



BENIN ACTION PLAN  
FOR THE WOMEN'S LEGAL RIGHTS INITIATIVE  
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## EXECUTIVE SUMMARY

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The Women's Legal Rights Initiative (WLR) works to strengthen and promote women's rights worldwide. Benin is one of WLR's focus countries. To identify obstacles to the full guarantee and enjoyment of women's legal rights in Benin and what should be done about them, the WLR team met and talked extensively with USAID/Benin's Strategic Objective teams for Gender, Health, Basic Education, and Democracy and Governance, and with government ministries, non-governmental organizations (NGOs), judges, lawyers, and international donors.

The greatest barrier to the empowerment of women in Benin is customary law and practice that denies women and girls basic human rights and defines women by their relationships to and with men, combined with resistance to the idea of women's equality with men. Customary law as currently practiced in Benin is not compatible with the constitutional guarantee of the equality between women and men, or with international human rights law prohibiting discrimination against women. The legal framework of Benin is a motley mix of old French law based on the Napoleonic Code of 1804, codified customary law from 1931, socialist laws from the 1970s and 80s, the Benin Constitution of 1990 and the laws passed under it, and local customary practice. However, through ignorance or defiance, magistrates and judges continue to apply customary law, even when new laws have been passed. There is widespread lack of knowledge about and resistance to applying principles that uphold women's rights. Customary practices such as forced marriages, child exchange, *levirat* (custom forcing a widow to marry her dead husband's brother), polygamy, barriers to inheritance of property and land by women, domestic violence, and female genital mutilation condone violence against women, increase their poverty, thwart democracy, and slow Benin's economic and political development.

Activities to overcome the resistance of customary law will focus on education and training on women's legal rights, and include a public awareness campaign, paralegal training, support for investigating an impact litigation strategy, developing a manual on the new Family Code for legal professionals, workshops for community leaders, and continuing education for judges and intermediate-level actors in the judicial system. WLR Benin will spread information on women's rights using existing networks from all sectors and levels of society and government to reach people who have previously been overlooked. The program will emphasize building relationships between organizations and agencies that do not usually collaborate. By working toward the common goal of improving the status of women, individuals promoting women's rights from different sectors will construct and then use networks that will endure beyond this particular project.

WLR's activities will strengthen the women's rights aspects of USAID/Benin's existing programs, and build relationships and gender awareness across sectors. In this way, WLR Benin's activities will contribute to the Office of Women in Development (EGAT/WID) Strategic Objective 3 ("Women's Legal Rights Increasingly Protected") goals and intermediate results, and strengthen Benin mission strategic objectives. The WLR team will work with NGOs, international donors, and USAID/Benin to avoid duplication of effort and materials, and build on what has already been done successfully.

## SECTION I

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### Introduction

#### **A. Women's Legal Rights Initiative (WLR) – Who We Are**

The Women's Legal Rights Initiative (WLR) was developed to strengthen and promote women's legal rights worldwide and enhance women's participation in economic, social, and political life. WLR works to end restrictions on women's human rights, women's lack of access to and control of resources and knowledge, and women's limited participation in political decision-making.

WLR works with USAID and country stakeholders in Guatemala, Albania, Madagascar, and the southern Africa region including South Africa, Botswana, Lesotho, Mozambique, Namibia, Swaziland, and Zimbabwe. An assessment visit to Rwanda was conducted in October, 2004.

#### **B. WLR – How We Work**

The Women's Legal Rights Initiative (WLR) team is headquartered in Washington, DC. WLR sets up local offices in focus countries to implement action plans to empower and improve the status of women. The USAID Office of Women in Development selected Chemonics to work with USAID missions to advance the legal, civil, property, and human rights of women through WLR by working on any one or all of the following:

- Facilitating the development of legislation supportive of women's legal rights by providing legal drafting assistance and training on international human rights standards.
- Strengthening civil society organizations' ability to advocate for women's legal rights by introducing innovative and sustainable advocacy training projects and approaches to the provision of legal assistance.
- Enhancing justice sector capacity to interpret and enforce legislation that protects women's legal rights through high-impact assistance to justice sector officials in areas such as violence against women and property rights.
- Increasing public awareness of women's legal rights through legal literacy campaigns that inform women and the public about women's legal rights and mechanisms for redress.

