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ESWATINI GENDER ANALYSIS COUNTRY LEVEL IMPLEMENTATION PLAN (CLIP) 2021

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**Table of Contents**

[List of acronyms 2](#_Toc78461143)

[1. Context for EU action gender equality and women’s empowerment in Eswatini 3](#_Toc78461144)

[2. Selected thematic areas of engagement and objectives 5](#_Toc78461145)

[3. Targeted action(s) supporting gender equality and women’s empowerment 6](#_Toc78461146)

[4. Engaging in dialogue for gender equality and women empowerment 8](#_Toc78461147)

[5. Outreach and other communication / public diplomacy activities 11](#_Toc78461148)

[Conclusion 12](#_Toc78461149)

[Reference List 13](#_Toc78461150)

# **LIST OF ACRONYMS**

AIDS ACQUIRED IMMUNODEFICIENCY SYNDROME

CANGO COORDINATING ASSEMBLY OF NON-GOVERNMENTAL ORGANIZATIONS

CEDAW CONVENTION ON ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

CLIP COUNTRY LEVEL IMPLEMENTATION PLAN

CSO CIVIL SOCIETY ORGANISATION

DGFI DEPARTMENT OF GENDER AND FAMILY ISSUES

EBC [ELECTIONS AND BOUNDARIES COMMISSION](https://www.ebctt.com/)

ELC ESWATINI LAW AND CUSTOM

EU EUROPEAN UNION

EUD EUROPEAN UNION DEVELOPMENT

GAP GENDER ANALYSIS PLAN

GBV GENDER BASED VIOLENCE

GEWE GENDER EQUALITY AND WOMEN’S EMPOWERMENT

HIV HUMAN IMMUNODEFICIENCY VIRUS

ICT INFORMATION AND COMMUNICATIONS TECHNOLOGY

JMF JOINT MONITORING FRAMEWORK

KII KEY INFORMANT INTERVIEWS

LGBTQI LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER AND INTERSEX

MIP MULTI-ANNUAL INDICATIVE PROGRAM

NSA NON-STATE ACTORS

SWD SWAZILAND/ESWATINI

SNL SWATI NATION LAND

TVET TECHNICAL AND VOCATIONAL EDUCATION AND TRAINING

UPR UNIVERSAL PEER REVIEW

# **CONTEXT FOR EU ACTION GENDER EQUALITY AND WOMEN’S EMPOWERMENT IN ESWATINI**

The gender equality situation in Eswatini is best understood in context to the prevailing socio-economic circumstances. The country has a dual legal system, with Roman-Dutch Common Law as modified by Parliamentary law, operating side by side with Eswatini Law and Custom (ELC). This duality influences the socio-economic, political and legal terrain in Eswatini which founds an intricate complexity on women in law, policy and practices being neither gender equality transformative, intersectional in approach nor rights based. Poor implementation mechanism and derogation from established human rights-based principles compromise the gender equality landscape further.

The Constitution[[1]](#footnote-1) was instrumental in facilitating recognition of gender equality and non-discrimination. However, the constitutionally recognised grounds for non-discrimination are not exhaustive for instance marriage and sex are not included, despite that the female population ratio is 53 per cent[[2]](#footnote-2), making women and girls the majority in number though they remain a minority in voice. Eswatini is predominantly a patriarchal society with cultural, religious norms and institutions that play a pivotal role in socialisation. Patriarchy has a bearing on poor implementation mechanisms and derogation from established human rights-based principles within the gender equality landscape. It can be witnessed in instances such as in the access to Swati Nation Land (SNL) and inheritance rights, the woman being an “outsider” to the family she is married in with limited real decision-making power. Fifty six percent of the population is below 25 years of age[[3]](#footnote-3) thus compelling future EU programming that addresses gender equality amongst youth, where applicable.

Women and girls continue to be disproportionately represented in negative statistics such as unemployment[[4]](#footnote-4), infected and affected by HIV and AIDS,[[5]](#footnote-5) gender-based violence absence or in decision making positions. The dearth of gender disaggregated data in some fields make it very difficult to ascertain the real gender equality situation. This includes key areas such as access to SNL unassisted by women and those who truly have an uninterrupted *usufruct* and the extent of its protection by relevant structures. The country continues to contend with maternal mortality, as at 100,000 births there were 437 maternal deaths in Eswatini in 2017[[6]](#footnote-6), and the smooth regulation of the constitutionally sanctioned right to abortion[[7]](#footnote-7). Despite ratification of several international and regional human rights instruments[[8]](#footnote-8) that promote gender equality and women’s empowerment, the situation remains unchanged. Recommendations from these international bodies i.e. the UPR, CEDAW have not been systematically and categorically attended to.

