assess organisation priorities, resources and risks	<ul style="list-style-type: none"> • Are you considering any activities that could pose risks of violence or other forms of harm? • Have you identified unacceptable risks in advance? • Does your organisation have the time and resources to drive the policy advocacy initiative? 	
Engage community	<ul style="list-style-type: none"> • What are the community's needs and concerns? • How can they be assisted to articulate these needs and concerns and/or mobilise effectively? 	
Engage civil society	<ul style="list-style-type: none"> • Which organisations have the same views and are willing to partner? • What expertise or resources can other organisations provide that can strengthen the policy advocacy? • How will roles and responsibilities be shared and divided? 	
Engage government	<ul style="list-style-type: none"> • Which government departments, institutions or policy makers support or oppose the policy? • Which ministries or departments are affected by the policy? • Which relationships need to be developed? • What existing relationships can be utilised or strengthened? 	
Engage the media	<ul style="list-style-type: none"> • What message are you trying to send? • Who is your target audience? • What is the best media source, or combination of sources, to use to promote your messaging? 	
Measure effects (monitor, evaluate and hold accountable)	<ul style="list-style-type: none"> • Has there been an impact at grassroots and government levels? Is implementation taking place? • In what ways can your policy advocacy strategy be improved? • Gather evidence to hold government accountable, if implementation is poor and commitments are not being met. 	

Examples of Advocacy Strategies

Examples of Advocacy Strategies

This section of the policy advocacy toolkit provides some examples of effective advocacy strategies. It does not cover every advocacy initiative that can be used and is more of a guideline. Be sure to click on the hyperlinks (which are underlined) as these provide more detailed examples and information. Full website citations can be found in the section 'Resources Cited'

Advocacy strategies		
Strategy	Example	Financial and human resources required
Get onto radio and/or television	You can see an example of a discussion that has been broadcast on radio here . (Resource no. 7, see pg 33), in which several civil society organisations consider the issue of sexual violence in South Africa.	Speaking on a television or radio show is free in most cases. However, your organisation must select an eloquent person who can articulate themselves clearly and knows the subject well.
Create a radio or television ad campaign or documentary	This (see Resource no. 8) is an example of a radio documentary. The documentary looks at the possible negative impact of South Africa's <i>Traditional Courts Bill</i> should it be passed. It is produced in one of South Africa's official languages, Setswana.	Producing television and radio documentaries or films is costly. You need to employ script writers, producers, directors, actors and a host of other film and media personnel.
Write a news article to expose the issue	An example of a news article that puts an issue in the public domain can be seen here (see Resource no. 9). This article is written by the Media Relations Manager at Sonke. It looks at the issue of fatherhood in South Africa.	If there are people who possess good writing skills and a firm grasp of the issues of concern, they can write articles for newspapers and magazines, which usually won't incur any costs.
Issue a press release	A press release is a communication that is sent to news media and can then be picked up by newspapers, but sometimes television, and should also appear on an organisation's website. They provide information on a particular matter of concern. You can see a number of press releases on the MenEngage website here (see Resource no. 10).	A press release should be written by someone with good writing skills. It bears no financial cost and allows the media to pay attention to important issues, which then alerts society at large.