To determine what specific activities to support, WLR collaborates with USAID's Office of Women in Development (EGAT/WID) and relevant USAID country or regional missions. We seek guidance from and coordinate with local NGOs, community leaders, government ministries and agencies, international donors, and the private sector, to develop and inform our strategies to address the subordination of women.

## SECTION II

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### Key Assessment and Analysis Findings

The WLR team worked closely with USAID/Benin to identify potential partners and organize meetings for the assessment and analysis phase conducted in Benin between February 15 and February 28, and a follow-up trip from May 15 to May 27, 2004. USAID/Benin's Gender, Basic Education, Democracy and Governance, and Health Teams provided guidance and assistance to identify ongoing programs, constraints to women's legal rights, gaps in knowledge and practice, and the current legal, social, political, and economic context in Benin. Additionally, consultations were conducted with government ministries, judges, government agencies, civil society groups, international organizations, and other stakeholders to identify priority issues, potential partners, and past and current activities.

Recommendations from the visits and consultations are incorporated into this action plan to address obstacles to women's empowerment, meet the needs of USAID/Benin, and comply with the scope of work of the WLR task order. The Benin action plan targets issues to be addressed using local and international resources to achieve the determined goals and objectives that strengthen women's legal rights, reinforce USAID/Benin's objectives, and dovetail with ongoing activities in Benin.

#### A. Benin Country Overview

Benin is located in West Africa between Togo and Nigeria. Formerly called Dahomey, Benin was a prominent kingdom that wielded power and influence in the 15th century. The Portuguese and other Europeans established trading posts in the 1600s, and for well over a century the Dahomey shipped an average of 10,000 slaves a year to the Americas. Southern Benin became known as "the Slave Coast." The area became a French colony in 1872 and achieved independence on August 1, 1960, as the Republic of Benin. A succession of military coups and dictatorships ended in 1972 with the rise to power of Mathieu Kerekou, who established a socialist government. In 1990 a new constitution with human rights guarantees, including the equality of men and women, was adopted. The next year former Prime Minister Soglo became president in free elections, marking the first lawful, nonviolent transfer of power in Africa from a dictatorship to a democracy. Five years later, Mr. Kerekou returned to power, and was re-elected in 2001 in a disputed election. President Kerekou will not be eligible to run in the 2006 presidential election because of constitutional term limits, making the next few years extremely important for the political, economic, and social development of Benin society.

The Republic of Benin is a developing democracy where respect for and implementation of the rule of law and respect for human rights is an evolving concept. The government has three branches: the Executive, the Legislature (National Assembly), and the Judiciary. The executive branch, made up of many ministries, is by far the most powerful of the three. The executive power rests with the President of Benin, who is elected by popular vote for a maximum of two 5-year terms. The President commands the civil service and armed forces, and presides over the Council of Ministers, which directs national policy. The President may also initiate consideration

of laws by the National Assembly, and in practice this is the way all national legislation has been introduced in Benin up to this time.

Benin is still making the transition from a socialist, centralized state to a democracy with a market-based economy. Some human rights are generally respected, including freedom of the press and free elections. There is an increasingly active civil society. However, governmental and judicial corruption, poverty, low literacy, little private investment, and the universal oppression of women are pervasive and difficult problems in Benin. The national government has taken steps to improve the status of women. Girls' school fees are waived in an effort to increase girls' school enrollment rates. There is a national plan to include gender issues in all strategic planning at the ministry level. Significantly, a new Family Code was recently passed in an effort to make the constitutional guarantee of equality between men and women a reality in people's lives through the laws that regulate such issues as rights and obligations during marriage and divorce, parental and children's rights, and inheritance.

## **B. Women's Legal Rights Status and Constraints in Benin**

The Women's Legal Rights Initiative researched four areas to determine the legal status of women in Benin: the legislative framework (whether there are laws in place to protect and promote women's rights); judicial capacity (whether the justice sector has the knowledge, authority, and independence to enforce women's rights); civil society (whether there are civil society organizations present, and if they have the freedom and resources to protect and promote women's rights); and public awareness (whether the general public knows that women have legal rights, what they are, and that the government has the obligation to enforce them).