**Basis for Developing CLIP**

The country level implementation plan (CLIP) is based on an analysis from an intersectional and human rights-based approach seeking to addresses root causes of gender inequality across political, economic, social and cultural aspects of life, leading to the Gender Country Profile (GAP III) 2021. It analysed power structures from bottom up, promoting transparency, access to information and meaningful participation. Literature on the Eswatini gender situation was reviewed and sourced across a spectrum of information, including: published and unpublished reports, government, shadow reports to various international and regional treaty bodies, the national constitution, Acts of Parliament, Bills and in some cases, the law. To augment the study, Key Informant Interviews (KII) were held with the Department of Gender and Family Issues (DGFI), government Ministries such as Agriculture, Labour and Social Welfare, EBC, Human Rights Commission, development partners, CSOs, academia and research institutions, therefore facilitating a multisectoral and multi-stakeholder complementary approach to dialogue and capacity building.

In line with the country gender analysis report CLIP is also informed by the principles of GAP III and approach: gender mainstreaming, more targeted gender equality actions, political dialogue on gender equality at country level. Additionally, it espouses three minimum standards: availability and systematic use of gender analyses, use of gender-sensitive and sex-disaggregated indicators and statistics. Robust reasoning, based on the findings of the gender analysis, is applied to substantiate any action deemed not to contribute to gender equality.

The CLIP will also be aligned to Multi-annual indicative Program (MIP) priority areas which are:

1. Green economy
2. Digitalisation
3. Technical and Vocational Education and Training (TVET)

# **SELECTED THEMATIC AREAS OF ENGAGEMENT AND OBJECTIVES**

**EU and key Partner's Strengths and Shortcomings in Mainstreaming Gender in their Development Cooperation**

The EUD in Eswatini provides funding in a variety of areas guided by the European Union development Fund with Budget Thematic lines. It partners with government Ministries, parastatals organisations and Non-state actors (NSA). Funding agreements commit to gender mainstreaming including collection of gender disaggregated data, gender. The EUD approach is collaborative and complimentary, as it works closely with fellow development partners such as GIZ, World Bank, facilitating covering larger ground with resources at their disposal and cross fertilisation in each partner’s area of focus. Additionally, EUD has demonstrated high commitment in working with NSA. The Swaziland EU Country Roadmap for Engagement with CSO 2017-2020 is testament to its commitment in this regard. It illustrates that it has immense contextual understanding of the NSA starting with the environment in which they operate, “contentious” issues of gender equality and human rights they deal with, their internal capacity challenges and lack of funding. In recognition of the low response by local NSAs in responding to calls caused by limited capacity, through CANGO the EUD funded a capacity building training on how to effectively respond to the calls. It also encourages proposal submission with co-beneficiaries.

An analysis of the EUD partners shows that they are diverse, working in varied thematic areas. The common thread is that in the program/project implemented there are gender-mainstreaming expectations be it in horticulture high value crops, early childhood development, HIV and AIDS food security, breaking the silence on GBV, supporting women empowerment for enhanced political and leadership participation. The NSA partners also have a common attribute of either focusing on gender mainstreaming, rights-based approach or make attempts at gender mainstreaming in their area of focus.

On the lower side, the partners capacity at mainstreaming gender, intersectional and rights- based approach is not necessarily strong. The point of departure in partnering was commitment that the organisation is for gender mainstreaming or has gender policy in place. This should be accompanied by enhancement of the organisations capacity to implement it. Partnership with the DGFI should go beyond the Joint Monitoring framework (JMF). This relationship needs to be managed and nurtured for pronounced results in gender mainstreaming in Eswatini. Current programmes should be adapted to include gender equality as a principle objective.

**Thematic Priority Areas**

1. Gender mainstreaming in Technical and Vocational Education and Training (TVET)
2. Gender mainstreaming in Digitalization
3. Promoting Equal Participation and Leadership
4. Ensuring Freedom from all Forms of Gender Based Violence

**Vision of the CLIP**: Significant measurable contribution to Eswatini’s route to meeting SGD 5: Achieve gender equality and empower all women and girls and action to encourage compliance with international obligations and action recommendations.

**Mission:** Through having gender equality as a principle objective, or at the lease a significant objective.

**Strategic Priorities**

1. Dialogues for Transformation
2. Capacity Building in Gender Mainstreaming
3. Strategic EU Collaboration with Government and Other Development Partners Agencies

**Objectives**

1. To gender mainstream in all EUD Eswatini dialogues.
2. To host dialogues with specific sectors responsible for intervention in TVET, Digitilisation, women’s leadership.
3. Popularise the understanding appreciation and seeking of the know-how on gender mainstreaming.
4. Creating and or enhancing awareness of the need for gender mainstreaming in sectors which have a lower or no uptake of it.
5. Build the capacity of the DGFI and line Ministries in the selected CLIP thematic areas on gender mainstreaming.