<p>Invite the media to attend an event or profile a story</p>	<p>The media is not always aware of important social and policy issues that are taking place. Therefore, you should invite the media to attend any marches, public talks or information sessions that you may be organising or have access to. Make an effort to develop relationships with journalists, producers and editors. Develop a database of media contacts.</p>	<p>If your organisation or advocacy network or alliance has funds or resources available, you can host an event to debate or discuss an issue and invite the media to attend.</p>
<p>Use Facebook and Twitter</p>	<p>Social media platforms can be used to draw attention to important issues as well as to directly communicate with key audiences. Visit the One Man Can Facebook group for ideas (see Resource no 11).</p>	<p>If you have access to the internet, starting a campaign or group has no cost. You will need to identify someone to monitor and manage online activity and content.</p>
<p>Call a meeting with relevant government departments or representatives</p>	<p>It important to learn to work cooperatively with government whenever this is possible. Identify allies that will support your cause and advocate from within government. This (see resource no. 12) article describes South Africa's Minister of Women, Children and People with Disabilities, Lulu Xingwana's public condemnation of women's exclusion from the public hearings on the Traditional Courts Bill. The fact that the minister was able to use her platform to gain attention on this issue was extremely beneficial.</p>	<p>Working with government requires constant interaction. Your organisation needs to elect a lead person who will attend meetings and other events where they will be required to provide assistance and input in developing policies.</p>
<p>Hold government or its representatives accountable by taking them to court</p>	<p>In March of 2009, Sonke filed a complaint at the Equality Court against Julius Malema for hate speech, unfair discrimination and harassment of women. You can read more on this in the case study 'The Equality Courts as a Tool for Gender Transformation' (see Resource no. 14).</p>	<p>Taking government to court is an advocacy strategy that must be considered very carefully. It is expensive because one has to pay legal fees and may disrupt relations between you organisation and government. Taking this approach requires a thorough risk assessment.</p>
<p>Write submissions (recommendations) responding to proposed legislation</p>	<p>Submissions are written, or oral, presentations detailing an organisation's views or opinions on a matter or piece of legislation under consideration by a governmental law-making body such as Parliament. You can find many examples of submissions made by Sonke within their prisons programme, here on the right hand side of the webpage (see Resource no. 16).</p>	<p>Submissions can be written by people who possess good writing skills and a firm grasp of the issues of concern. If they are being presented orally, such persons should know the issues well and be able to articulate them clearly.</p>
<p>Distribute materials such as pamphlets, booklets or manuals providing relevant information</p>	<p>This strategy is particularly useful if you need to share important information with community members. Here (see Resource no. 17) is an example of a booklet distributed by the Treatment Action Campaign, highlighting the need for improved health funding so that the ARV targets set out in South Africa's National Strategic Plan on HIV are met. The booklet provides a number of recommendations that can be made to health and HIV policy.</p>	<p>This strategy may require that you produce a wide range of resource materials. Your organisation must be prepared to develop the content of such materials and pay for design and layout as well as printing, distribution and possibly translation into other languages.</p>

Attend public hearings	<p>Government and their various affiliates are often required to hold public hearings when developing a new law or policy. Since these public hearings will influence the development of public policy, it is important to attend these meetings so as to monitor the development of legislation and prevent the passage of policies that could have a negative impact on society. Here is an article describing how Sonke encouraged community members to attend public hearings on the Traditional Courts Bill through the use of radio (see Resource no. 18).</p>	<p>You need to select a person or people that are able to vocalise key issues and concerns articulately. They must be prepared to engage with government officials and other organisations and be able to work collaboratively.</p>
Organise a demonstration or a sit-in	<p>Mobilising the public can be effective in terms of placing pressure on government and policymakers. When doing so, always ensure that any members of the public who have been mobilised understand the issue and are truly supportive. Here is an example of a demonstration organised to address GBV policy and budgeting in South Africa, along with photos. In such situations, petitions can also be effective (see Resource no. 19).</p>	<p>No financial resources should be required. However, members of the public may require reimbursement for any expenses they incur, such as transport costs. If a demonstration or sit-in lasts more than a few hours, the provision of food may be necessary. Staff would need to spend time organising such an event and mobilising community members and networks in order to ensure that it is a success. Organising such an event badly could cause more harm than good.</p>
Participate in, and issue shadow reports at, key regional and UN meetings like the African Union (AU) Health Ministers Meetings, AU gatherings, CSW etc.	<p>Many global events at which governments are given the opportunity to submit progress reports, also allow for civil society to submit shadow reports, in order to receive a balanced view of a country's progress on a specific issue. Here is an example of a shadow report submitted to the UN Commission on the Status of Women 2013. See here for other activities Sonke became involved in at the 57th CSW. (See Resource no. 20)</p>	<p>A significant amount of time and effort is needed to produce a comprehensive report of this nature. Staff time will be needed to conduct research and write up the findings. Financial resources will be necessary if you wish to have the report professionally designed and printed in order to make an impact. Such an undertaking however, is very valuable as any consequent work will have a very strong evidence base, lending much credibility to your campaigns.</p>
Use national, regional and global accountability mechanisms	<p>Explore the possibility of utilising accountability mechanisms such as national human rights institutions (for example, in South Africa: the Public Protector, the Human Rights Commission and the Commission For Gender Equality) and regional mechanisms like the African Commission on Human and People's Right (ACHPR), AU Special Rapporteur, SADC Tribunal, UN Universal Periodic Review, International Criminal Court etc. (Please refer to the section on regional bodies later on in the toolkit.)</p>	<p>Staff time will be necessary to research such accountability mechanisms and write submissions.</p>