### **B1. Legislative Framework**

The equal rights and duties of all citizens are guaranteed by the Benin Constitution, articles 7 through 40. The Constitution specifies that “[m]en and women are equal under the law. The State shall protect the family and particularly the mother and child.” In addition, the government of Benin is bound by the prohibition of discrimination against women in international human rights instruments such as the African Charter on Human and Peoples' Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social, and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and the Convention on the Rights of the Child. However, these and other laws affecting women's rights are seldom actually enforced. There is almost no implementing legislation for broad Constitutional guarantees of equality and rights, and such laws and regulations are absolutely necessary to enforce rights in a civil law system such as Benin's. The legal framework of Benin is a convoluted mixture of the Napoleonic Code of 1804, the Customary Law of Dahomey of 1931, the Basic Law of 1977 (“*la Loi Fondamentale*”) from the socialist era, the Benin Constitution of 1990 and the laws passed since that time, and local customary practice.

Legislation must be approved by the National Assembly. The National Assembly, whose members are known as deputies, is a unicameral legislature elected every four years by direct, universal suffrage. Women are seldom represented in the National Assembly, and most women do not vote. There are many reasons for this, including the fact that many women do not have

identity cards, and identity cards are required to vote. One must have a birth certificate to get an identity card, and most women born in rural areas do not have birth certificates. Also, because women are generally disenfranchised, most women are not knowledgeable about voting, the candidates, or election issues. The National Assembly theoretically has the power to initiate legislation on most matters, including civil rights, criminal law, education, and the national budget, but in practice the National Assembly is politically weak and the executive branch drafts all legislation. Most of the deputies are not lawyers and have no background in the law, and some are illiterate.

Laws relating to women's legal status reflect not only societal attitudes that affect women's rights, but also have a direct impact on women's ability to exercise their rights. Customary law as now applied in Benin allows women virtually no rights. Traditional systems that used to provide a social safety net no longer function to protect women, and instead restrict their access to and control of land and property, education, health, and self-determination. There is enormous social pressure to follow tradition, however unfair or unhealthy, and to keep even severe human rights violations "in the family." Today, all customary law as practiced in Benin favors men over women, and is therefore incompatible with Benin's constitution as well as international human rights law.

A significant development in Benin is the recent adoption of a new Family Code. The legislation was introduced in 1994, and was the source of much contention, education, and advocacy. The Family Code, which is an important step in guaranteeing women's legal rights in family law, was passed, found to be unconstitutional, rewritten, and finally approved as amended by the National Assembly to become law in 2004. Other laws are also being rewritten to conform to Benin's constitution. For example, the Ministry of Agriculture, with advice from the Supreme Court, is drafting a Code on Land and Property. Women make up 80 percent of the agricultural sector of Benin, but have little access to or control of the land they work. Customary practice forbids women from inheriting property, and income derived from women's work on the land may be taken away by husbands or husbands' families. The new Land Code will require equality between women and men, although it does not provide remedies or any affirmative action to counter traditional obstacles to women's land and property rights.

## **B2. Justice Sector**

The judicial branch of the government is a complex, multi-tiered system, made up of the Constitutional Court, the Supreme Court, the High Court of Justice, the courts of first instance, and other quasi-judicial bodies. The legal system of Benin is primarily based on French civil law from the 19th century Napoleonic Code, and local customary law. Though the 1990 Constitution provides for an independent judiciary, in practice, the executive branch has a great deal of influence on the judiciary. The Constitution gives the Ministry of Justice administrative authority over judges, including the power to transfer them. Also, judges, magistrates, and law clerks are paid very low salaries, which makes the system susceptible to corruption. There is a functioning magistrate school to which all judges and magistrates, but not the grassroots, "non-professional judges," must attend.