**Rationale:** In line with the gender country profile significant gender transformative work needs to be carried out for Eswatini to meet its SDG 5 obligations, which in turn influence the others.

# **TARGETED ACTION(S) SUPPORTING GENDER EQUALITY AND WOMEN’S EMPOWERMENT**

Pragmatic changes must be made by the EUD which will in turn stimulate partners in order to achieve the 85% gender mainstreaming in its work 2021-2025. In this regard the funding calls and agreements by EUD must require a more pronounced stance on gender equality. Promotion of gender equality should be included in the project design as a principle objective as per Gender Marker 2. The least should be having gender equality as a significant objective as per Gender Marker 1. Future calls and dialogues should prioritise inclusion of MIP sectors placing emphasis on the green economy, digitalisation, technical and vocational education and training (TVET). Concepts and proposals should demonstrate gender mainstreaming at policy and institutional environment and how these will in turn translate to the women and girls themselves, community and family levels. Collection of gender disaggregated data in should be a requisite in all programs the

**Implementation of CLIP**

The DGFI will be the anchor as it’s mandated to gender mainstream across the entire nation. The Eswatini Gender Country Profile (GAPIII SWD)” will be shared with EUD partners including development partners with presence in the Kingdom to encourage their participation in availing resources for activities aligned with their strategies. The EUD has goodwill in working with a cross range of CSOs, which will also be bolstered by the 2021 CSO mapping exercise. Trade unions, media and corporations are also targeted by the CLIP.

**Specific support to national gender machineries/networks or other institutional actors by the EU**

**Capacity Building of Line Ministries and Statistical Offices**

Build Capacity of line Ministries Gender Focal Points (GFPs) in gender mainstreaming.

* Expected Result:

1. Understanding of Gender analysis, planning and programming,
2. Developing gender check list.
3. Budgeting for gender mainstreaming

* Indicators

1. Ministries Reports on Gender Mainstreaming Progress.

**Support to CSOs active for gender equality and to Women’s Organisations**

Host capacity training workshops for a cross section of Women’s CSOs organisations on gender mainstreaming and programming. These should be sampled from national, regional, community and based organizations. Also capacitate the organisations with project or programme funding. Build the institutional capacity of these CSOs.

* Expected Results**:**

1. Enhanced capacity in gender mainstreaming and programing
2. Enhanced oversight capacity.
3. Organisational governance and accounting systems in place
4. Project funding
5. Enhanced capacity to mobilise resources.

* Indicators

1. Shadow reports with oversight on gender mainstreaming by government
2. Gender mainstreaming check lists and reports
3. Periodic narrative and finacial reports

# **4.** **ENGAGE IN DIALOGUE FOR GENDER EQUALITY AND WOMEN EMPOWERMENT**

**Opportunities for Dialogue and Policy Discussion on Gender Issues**

Existing opportunities which offer viable entry points for dialoguing on gender equality and women’s empowerment, leading to gender mainstreaming at national level include: Women’s coalitions such as the Swaziland Rural Women’s Assembly, Liphimbo labo Make, Women’s Cooperatives, Burial Societies, , Swaziland Cross Border Traders Association, World Women Prayer group *Zwelonke,[[9]](#footnote-9)*;and the Gender Consortium. CANGO fair[[10]](#footnote-10), and CSO Social forums, religious events. The arts culture industry is another forum that can be used to send positive messages on gender mainstreaming. Permeating such spaces can help contain the expenditure allocations, as it would be a matter of piggybacking on planned budgets for activities. Moreover, the organisers of the events may take the message further in their work. Some of the organisers may emerge as strong advocates and partners in mainstreaming the three-pronged approach.

Holding dialogues with government, CSOs, other non-state actors and development partners is one of EU’s routine method of contributing to consensus building on topical development or political issues. The crux of the dialogues is the coming together of the minds of the dialoguing parties on a given subject. In the case of this CLIP, it will be on gender mainstreaming generally and specifically on selected themes.