MenEngage Africa Policy Report Series

**Making use of the Policy
Reports**

MenEngage Africa Policy Report Series

In collaboration with MenEngage Africa partners and with the support of the United Nations Development Programme (UNDP), the United Nations Population Fund (UNFPA), the UN Trust Fund to End Violence Against Women administered by UN Women, and the Swedish International Development Cooperation Agency (SIDA), Sonke has developed a number of policy reports that evaluate the level of engagement of men and boys in policies dealing with HIV and AIDS; sexual and reproductive health rights (SRHR); gender-based violence (GBV); parenting and LGBTI rights. These policy reports were designed to be used as advocacy and programming tools to strengthen a focus on engaging men for gender equality within national laws and policies. The key audiences are national and regional civil society, policymakers and decision-makers. Please refer to the Resources section for a link to these reports.

Making use of the Policy Reports

Below are some advocacy initiatives that can be undertaken, which relate specifically to these policy reports. For example, organisations could:

- **Call a meeting with government or its representatives:** As mentioned in the previous section, your organisation or advocacy alliance can invite members of government to a discussion meeting where you can look at the findings of the policy reports and propose ways of shaping future legislation so that it engages with men and boys and promotes gender equality.
- **Write submissions:** You can utilise the recommendations listed in the policy reports as the basis for submissions, offering examples of ways to include more progressive and proactive language on men and boys.
- **Actively take part in policy development processes:** Attend meetings, send delegates and representatives of your organisation and/or alliances in order to push for the recommendations highlighted in the policy reports. These can then form part of new policies or strategic plans.
- **Conduct your own policy scans:** Use the framework of analysis utilised within the policy reports to guide your own analyses of new draft policy and legislation, so as to be able to influence such policy to include language on the proactive engagement of men and boys.
- **Write articles and issue press releases:** On the basis of the findings in the policy reports, you could write articles that highlight some of the gaps in existing legislation, especially those concerning male involvement within the key areas identified in the policy reports.
- **Appear on the news or radio to foster debate:** The gaps and issues raised in the policy reports can form the basis for broader discussions thereby igniting a national conversation and placing issues in the public discourse.
- **Engage with the community:** Given that the policy reports only focus on policy, it would be beneficial to engage with diverse communities to see how men and boys are impacted by being left out of key health and gender policies, while also capturing the experiences of women and girls.

A Detailed Example of Policy Advocacy

**CASE STUDY: Sonke Gender Justice
Network and the Traditional Courts
Bill 2012**

A Detailed Example of Policy Advocacy

CASE STUDY: Sonke Gender Justice Network and the Traditional Courts Bill 2012

This Case Study demonstrates how Sonke has carried out an effective policy advocacy campaign through the use of the guide '7 Steps to effective policy advocacy.'

Public Policy under review: Traditional Courts Bill of 2012 (the previous version, Traditional Courts Bill of 2010 was repealed and declared unconstitutional).

The *Traditional Courts Bill* of 2012 is a highly controversial piece of legislation that was proposed by the South African government in January of 2012. If enacted, it will have dire consequences for approximately seventeen million people currently living in rural areas across South Africa. In essence, this Bill centralises power in the hands of traditional leaders (chiefs and headmen) who are said to govern on a 'customary' basis. Through this Bill, people in rural areas would be relegated to second-class citizens, governed primarily by traditional leaders as opposed to democratically elected state officials. It has been reported that many traditional leaders are corrupt political leaders, often acting in their own interests as opposed to the interests of their constituents.