Corruption, lack of information, and improper behavior in the judiciary are serious problems in Benin. Judges, magistrates, decision-makers on conciliation councils, lawyers, and

administrative staff are not sufficiently trained, particularly in the interpretation of international treaties and national laws that contradict customary law. The judicial system has serious deficiencies and is viewed by the public, with reason, as corrupt, unprofessional, and ineffective. Judges have no easy way to get copies of new laws, and there is no oversight to ensure that judges enforce them. Prosecution of child trafficking, female genital mutilation, forced marriage, *levirat* (forcing a woman to marry her dead husband's brother), and domestic abuse is virtually nonexistent. Actors in the justice sector, including judicial and police officers, prosecutors and sometimes the victims themselves, do not recognize these as serious crimes against women.

### **B3. Civil Society**

Civil society organizations (CSOs, also known as non-governmental organizations, or NGOs) working on issues of importance to women in the urban areas of south Benin are comparatively active. The NGO community generally uses print and electronic media to disseminate their messages, although many newspapers will not cover women or women's issues because they think "the public" is not interested. The WLR team met with many civil society organizations, and found that most rights projects work in the population centers in southern Benin because of the difficulty and expense of travel and communication to the center and north of the country. This leaves the population in the center and north without the benefits that CSOs offer. Funding for these organizations is typically provided by the international donor community. Given the poor economic situation in Benin, it is difficult for NGOs to find local financial support. Most depend on volunteers. All civil society organizations complained that the lack of local resources made it hard for them to successfully complete their missions and tended to make their programs donor-driven and unsustainable.

Many CSOs are familiar with women's legal rights work. A variety of women's organizations carried out a public education campaign which was crucial to the revising and passage of the new Family Code. Associations of women lawyers and judges put in countless hours to help draft and re-draft the Family Code, and educate members of the National Assembly on its many provisions.

### **B4. Public Awareness**

Women, particularly in rural areas of Benin, are ignorant of their rights. They are isolated and illiterate in communities that have followed customary law for generations. Issues such as forced marriage, rape, polygamy, *levirat*, domestic violence, girls' education, female genital mutilation, reproductive rights, and women's general lack of self-determination are considered family and customary matters, and therefore not worth protesting or reporting. Women do not have a sense of entitlement to human rights, or that sense of entitlement is beaten out of them, so they often do not demand or seek to enforce their rights.

Benin has had a variety of legal systems, and has not been a democracy very long. There is no expectation of being able to change the law because it isn't fair or violates someone's rights. There is no tradition of public interest law. In addition, the exchange of information within Benin is difficult. Parts of Benin are remote, lacking roads and electricity for television, computers, or even rural radio. There are 51 indigenous languages, making communication problematic, and many people, especially women, are illiterate.

### C. USAID/Benin

USAID/Benin focuses on the following general development topics:

- Improving governance and reinforcing democracy by increasing citizen awareness of public issues, assisting in elections, strengthening legal institutions, and supporting the decentralization program
- Improving basic education by helping more children receive a quality basic education on an equitable basis, and increasing community involvement in local schools
- Improving primary health care by developing and implementing quality models, strengthening management capacity, and encouraging community participation in the development and implementation of health services

USAID/Benin's Democracy and Governance (DG) programs promote good governance through increased participation of civil society in decision making, strengthening mechanisms to promote transparency and accountability in government, improving the environment for decentralized private and local initiatives, and reinforcing the effectiveness and independence of the legislature. However, the DG Team sees democracy and governance not as a separate sector, but as a means or tool that enables social and economic sector programs to succeed. The DG Team holds a central role in supporting the mission's Basic Education and Family Health sectors. It is this kind of integrated approach that the WLR Initiative is looking for to best implement activities to promote women's rights. Just as the DG Team has simultaneously targeted actions at national level decision-makers and the local grassroots level, and has linked democracy and governance activities to economic growth activities, so does the WLR team intend to work with all the Benin mission teams to integrate women's legal rights activities across sectors.

USAID/Benin's Basic Education programs aim to ensure that more children in Benin receive a quality basic education by helping to improve the pedagogical system, increase enrollment of girls in target areas, improve the management of the education system which is being decentralized, and to help create a better environment for stakeholders by, for example, empowering parents and communities to become more involved in local schools.

USAID/Benin's Health programs seek to increase use of preventive and family health services by developing and improving policies and guidelines on key family health issues, improving management and planning systems, and strengthening the partnership between the public and private sectors. The Health Team is also developing a new HIV/AIDS program that will include national mass media campaigns for HIV prevention, targeted behavior change interventions for high risk-groups, and support to epidemiological and behavioral surveillance.