**Dialogue with Department of Gender and Family Issues planned with the national gender and women’s rights organisations and networks (format, modalities, frequency)**

Hosting dialogues on gender mainstreaming with and through the DGFI is a natural strategic choice, as it is the lifeline of gender mainstreaming in Eswatini. Through dialogue on gender mainstreaming there will be consultations on various issues and negotiations in the development of mutually convenient schedules that would ensure the parties’ responsiveness to collaborative work. The DGFI stated during data gathering for the Eswatini Gender Country Profile (GAP III SWD) that it wishes to strengthen its coordination role getting to know programs, projects of the other players i.e. development partners and civil society organisations. Together with women’s networks and women’s rights organization, the DGFI becomes a force to be reckoned with in gender mainstreaming.

* Dialogue format: Creative style roundtable[[11]](#footnote-11) encouraging inclusive participation through giving space for varied constituencies to be on panels, smaller group discussions, poetry, sport, drama and art that speak to gender equality and women’s empowerment in the country. It should offer a safe space for meaningful deliberations on gender equality, women’s empowerment, how to go about mainstreaming the three -pronged approach, success, challenges and opportunities that exist. The dialogue should address the what, why, how, when and by whom of gender equality and women’s empowerment. It would also give a more or less realistic status of where the country is with mainstreaming, as government and other players would be in the same forum with equal opportunity to speak and bring evidence on the process.
* Frequency**:** The all-inclusive dialogue should be held annually over a two-day period to allow for a reasonable amount of time for dialogue before coming to conclusions and recommendations and way forward.
* Expected Results:

1. Increase organizations’ appetite to gender mainstream.
2. Identification of gender mainstreaming skills gaps.
3. Agreed modalities of how to implement customary law in an aligned manner so that it respects principles of gender equality, promotes women’s empowerment.

* Indicators**:**

1. Dialogue reports with agreed gendered outcomes
2. Gender Audit Repots
3. Ministerial, Departments and Organisational gender plans with time lines and budgets.
4. **Dialogues with Line Ministries and Gender Networks within Public Administration**

Host dialogues with all line Ministries to promote gender mainstreaming. Additionally, there should be focused thematic dialogues with selected concerned Ministries. These should be open to fewer Ministries and CSO which deal directly with the theme. This will invigorate the concerned Ministries’ appetite in mainstreaming the gender, intersectional and rights-based approach. It will further promote in-depth understanding and taking initiative to undertake gender mainstreaming in the Ministry with minimal supervision.

* Target Ministries: All on gender mainstreaming generally.
* Target Line Ministries**:** Ministry of Education and Training, Health, Tinkhundla and Development, Ministry of Agriculture and Cooperatives, Ministry of Public Works and Transport. Ministry of Commerce and Trade, Information, Communication and Technology and Sports, Culture and Youth Affairs for thematic dialogues.

1. **Proposed Dialogue Themes with select Ministries**

* Theme: *Reducing the Gender Digital Divide for Enhanced Micro, Small and Medium Business Benefit.* Participating Ministries: Ministry of ICT and Commerce and Trade
* Theme**:** *Gender mainstreaming in Sports for promotion of retention of girls in the education system and health.*
* Participating Ministries: Ministry of Education, Health, Sports and Recreation
* Theme: *Gender Mainstreaming in Climate Change and Mitigation.*
* Participating Ministries**:** Ministry of Agriculture and Cooperatives with Ministry of Public Works and Transport.
* A selected number of CSOs working in the thematic field should be invited to stimulate the discussions and enhance oversight of the concerned Ministries.
* Frequency**:**  Every other year for all line Ministries. Two thematic dialogues focusing on concerned Ministries per year.
* Format**:** roundtable with plenary presentations on the three-pronged approach of mainstreaming gender, intersectional and rights based, each Ministry presentations and the CSOs represented.
* Expected Results

1. Increased desire for more inclusivity of girls and women in sporting programmes.
2. Increased awareness and desire for inclusivity of girls and women in TVET subjects including affirmative policies.
3. Enhanced inclusivity of in and out of school girls and women in sports

* Indicators:

1. Number of Ministries participating in dialogues.
2. Number of gender inclusive policies.
3. Number of TVET institutions putting in place policies and adopting practices that are inclusive of girls and women.
4. Number of sports programmes inclusive of girls and women.

**Dialogue on Gender Equality and Women’s Empowerment with CSOs including women’s organisations**

In addition to dialogues held with CSOs in line with Article 8[[12]](#footnote-12) of the Cotonou Partnership agreement under the CSO Road map where political dialogues are hosted. There should be some held which focus on improving gender mainstreaming programming in their work including oversight on government.

Format: Interactive inclusive roundtable

Frequency: Two annually

Expected Results:

1. Increased awareness of gender mainstreaming gaps in their programs
2. Enhanced gender mainstreaming and programming capacity.
3. Increased oversight capacity demonstrated in lobbying, advocacy and shadow reports.