Step 1: Identifying the problem or gap

Of particular concern for Sonke Gender Justice Network is the negative impact that this bill would have in the area of gender equality. Women in rural areas would be subject to the rule of traditional leaders whose traditional councils are almost always comprised of men acting in the interests of men. If problems arise, women are not allowed to represent themselves in traditional courts. Instead, other men such as fathers, brothers and husbands must bring cases on their behalf. Furthermore, they are not allowed legal representation by lawyers or the right to have decisions appealed or reviewed. Thus, the *Traditional Courts Bill* positions women as 'children' and curtails their constitutionally protected right to equality and non-discrimination, as well as a range of other fair trial rights provided under the Constitution, which is supreme law in South Africa.

Along with several other human and women's rights civil society organisations, Sonke identified that this Bill is anti-democratic in its entirety, and repugnant to the rights of women in South Africa, reversing the decades of activism that has been undertaken in the area of gender equality. Therefore, Sonke added its voice to those calling for the Bill to be withdrawn in its entirety, particularly because of the effects it would have on women in the full realisation of their democratic rights.

Step 2: Assessing organisation priorities, resources and risks

Sonke identified that this Bill is anti-democratic, and that if passed, would affect the work that the Network is trying to do in area of gender justice in South Africa. Sonke identified that it had the necessary financial and human resources to carry out effective policy advocacy and that there were no immediate risks for working in this area.

Step 3:
Engaging the
community

As stated, the people most affected by this Bill would be those persons living in rural areas across South Africa. Therefore, effective policy advocacy would need to engage with rural citizens in two ways:

- By educating the affected communities on the provisions contained in the Bill. Even though the government of South Africa was supposed to have public hearings so that communities could suggest amendments where necessary, it had failed to reach rural communities, especially those in the most isolated parts of the country. Public hearings were hastily and ineffectively carried out thereby leaving key voices out of the debate on the enactment of the Bill;
- By conducting formative research so as to ascertain the lived experiences of people living under the jurisdiction of traditional leaders. These narratives were used as evidence for articles and at parliamentary hearings.

Step 4:
Engaging
civil society

Given the enormous impact that the *Traditional Courts Bill* would have across rural South Africa if passed into law, civil society has come together as a united force calling for the immediate withdrawal of the Bill. A number of organisations decided to form the Alliance for Rural Democracy, which Sonke was invited to be a part of in 2012. The Alliance is made up of a large number of civil society organisations including the Legal Resource Centre (LRC), the Law, Race and Gender Unit (LRG); Women's Legal Centre; and Section 27, to name a few. These organisations are unanimous in the view that the Bill is anti-democratic and detrimental to the constitutional protections that every South African should enjoy. They have clearly defined roles and responsibilities, with activist Nomboniso Gaza and Sonke's Desmond Lesejane acting as the main coordinators of the Alliance.



Protesters outside Parliament in Cape Town, South Africa, appealing to President Jacob Zuma to establish a R1 million fund to address GBV levels in South Africa.

**Step 5:
Engaging
government**

The nature of the Bill requires that civil society organisations engage with various facets of government, from parliamentarians to various ministries that support and/or will be affected by its passage. As the Bill will adversely affect the rights of women, Sonke made use of its relationship with South Africa's Minister of Women, Children and People with Disabilities, Ms Lulama Xingwana. This relationship was forged at the United Nations Commission on the Status of Women, which took place in New York in February of 2012. Sonke alerted the Minister to the negative impact that the Bill would have on women's rights and the need for her to assist in the stoppage of this Bill. The Minister has been unequivocal in lending her support to the Alliance for Rural Democracy's mission to have the Bill withdrawn.

**Step 6:
Engaging the
media**

The media has been a powerful tool for disseminating information to people across the country. As a collective, the Alliance for Rural Democracy has used various aspects of the media to educate the people of South Africa on the existence of the Bill and its potential impact should it be passed. Specifically, the Alliance has used local and national radio stations as a means to generate debate and as a platform to communicate the rights of rural citizens. Various members of the Alliance have written insightful articles in national and local newspapers, like the Mail and Guardian and The Star. As an advocacy network, the Alliance has issued well over a dozen press releases and other media articles which, have ensured that society at large remains informed on the development of the Bill.

**Step 7:
Measuring
effects (monitor,
evaluate, hold
accountable)**

At the time of going to print, there was a host of evidence to suggest that the Alliance for Rural Democracy has been effective in its campaign to have the Bill stopped in its entirety. Due to the media and rights literacy campaigns, people in rural areas have been able to make their own submissions to parliament in protest against the passage of this Bill. The articles, press releases and other media products have resulted in more and more civil society organisations and independent activists lending their voice to the call for the removal of this Bill. At this stage, civil society is awaiting the decision of parliament.