The Gender subcommittee at USAID/Benin is a cross-sectoral body that oversees the integration of gender into the mission's programs and activities. All mission SO teams must integrate gender concerns into their activities and strategic planning. Gender integration means taking account of the differences and the inequalities between men and women in program planning, implementation, and assessment. WLR Benin is working closely with the Benin mission WID officer, Bernice Noudegbessi, and the Gender subcommittee, to integrate our women's legal rights program activities into the mission's portfolio of activities.

## SECTION III

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### General Approach to Action Plan Implementation

#### A. The WLR Approach

WLR Benin began this project by gathering as much information as possible about Benin: the cultures, the people, the legal system, the status of women, and the most prevalent obstacles to women's legal rights. We then conducted an assessment visit for two weeks, meeting dozens of people from all segments of society, to determine what should be done to most effectively promote women's rights in the Benin context. The WLR team worked closely with USAID/Benin to identify partners and activities that will strengthen and promote women's legal rights. WLR paid a follow-up visit to Benin from May 15 to May 27, 2004 to get feedback on a suggested action plan, to propose working relationships with several NGOs, and to get further guidance on the priorities of local people working on women's issues, and on whether proposed activities had a real chance of success, that is, of making an impact on women's lives. Input received during the follow-up visit is incorporated into this action plan.

WLR did not come into Benin with a predetermined plan, or with any agenda aside from the determination to provide assistance and support for the best ways to promote women's rights and empowerment we could find. The activities set out in this action plan are responsive to the requests of individual women, women's associations, and government agencies working on women's issues. WLR is also responding to the needs of USAID/Benin, and has incorporated their suggestions into this action plan. WLR intends to reinforce the mission's relevant strategic objectives and complement mission activities.

#### B. What WLR Benin Will Do – Activities with Local Partners

This action plan will guide the WLR Benin program for the next 15 months. After much discussion and consultation, we have determined activities to promote women's rights that we think will, taken together, have the greatest impact for the amount of support we can provide. These fall into four categories, all using the new Family Code as a specific and timely way of demonstrating women's rights: a public awareness campaign, training for all levels of actors participating in the judicial system, workshops for NGOs and key leaders in the community, and support for a lawyers' association to explore an impact litigation strategy as a way of promoting women's legal rights. The timing of WLR's project provides us with a unique opportunity to become involved with the acceptance and enforcement of the new Family Code, which makes significant progress toward equal rights for women in family law.

**Public Awareness:** The public in Benin is generally not aware that women have rights. Communities have followed customary law for generations, which allows or tolerates forced marriage, rape, polygamy, *levirat*, domestic violence, female genital mutilation, prohibiting women from inheriting property, denying girls an education, and a general lack of self-determination for women. One focus of our project activities will be to educate the public about

women's legal rights through a public awareness campaign on the new Family Code, and what it will mean in practical terms.

**Training for justice sector actors:** When women decide to assert their rights, they need assistance to access the legal system and to take their cases to and through the courts, if necessary. Unless the people in the justice sector understand that women have rights and what those rights are, women will continue to be blocked and treated unfairly. WLR Benin, through implementing partners, will promote women's legal rights through the training of paralegals, court personnel, police, social workers, decision-makers on conciliation councils, magistrates, and judges on women's rights in general and the practical application of the Family Code's provisions in particular.

**Workshops for Key Players in the Community:** Rights have little effect without the support and enforcement in the community, and this is especially true in most African communities. The importance of educating community and religious leaders on women's legal rights cannot be overstated; it is on the ground, in families and communities, where women's lives are actually affected (or not) by a change in the law. Women need allies in their communities, people who can back them up when they assert their rights and encounter hostility or resistance. The specific activities here will be a series of workshops, organized with Women in Law and Development in Africa (WiLDAF) and our other NGO partners, for community and religious leaders, women's groups, and NGOs working on women's rights issues, how legal rights affect women on a day-to-day basis, and how women's rights manifest themselves as a positive force locally in families and communities

