



**Women's access to legal services in the broader context of
access to legal services by the poor:
a summary of the work of the Africa Region Gender and Law Program**

This summary is structured as follows: (A) Brief Summary of the Gender and Law Program in Francophone and Anglophone Africa [1991-2001]; (B) Evaluation of the country-specific operational support in Gender and Law: examples from Francophone Africa, (C) Documentation of experience with the SSA Gender and Law Program.

- **1990-1995:** these activities were initiated and led by Elizabeth Morris-Hughes, first Africa Region Gender Coordinator in collaboration with LEGAF.
- **1995-2001:** these activities have continued to be carried out in collaboration with the second Africa Region Gender Coordinator (Mark Blackden), LEGAF and since 1998 with Gita Gopal (at the time a TTL with AFTH2) and first chairperson of the Bank-wide Gender and Law Thematic Group (G<G). As of 2000, the G<G was established as an intersectoral TG with co-chairs from LEGAF (Elizabeth Adu), from the PREM Network Gender Unit (A. Waafas-Ofosu Amaah) and from Operations (Elizabeth Morris-Hughes AFTH3).

(A) Brief Summary of the Gender and Law Program in Francophone and Anglophone Africa [1991-2001]

Background. The history of the Africa Region Gender and Law Program is summarized in **Table 1**. Following the launch phase of the initial conceptual work (1991-95) to develop and apply a framework for guiding dialogue with client country counterparts, between 1995 and 2001, Elizabeth Morris-Hughes and Gita Gopal together with LEGAF colleagues, and in partnership with Trust Fund donors, Foundations, International and National NGO's were able to develop the operational phase of the Africa Gender and Law Program, aimed at providing much needed institutional strengthening and capacity building to key government and civil society stakeholders involved in the promotion of the legal and societal status of women as well as increased access to legal services.

Table 1

1991-1993	Development of conceptual framework	Africa Region-wide studies in collaboration with the WB/Legal Department
1993-1995	Attempts to apply key findings to country dialogue	i.e. Uganda country case-study and Côte d'Ivoire
1995-2001	Application of key findings through direct country support	<p>Anglophone Africa:</p> <ul style="list-style-type: none"> • Sub-Regional Conference in East Africa (Addis-Ababa, 1997); in-Bank conference (Washington, DC, 1999); • IDF/TF Ethiopia, Uganda, Tanzania, Zimbabwe. <p>Francophone Africa:</p> <ul style="list-style-type: none"> • Sub-Regional Conferences in West Africa (Cotonou, 1998; Lomé, 2000); • IDF Benin, Burkina Faso, Mali, Mauritania, Niger, Rwanda, Togo; • G&L mainstreaming within macro (i.e. ERC Rwanda) and sector instruments (i.e. CDD Niger, HIV-AIDS Benin).

Country-specific support to women's access to legal services. The priorities for this operational support were identified by in-country government and non-government participants during the WB-funded "*Regional Conference on Gender and Law: Eastern Africa Speaks*" in Addis Ababa (October 1997), and during the WB-funded "*Sub-Regional Conference on Gender and Law in Francophone Africa*", organized



in partnership with the Association of Women Jurists of Benin in Cotonou (March 1998). These occasions provided for a cross-country comparative analysis of progress thus far in pursuing gender-responsive legal reforms in selected Anglophone and Francophone Sub-Saharan African countries. During the follow-up discussions, on the basis of legal needs assessments and diagnostics carried out in-country and the results of the comparative analyses, potential areas for WB technical and financial assistance were identified, which led to the iterative and participatory design of IDF/TF proposals for Ethiopia, Kenya, Tanzania, Uganda and Zimbabwe and IDF proposals for Benin, Burkina Faso, Mali, Mauritania, Niger, Rwanda and Togo.

The following are the priority areas for capacity building; support for legal reform, legal aid, legal literacy initiatives and development of strategic alliance and partnerships, which emerged from these conferences and the follow-up participatory design and implementation of IDF and Trust funded activities, carried out by the in-country mixed Government and NGO teams.

1. **Institutional strengthening of government units involved in the promotion of the legal and societal status of women**, assisting Women Affairs Units' in clarifying their mandate and adapting their institutional and organizational structure through improved coordination with key sector ministries and partners in development at both central and departmental levels;
2. **Supporting a participatory approach in drafting gender-sensitive policy documents, strategies and action plans and in defining viable mechanisms and techniques to mainstream the gender approach within the budgetary process;**
3. **Supporting a participatory approach in drafting gender-responsive legislation**, supporting the on-going legal and regulatory reform process, assisting in drafting gender-responsive laws and regulations and/or amending existing discriminatory legislation;
4. **Promoting gender-responsive legal literacy and legal education initiatives at the grassroots level**, through the design and distribution of booklets for literate communities and visual training material for illiterate communities;
5. **Funding the collection and distribution of sex-disaggregated data**, strengthening the capacity of government units (in close collaboration with the Directorates of Statistics) to both collect, process and use data which affect the legal, economic and social status of women and men;
6. **Supporting gender-sensitive public information campaigns** (radio, TV spots and newspaper clips) for the promotion of the legal and societal status of women;
7. **Cross-fertilization of experience and partnership building between government, NGO and civil society** encouraging partnership and strategic alliances between government and non-government agencies involved in implementing initiatives for the advancement of the legal and societal status of women (with emphasis on bar associations, the press, and other possible allies) and the integration within sub-regional and international networks of Legal Aid Clinics.