Hon. Mary Emaase, Member of Parliament, Teso South, Busia County, Kenya, signing a pledge to make gender equality a lived reality in the lives of women and girls through, among others, the strengthening of laws, policies and action plans on violence against women and girls.

Policy Advocacy Work with Regional Bodies

Civil society organisations conducting policy advocacy work in Africa should consider the possibilities of utilising accountability mechanisms provided by Regional Bodies. Examples of such bodies include: the African Commission for Human and Peoples' Rights (ACHPR), as well as different Regional Economic Communities (RECs) such as the Common Market for Eastern and Southern Africa (COMESA), East African Community (EAC), Economic Community of West African States (ECOWAS), Southern African Development Community (SADC), the International Conference of the Great Lakes Region (ICGLR) and the United Nations Economic Commission for Africa (UNECA). Such bodies have various policies and protocols to which their member states should be held accountable.

There are different legal obligations with regards to different types of instruments produced by the Regional Bodies. While 'treaties' are binding agreements between State parties, 'policies' outline goals to be achieved that are often based on the treaties or other legislation and are not legally binding for the State parties.

Unfortunately, in practice it is difficult to legally hold a country accountable for failing to fulfil its human rights obligations as laid out in a treaty. However, civil society organisations may see the treaties as providing the framework against which they can legitimately judge the performance of governments and so any advocacy work aimed at holding governments accountable should consider the following:

1. Has the treaty entered into force?

The moment a treaty enters into force, it becomes **legally binding on States parties**. For example, a UN treaty usually enters into force on the 30th day after the deposit of the 20th instrument of ratification. This varies between different treaties.

- For the status of UN treaties, visit: www.treaties.un.org
- For the status of AU treaties, visit: www.au.int/en/treaties

2. Has the country signed the treaty?

There are **no legal obligations** imposed on a signatory State. However, by signing a treaty, States indicate their intention to take steps to be bound by the treaty at a later date and it obliges the State to refrain from acts that would defeat the object and purpose of the treaty.

3. Has the country ratified the treaty?

Ratification **legally binds a State to implement the treaty**, subject to valid reservations, understandings and declarations. The State must execute an instrument of ratification signed by the Head of State, Head of Government or Minister for Foreign Affairs. There is usually no time limit between signing the treaty and ratifying it.

²A treaty may also be known as an (international) agreement, protocol, covenant, convention or pact, among other terms. However, regardless of terminology, they are equally considered as treaties and the rules are the same under international law.

³State parties' are nation states that have either ratified or acceded to a particular treaty, becoming bound by its provisions.

4. Has the country implemented the treaty into its domestic legislation (domestication)?

It is a basic principle of international law that a State party to an international treaty must ensure that its own domestic law and practice are consistent with what is required by the treaty. In some countries, once it is ratified at the international level, the treaty may automatically form part of national law. In other words, the treaty would be directly **enforceable by national courts and other implementing authorities**. In other countries, the legislature might have to adopt an act of ratification at the national level. This may have the effect of incorporating the treaty into domestic law. However, even when parliaments ratify the treaty (national ratification), many provisions might still require legislative action before they come into force. This depends, in part, on how specific the treaty's obligations are as the more specific the obligation, the less likely that implementing legislation will be needed.

In other cases, including many common-law countries, only those provisions of the treaty that are directly incorporated into national law will give rise to **enforceable rights and duties**.

In order to be able to start looking at accountability mechanisms, one must exhaust local remedies first or show that local remedies are not available.

5. What monitoring mechanisms are available?

All legally binding international human rights treaties have a monitoring component. Monitoring implies the right of individuals to complain and seek a remedy in case the national authorities fail to fulfil their obligations. These mechanisms foster accountability and, over the long term, strengthen the capacity of State parties to fulfil their commitments and obligations.



A declaration by men to eliminate GBV in South Africa, signed by the Deputy President of South Africa Kgalema Motlanthe, provincial chairpersons of the South African National AIDS Council and representatives from civil society, the private sector and government.