**Support for Impact Litigation:** "Impact litigation" means lawsuits that have a broader effect than simply resolving a dispute between the parties to any one case. In protecting one individual's rights, a court decision which must be followed by lower courts can also assert and protect the rights and interests of groups or classes of similarly-situated people. A single case, especially when decided by a high court or involving constitutional interpretation, can shape the law and society for generations. Using impact litigation is a sophisticated legal strategy with risks. Women's rights advocates can use impact litigation as a tool to bring cases to court that will have far-reaching influence. Therefore, it is important to obtain information and training on how to develop and implement a successful impact litigation strategy, as well as how to positively use this strategy to promote public awareness of women's rights. If strategically practical, litigation will be used in conjunction with assistance in drafting new, non-discriminatory laws to replace the laws declared unconstitutionally discriminatory against women.

**Assistance in Drafting New Laws:** Customary law and most current civil laws and regulations in Benin pre-date the current constitution, and discriminate against women. While the government has indicated a willingness to reform the law, it has been exceedingly slow in doing so; the Family Code took 10 years to pass in a constitutional form. WLR will provide technical assistance to help the government draft laws and regulations that protect women's legal rights and do not discriminate against women.

### C. How WLR Will Meet USAID's Strategic Objectives

The Women's Legal Rights project is designed to contribute to EGAT/WID's SO3, "Women's Legal Rights Increasingly Protected." The project will be reported under the following WLR intermediate results:

- **IR 1 – “Improved Legislation to Protect Women’s Legal Rights.”** Unenforced laws and ignorance of the law weaken the legislative framework and respect for rule of law. WLR Benin public awareness and educational activities will result in a more informed public and judiciary about women’s rights in general, and particularly the new *Code de la Personne et de la Famille* (Family Code). This in turn will compel the National Assembly to be more accountable for women’s and men’s equality in future legislation, *strengthening the legislative framework* in Benin. As more women are able to access opportunities as a result of changes in the law, more women will become involved in the political process. While the participation of women is not synonymous with equity, it is a prerequisite to equality and a representative legislature. WLR-supported impact litigation will induce the interpretation of laws based on constitutional equality, and give substance and meaning to the constitutional guarantee of equality between women and men in Benin.
- **IR 2 – “Enhance Justice Sector Capacity to Interpret and Enforce Legislation that Protects Women’s Rights.”** WLR Benin will support continuing legal education courses to enhance and *strengthen the role of judges* to make informed decisions on women’s rights issues as required by the new Family Code. Training for mid-level legal staff and those who work with the judicial system will increase the chances that cases involving women’s rights will be decided fairly. WLR-supported legal training will provide greater access to legal assistance and knowledge of the law to women, men, and communities through trained paralegals and intermediate-level actors in the legal system, which will also strengthen and professionalize the judicial sector.
- **IR 3 – “Strengthened Civil Society Organizations Ability to Advocate for Women’s Legal Rights.”** WLR Benin outreach activities will *increase civil society capacity* by building cross-sectoral programmatic partnerships and networks designed to increase awareness of women’s rights. WLR Benin will work with local groups to encourage them to share information, best practices, successful strategies, and their networks, for the widest possible dissemination of newly revised materials. As women begin to exercise their right to participate in areas of the society previously closed to them, more women will join and/or start civil society organizations, and NGOs, and eventually the entire society, will become more responsive to women’s concerns.
- **IR 4 – “Increased Public Awareness of Women’s Legal Rights.”** WLR Benin will support a *public awareness* campaign on women’s legal rights. Radio spots, dramas, brochures with simplified legal text in local languages, and publicity around impact litigation cases will raise public awareness and begin to create a sense of entitlement to equal rights that will be the impetus for change. All those who receive training will also contribute to an increase in public awareness of women’s legal rights issues.

## SECTION IV

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### Detailed Action Plan Implementation

#### A. Key WLR Benin Action Plan Components

WLR Benin focus areas, with key activities, their components, implementing partners and targets (expected results) are detailed below. WLR Benin partners are: Association des Femmes Juristes du Bénin (AFJB); Centre Beninois pour le Développement des Initiatives à la Base (CBDIBA); Droits de l'Homme, Paix, et Développement (DHPD); and Women in Law and Development in Africa (WiLDAF). For descriptions of partner NGOs, see Collaborating Partners in Section V, pp. 19-20.