(B) Evaluation of the country-specific operational support in Gender and Law: examples from Francophone Africa.

Table 2 summarizes the gender-responsive output indicators which from the outset have been incorporated in the design and supervision of the SSA Francophone country IDF Program, as a first step in monitoring activities in these priority areas supporting the promotion and improvement of legal services for the poor. These gender-responsive indicators were developed on the basis of the following rationale: (1) Lack of access to affordable, efficient and effective legal services is an additional barrier to development for all those who are already disenfranchised through poverty; (2) Poor women experience additional social exclusion and disempowerment due to their higher levels of illiteracy, lack of rights in marriage and inheritance and the related limitations on economic opportunities; (3) Proactive and extensive support to raise levels of legal literacy for poor men and women is a priority. However poor, women and their dependent children already make up the greater proportion of those seeking legal aid. Therefore, indicators to monitor legal services for the poor must take these two fundamental parameters into account.



Table 2

INDICATORS- LEGAL SERVICES FOR THE POOR	
1.	# of gender-responsive policy and legal/regulatory actions taken
2.	# of legal aid and legal advocacy centers established and/or strengthened
3.	# of legal literacy and legal training material on the status of women published and distributed
4.	# of para-jurists trained
5.	# of target groups sensitized and/or trained in gender and law related issues
6.	# of people sensitized through legal literacy campaigns
7.	Jurisprudence on family and personal law related issues compiled and distributed to formal and traditional justice systems as well as Legal Aid Centers
8.	Cross-fertilization of experience between Governments and between Government and civil society on issues related to gender and law

Table 3 summarizes the implementation performance to date -ranging from Good to Highly satisfactory-in these key project areas.¹ Detailed information on the implementation of each of these IDF's is available in the ISRs filed on a six-monthly basis; these reports capture the findings of the regular technical backstopping/electronic interaction with the IDF project teams in the field and the periodic implementation support field missions.

Table 3

PERFORMANCE IN KEY PROJECT AREAS	Benin TF27574	Mali TF27278	Mauritania TF27298	Niger TF27337	Togo TF27253
1. Institutional strengthening of government units involved in the promotion of the legal and societal status of women	Good	Satisfactory	Satisfactory	Highly satisfactory	Highly satisfactory
2. Supporting a participatory approach in drafting gender-sensitive policy documents, strategies and action plans	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory
3. Supporting a participatory approach in drafting gender-responsive legislation	N/A	Highly satisfactory	Highly satisfactory	Satisfactory	Satisfactory
4. Promoting gender-responsive legal literacy and legal education initiatives at the grassroots level	Highly satisfactory	Satisfactory	Satisfactory	Satisfactory	Highly satisfactory
5. Funding the collection and distribution of sex-disaggregated data	Good	Good	Good	N/A	Good
6. Supporting gender-sensitive public information campaigns	Good	Satisfactory	Highly satisfactory	Satisfactory	Satisfactory
7. Cross-fertilization of experience and partnership building between government, NGO and civil society	Satisfactory	Satisfactory	Highly satisfactory	Highly satisfactory	Satisfactory

¹ The IDF Burkina Faso [TF27378] and Rwanda [TF050066] are not included in these Tables since these programs will only be launched in October and November 2001 respectively.



(C) Documentation of experience with the SSA Gender and Law Program

Copies of the above referenced conference and workshop reports entitled (1) Gender and Law; Eastern Africa Speaks April 1998; (2) Gender discrimination in Francophone Sub-Saharan Africa : women's status at the dawn of the XXIst century, March 1998 (*original version by the Association of Women Jurists of Benin also in French*), 1998 and (3) Access of women to legal and judicial services in Sub-Saharan Africa, 2000 (*original version by the Association Women in Law and Development, WILDAF West Africa, also in French*), 2000 are available on request from the Africa Region Gender Coordinator. The experience with IDF design and implementation has been summarized in the **Findings No. 148** and **Findings No. 155** published by the Africa Region and accessible on the web [<http://www.worldbank.org/afr/findings/english/findtoc.htm>]. A comprehensive list of the gender and law publications (working papers/short technical notes and info briefs) which is one of the categories of the gender publications prepared by the Africa Region Gender Team (1991-2001) is available from the Africa Region Gender Coordinator. The linkage between access to legal and judicial services by the poor and the broader context of access by the poor to other social protection services was specifically included in the **WDR 2000/2001 on Attacking Poverty**. This drew on the Technical Background Paper submitted by Dan Manning of Greater Boston Consulting Group on 'The Role of Legal Services Organizations in Attacking Poverty' which includes a summary of the Bank's work in Gender and Law in SSA along with many other global example of civil society associations providing a range of services assisting the access of poor men and women to legal services.