Checklist for NGOs:

		Has the treaty entered into force?			
Yes	↘		No	→	<div style="background-color: #c00000; color: white; padding: 10px; text-align: center;"> A D V O C A C Y </div>
		Has the country X signed the treaty?			
Yes	↘		No	→	
		Has the country X ratified the treaty?			
Yes	↘		No	→	
		Has the country X implemented the treaty's provisions in its domestic legislation?			
Yes	↘		No	→	
		Is the country X fulfilling the treaty obligations?			
Yes	↘		No	→	
Support the government.			What monitoring mechanisms are available according to the treaty? ⁴		

⁴Assuming all national remedies have been exhausted or such remedies are not available.



South Africa's Deputy President, being interviewed for a morning talk show, discussing the national dialogue being convened on GBV and the pledge being made by men to eliminate GBV in South Africa.

Examples of relevant treaties and their monitoring mechanisms:⁵

Treaty	Mechanism	Mandate	Contact
Maputo protocol	African Court on Human and People's Rights	May receive complaints and/or applications from NGOs with observer status before the African Commission on Human and Peoples' Rights.	Website: www.african-court.org Tel: +255-732-9795-09 / 732-9795-51
	Special Rapporteur on Rights of Women in Africa (under the African Commission on Human and People's Rights)	Collaborating with NGOs on the implementation and domestication of the Maputo Protocol.	Website: www.achpr.org/mechanisms/rights-of-women Tel: +223-20-2101-46 / 66-7389-89 / 75-2362-07
CEDAW	Committee on Elimination of Discrimination against Women	<ul style="list-style-type: none"> Invites representatives of national and international NGOs to provide country-specific information on States parties whose reports are being reviewed. The Committee and the pre-session working group also provide an opportunity for representatives of NGOs to provide oral information. Welcomes country-specific information from NGOs, in the form of alternative or shadow reports. If the State has adopted Optional Protocol to CEDAW, the Committee may also receive communications from individuals or groups of individuals submitting claims of violations of rights protected and initiate inquiries into situations of grave or systematic violations of women's rights. 	Website: www.un.org/womenwatch/daw/cedaw/committee.htm Tel: +1-646-781-4400 Email: daw@un.org
	Special Rapporteur on Violence Against Women	Seeks information in preparation of a global study that analyses the interpretation and implementation of the due diligence obligation by States to be submitted to the Human Rights Council. Welcomes all relevant submissions that NGOs and other independent experts may wish to transmit for her consideration.	Website: www.ohchr.org/EN/Issues/Women/SRWomen/Pages/SRWomenIndex.aspx Email: vaw@ohchr.org
SADC Protocol on Gender and Development	SADC Secretariat and SADC Gender Unit	<p>The Gender Unit of the Secretariat facilitates, coordinates and monitors the implementation of SADC Gender Commitments at national and regional levels.</p> <p>The SADC Gender Protocol Alliance is officially a member and the gender focal point organisation of the Southern Africa Development Community Council of Non-Governmental Organizations (SADC-CNGO), which is the membership based apex body of non-governmental organizations operating in all SADC Countries. The SADC-CNGO facilitates engagement between civil society and Member states.</p>	Website: www.sadc.int/sadc-secretariat/directorates/office-executive-secretary/gender-unit/ http://www.sadccngo.org/ http://www.genderlinks.org.za/page/sadc-and-gender-protocol

⁵ Focusing on opportunities for NGOs.

CASE STUDY: Development of the SADC Gender Protocol

This brief case study demonstrates how the Southern Africa Gender Protocol Alliance ('the Alliance'), a network of national networks of gender NGOs and country theme clusters, has carried out a policy advocacy campaign for the adoption, and currently, the implementation of the SADC Protocol on Gender and Development ('the Gender Protocol').⁶ The Gender Protocol is a legally binding sub-regional instrument that provides a road map for the attainment of MDG 3 – gender equality – by breaking this overarching goal into 28 specific targets to be attained by 2015.

The Alliance started as a partnership between nine national and international networks in 2005, with the aims to elevate the SADC Declaration on Gender and Development (policy) to a Protocol (treaty) and address several shortfalls in the Declaration.