##### A1. Public Awareness

**Overview:** The public in Benin is generally not aware that women have rights, in spite of a constitution that guarantees equality between women and men, and many attempts at public education. This is perhaps understandable in rural and remote communities that have high illiteracy rates and little communication with the urban centers. Here, customary law and traditional attitudes have governed for generations, and people do not really believe that the national constitution and laws apply to them. However, the acceptance of legal rights for women is not a given in the cities, where domestic violence and discrimination are rampant. If women are not made aware of their rights under Benin's constitution and laws, they will continue to be subjugated by the tradition that men are the deciders of their fate, and defined only in relation to male members of their families and communities.

Women must be aware of their rights to assert them. WLR will support an awareness campaign that takes into account the multiplicity of local languages, the high degree of illiteracy, and the existing customary context. Our materials and messages will raise women's rights issues with men and women on a practical, day-to-day level, making it more likely that women's lives will actually improve because of it. The campaign will focus on the new Family Code, and what it will mean not just to women, but families and communities. The new law contains significant changes from the old French Civil Code and customary law. If enforced, it will significantly affect the lives of every person, family, and community in Benin, so it is imperative that the public be aware of their new rights and obligations.

**Key Activities:** Planned public awareness activities will include:

- In partnership with local NGOs, develop simplified language summaries of the new Family Code and its practical implications in four local languages and French, and disseminate them widely via existing networks across sectors
- Provide support for *L'Amazonie*, the only established newspaper/magazine that prints articles of interest to women and/or about women

- In partnership with a local NGO, develop a sketch, radio spots, “video-mobiles,” an essay contest, etc., on different aspects of the Family Code, how it is different from customary law, and how it will change people’s lives for the better
- Access established networks to spread information on women’s rights as widely and to as many different segments of the society as possible.
- Train individuals in these networks (above) on how to make the connection between what they do and women’s rights, and to incorporate a gender perspective into their particular issues, topics, and programs

**Implementing Partners:** WiLDAF, AFJB, DHDP, CBDIBA, USAID/Benin, local NGOs, local networks, government ministries, associations

**Targets:** We expect the following targets to be achieved

- Development of a media strategy to inform the public about women’s rights
- Development of a proactive approach to education about women’s rights for different sectors; for example, making the connection between women’s rights and health (including the effects of FGM, HIV/AIDS, violence against women), the connection between women’s rights and education (including the effects of sexual harassment, child exchange, FGM, domestic violence), etc.
- Development of 5,000 brochures in simplified language on women’s legal rights and different sections on the Family Code, in local languages and French
- Distribution of 5,000 brochures and other materials on women’s legal rights through at least 6 different networks; make agreements to distribute information through, or give presentations to networks or venues such as: the Ministry of Agriculture’s rural agriculture network; USAID/Benin’s Health team’s family health center programs; USAID/Benin’s Basic Education team’s contacts in parents’ associations; vocational classes given by l’Association des Femmes d’Affaires et Chefs d’Entreprises du Bénin/Association of Women Business Owners of Benin; microfinance organization VITAL FINANCE’s classes for clients; member organizations of WiLDAF; and the Union des Femmes Méthodistes du Bénin’s network of church women, and others
- Training for approximately 20 people from these networks and partner organizations on how to do public education on women’s rights
- Development of a play on women’s rights and the Family Code, to be performed and videotaped for use on the local private and the government television stations
- Development of other innovative public education methods, such as an essay contest, radio spots, etc.

## A2. Training for Justice Sector Actors

**Overview:** Another focus area will be providing training for workers in the justice sector. There are courts of first instance in each of six judicial districts in Benin. They include the Traditional Peoples' Chamber, which can hand down executory judgments in family and personal property matters, and the Traditional Chamber for Property Matters, which can hand down executory judgments in real estate matters. Customary law courts in Benin were abolished in 1964, but lay tribunals still exist that perform the same function. It is at this level where women who gather the courage to ask that their rights be respected are generally rebuffed, as the families, police, prosecutors, legal counsel, magistrates, and non-professional judges are either ignorant of the laws protecting women's rights or will not enforce them. These individuals, as well as formally-trained judges and magistrates, need training and consciousness-raising on women's rights.