Indicators

1. Dialogue report with agreed gender mainstreaming action points.
2. Periodic gender assessment conducted by organisations.
3. Gender audits conducted by organisations.

# **5. OUTREACH AND OTHER COMMUNICATION / PUBLIC DIPLOMACY ACTIVITIES**

**Outreach and other communication / Public Diplomacy Activities**

The CLIP is a good start as it recommends that high level communication be held between the Deputy Prime Minister’s Office which houses the DGFI. Such a high level meeting should be arranged through the Principal Secretary.The envisaged results of this meeting are strengthened working relations with this high Ministerial office which will facilitate working across Ministries and higher level dialogue. To take gender mainstreaming work to its logical conclusion in the Kingdom of Eswatini an exclusive high level meeting should be held with highest authorties sampled from the King’s Advisory Body Liqoqo, Attorney General, Judiciary, Chiefs, Cabinet, Principal Secretaries, Human Rights Commission, Parliament, Land Management Board and Law Review Commission. Ideally, the EUD should lobby for the presence of His Majesty in this high level dialogue. This dialogue should expound on how to progress in mainstreaming gender and the rights based approach under both customary and civil law.

* Expected Result: Political will on gender equality and women’s rights. It should give direction in terms of where the EUD can work with no inhibitions and where more lobbying and cautious treading is required.
* Indicator**:**

1. Level of leadership participating in dialogue.
2. Dialogue Report

# **6. Technical Facility and/or financial resources allocated to support GAP III implementation**

# The initial EUD budget for the MIP 2021-2027 is EUR32M (2021-2024), distributed among the three Priority Areas: Green Economy, Human Capital Development and Digitalization and Support Measures. Each PA will be programmed under a gender lens. An estimated 10% of the initial budget is foreseen for gender crosscutting/mainstreaming under the PAs. The Support Measures Civil Society budget of EUR3M, includes a dedicated amount of EUR 1M for a gender specific action (yet to be defined). The Delegation will make use of other relevant thematic budget lines to do with CSOs and EIDHR and any priority studies related to GAP III, under the Technical Facility.

# **CONCLUSION**

Implementing this CLIP will make significant inroads in addressing issues raised by the Gender Country Profile (GAP III) 2021. The priorities will enable dialogues for unlocking agreeable transformation for competent gender mainstreaming in government trickling into other spheres. It will make positive contribution in creating the desired environment for holistic, incremental mainstreaming of gender equality and women’s empowerment in Eswatini.

# **REFERENCE LIST**

1. The Constitution of the Kingdom of Swaziland of 2005.

2. 2017 Population and Housing Census.

3. UNFPA - United Nations Population Fund.

4. https://www.gevme.com/en/run-roundtable-meeting/

1. Kingdom of Swaziland Constitution Act/2005. [↑](#footnote-ref-1)
2. Ministry of Economic Planning and Development *the Kingdom of Eswatini Voluntary National Review 2019 Report*. (A participatory review process that generated views from a broad spectrum of stakeholders, that included, academia, business community, civil society organisations, development partners, government ministries, non-government organisations, persons living with disabilities, women and the youth). [↑](#footnote-ref-2)
3. The 2017 Population and Housing Census*.*  [↑](#footnote-ref-3)
4. 46.5% vis-à-vis men at 55.5% [↑](#footnote-ref-4)
5. 20-24-year old females having five times higher (20.9%) prevalence than their male counterparts (4.2%). [↑](#footnote-ref-5)
6. UNFPA - United Nations Population Fund. [↑](#footnote-ref-6)
7. Section 15 (5)(a) to (e) which gives grounds under which abortion is legal. [↑](#footnote-ref-7)
8. United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Beijing Platform for Change and the Southern African Development Community (SADC) Gender Protocol on Development. [↑](#footnote-ref-8)
9. Hosted by Council of Swaziland Churches. [↑](#footnote-ref-9)
10. An annual event hosted by the Coordinating Assembly of Non-Governmental Organisations (CANGO) for show casing its membership work to the public. [↑](#footnote-ref-10)
11. https://www.gevme.com/en/run-roundtable-meeting/ [↑](#footnote-ref-11)
12. Article 8 of the Cotonou Partnership Agreements outlines the specific modalities for a regular, comprehensive, balanced and deep political dialogue. Contrary to past practices, the political dialogue under Cotonou covers a broad range of topics, most notably the respect for human rights, democratic principles, the rule of law and good governance. Article 8 further stipulates that representatives of Civil Society Organisations shall be associated to this political dialogue between both parties. [↑](#footnote-ref-12)