From **2005 to 2008**, the activities of the Alliance included lending its expertise at technical meetings where the Protocol was being developed, raising awareness of the Protocol, and implementing an organised and strategic lobby for its adoption.

Examples of specific activities:

- Following the deferral of the Draft Protocol at the 2007 Heads of State Summit, Alliance partners in each SADC country conducted a country analysis to establish what the process was leading up to the summit and what some of the obstacles were that contributed to the draft Protocol not being adopted;
- Released press statements and wrote opinion and commentary pieces;
- Produced a newspaper supplement carried by L'Express newspaper at the SADC Poverty Heads of State Summit in 2008;
- Produced a series of lobbying and advocacy tools setting out key demands and rationale for these. The tools were used in country consultations leading up to the meeting of Gender Ministers in 2008. Governments of South Africa, Mauritius, Madagascar, Malawi and Namibia accepted most of the changes proposed and vowed to fight for their inclusion.

The SADC Heads of State finally adopted the instrument as a legally binding Protocol in 2008. The advocacy work of the Alliance between **2009-2012** therefore focused on getting all countries that had signed the Protocol to ratify and deposit their instruments of ratification, in order for the Protocol to enter into force. The Alliance itself has continued to grow over the years and is currently consisting of fifteen national focal networks, eight theme clusters and two cross-cutting interest groups (a men's group and a faith-based network).

⁶The information about the following advocacy campaign is taken from different advocacy reports of the Alliance, such as the Annual Report 2012/2013 and the Report on civil society lobbying and advocacy activities and capacity building, March 2007-April 2008, all available on the website: www.genderlinks.org.za.

Examples of specific activities:

- Developed a ratification toolkit to assist Member States with the ratification process;
- Produced the SADC Gender Protocol Barometer – a document consisting of annual country reports tracking progress against the 28 targets in the Gender Protocol, by using the SADC Gender and Development Index. This gives civil society organisations a chance to monitor governments on implementation as well as document progress across different thematic areas;
- Village level workshops, conducted in local communities, in order to ensure that marginalised women in local councils and communities are empowered to claim their rights using the Gender Protocol as a tool;
- Held village level meetings as part of efforts to raise awareness on key provisions of the Gender Protocol;
- Held capacity building workshops for government officials and faith-based organisations;
- Facilitated in-country workshops to identify gaps against the Gender Protocol provisions and develop national gender action plans aligned to the 28 targets.

The Gender Protocol finally entered into force in 2013, following the ratification by two-thirds of SADC Member States.

The work of the Alliance continues and it is currently focused on lobbying Heads of State of the Member States that have not yet ratified the Gender Protocol, increasing public awareness, empowering more women to use the Gender Protocol, strengthening institutional mechanisms and partnerships within the Alliance and continuing to produce the SADC Gender Protocol Barometer.



Sonke's Deputy Director, Desmond Lesejane, at the launch of the UN Trust Fund Project to end violence against women, in Sierra Leone.

Resources (with full web addresses)

1. MenEngage Africa Policy Report Series. Available at: http://menengage.org/index.php?option=com_content&view=article&id=202&Itemid=99
2. MenEngage Africa Scorecard on GBV Laws and Policies in Africa. Available at: <http://genderjustice.org.za/africa-policy-reports/projects/advocacy/sonke-and-menengage-africa-policy-report-series>
3. Sonke and WHO Facilitators' Guide on Engaging Men and Boys in Achieving Gender Equality and Health Equity. Available at: http://www.genderjustice.org.za/resources/cat_view/218-tools/281-facilitation-guides.html
4. One Man Can Toolkit. Available at: http://www.genderjustice.org.za/resources/cat_view/218-tools/223-omc-toolkit.html
5. Stop the Traditional Courts Bill. Available at: <http://www.genderjustice.org.za/projects/policy-advocacy/stop-the-traditional-courts-bill.html>
6. Sonke Analysis of the Role of Men and Boys in NSPs for HIV and AIDS and Gender Equality and other reports. Available at: <http://www.genderjustice.org.za/resources/reports.html?view=docman>
7. 'South Africa's rape epidemic'-On-line radio broadcast. Available at: http://www.rfi.fr/actuen/articles/117/article_5278.asp
8. Traditional Courts Bill Radio Documentary in Setswana. Available at: <https://soundcloud.com/sonke/traditional-courts-bill-radio>
9. 'No-one showed me how to be a father', article by Mbuyiselo Botha. Available at: <http://www.timeslive.co.za/opinion/commentary/2011/08/28/no-one-showed-me-how-to-be-a-father>
10. A number of Press Releases can be located at: http://www.menengage.org/index.php?option=com_docman&task=cat_view&gid=27&Itemid=153
11. One Man Can facebook page. Available at: <https://www.facebook.com/sonkegenderjustice?fref=ts> MenEngage Africa facebook page: <https://www.facebook.com/pages/MenEngage-Africa/217594181638869?fref=ts>
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13. 'The Alliance for Rural Democracy: Sonke and partners rally against the Traditional Courts Bill'. Article by Helen Alexander. Available at: <http://www.genderjustice.org.za/resources/newsletters/sonke-enewsletter/issue-12/2001122-the-alliance-for-rural-democracy-sonke-and-partners-rally-against-the-traditional-courts-bill.html>
14. 'The Equality Courts as a tool for gender transformation'. Case Study by Emily Keehn. Available at: <http://www.genderjustice.org.za/resources/case-studies.html>

15. Sonke Report to the 57th UN CSW: A Review of Action taken to Involve Men and Boys in Preventing GBV. Available at: <http://genderjustice.org.za/resources/reports.html>
; <http://genderjustice.org.za/updates/project-updates/2001300-sonke-s-participation-at-57th-united-nations-commission-on-the-status-of-women-nyc-march-4-14th.html>
16. A number of submissions can be located at: <http://www.genderjustice.org.za/projects/policy-advocacy/sexual-violence-in-prisons.html> or by entering 'submission' into the search engine on the Sonke website: www.genderjustice.org.za.
17. TAC Booklet on the need to change HIV and Health policy in order to meet ARV treatment targets. Available at: <http://www.tac.org.za/sites/default/files/publications/2012-09-27/NSPTargetsEng.pdf>
18. Article on Sonke's use of radio to encourage community members to attend public hearings on the Traditional Courts Bill. Available at: <http://genderjustice.org.za/resources/newsletters/sonke-ene-newsletter/issue-13/2001186-sonke-partners-with-univen-radio-and-tvep.html>
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Sonke's Itumeleng Komanyane engaging with the media in Kenya on the UN Trust Fund project.

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ⁱⁱⁱ "Gender transformative" refers to action that seeks to promote equitable relationships; challenge male gender norms; transform traditionally accepted norms associated with being a man or a woman; and change gender relations. Adapted from Gupta GR, Whelan D, Allendorf K. *Integrating gender into HIV/AIDS programmes: review paper for expert consultation*. Geneva: WHO, 2003, http://www.who.int/gender/hiv_aids/en/Integrating%5B258KB%5D.pdf (accessed January 2012).

^{iv} "Gender-synchronised approaches are the intentional intersection of gender transformative efforts reaching both men and boys and women and girls of all sexual orientations and gender identities. They engage people in challenging harmful and restrictive constructions of masculinity and femininity that drive gender-related vulnerabilities and inequalities and hinder health and well-being." Margaret E. Greene and Andrew Levack, *Synchronizing Gender Strategies, A Cooperative Model for Improving Reproductive Health and Transforming Gender Relations*, 2010, For the Interagency Gender Working Group (IGWG), http://www.engenderhealth.org/files/pubs/gender/synchronizing_gender_strategies.pdf

^v "Policy Approaches To Involving Men And Boys In Achieving Gender Equality And Health Equity", op cit, p.12.

^{vi} The United Nations Trust Fund in Support of Actions to Eliminate Violence against Women (UN Trust Fund) is a multi-lateral grant-making mechanism supporting country-level efforts of governments and non-governmental organizations to end violence against women and girls. Established in 1996 by General Assembly resolution 50/166, the UN Trust Fund is administered by the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) on behalf of the United Nations system. The views expressed in this publication are those of the authors, and do not necessarily represent the views of the UN Trust Fund, UN Women, the United Nations or any of its affiliated organisations.



Protesters demonstrating against the Protection of State Information Bill, "Secret Bill", in Cape Town, South Africa.