When women decide to assert their rights, they need assistance to access the legal system and to take their cases to and through the courts, if necessary. Unless the people at all levels in the justice sector understand that women have rights and what those rights are, women will continue to be blocked and treated unfairly. WLR Benin, through implementing partners, will promote women's legal rights through the training of paralegals, court personnel, police, social workers, decision-makers on conciliation councils and chambers, magistrates, and judges on women's rights in general and the practical application of the new Family Code's provisions in particular. WLR will strive to make connections with the Magistrate School as well as the informal education sector.

**Key activities.** Specific activities will include:

- Providing assistance to our NGO partners involved in paralegal training, which may include AFJB, WiLDAF, CBDIBA, and DHPD, for paralegal trainings and continuing education for paralegals. After their training, the paralegals will do public education about women's rights, and act as a resource to help solve problems in their communities within the law through mediation, reconciliation techniques, and formal court procedures if necessary
- Supporting continuing education courses for judges. WiLDAF, a women's NGO network, will give judges specific training on how to handle cases under the Family Code, and on the differences between applying customary law or old civil law and the new Family Code
- Trainings for intermediate-level actors in the legal system on women's rights in general, the international law and constitutional requirements of equality of women and men, and what that means for them in their jobs

**Implementing Partners:** AFJB, CBDIBA, DHPD, WiLDAF

**Targets:** The targets for these trainings are:

- Two one-week interactive training courses completed by approximately 25 new "paralegals" at each training

- Two one-week interactive continuing education course for already-trained paralegals who have been practicing at least 6 months, approximately 25 per training
- Two one-week continuing education/training courses for approximately 25 intermediate-level justice sector workers each, devoted to women's legal rights and to the new Family Code requirements to increase the quality of legal services offered
- Two three-day continuing education courses for magistrates and judges devoted to women's legal rights issues and to the new Family Code
- Development and printing of an updated training manual for justice sector trainings that include sections on the new Family Code and relevant developments in the law and society

### **A3. Workshops for Community Leaders**

**Overview:** Rights have no effect without the support and enforcement in the community, and this is especially true in most African communities. The importance of educating community and religious leaders on women's legal rights cannot be overstated; it is on the ground, in families and communities, where women's lives are actually affected (or not) by a change in the law. Women need allies in their communities, people who can back them up when they assert their rights and encounter hostility or resistance.

**Key activities:** The key activities are a series of workshops, organized with WiLDAF and perhaps several small NGOs, for community and religious leaders, women's groups, and NGOs working on women's rights issues, on the basis for women's rights, and how women's rights manifest themselves as a positive force locally in families and communities. There will be at least one workshop for health care professionals to focus on women's rights and health.

**Implementing Partners:** AFJB, CBDIBA, DHPD, WiLDAF

**Component Targets:** The targets for these activities are:

- Four one-day workshop sessions for key community leaders, including religious and traditional leaders, in 6 *départements* throughout Benin, approximately 25 people each
- Development of materials on different aspects of women's legal rights in local languages, to use and distribute at the workshops
- One one-day workshop/training for approximately 25 health care professionals on women's rights and health, including FGM, HIV/AIDS, and violence against women

### **A4. Support Targeted Impact Litigation**

**Overview:** "Impact litigation" means lawsuits that are designed to achieve a significant result for a broad class of people rather than focusing on an individual wrong, although the case may be

brought by just one individual who is asserting her rights. Women's rights impact litigation is a legal strategy to both protect legal rights and bring about social change. In affirming one individual's rights, a court's decision sets a precedent, which means that decision must be followed by lower courts in the future. A single case, especially when decided by a high court or involving constitutional interpretation, can shape the law and influence society for years. Impact litigation is a sophisticated legal strategy that carries risks. A good court decision could benefit every woman, but a bad decision could harm the legal rights of not only the client, but women throughout Benin. However, a well-planned media campaign around an impact litigation lawsuit can be a great public education, regardless of the outcome of the case.

WLR proposes to support targeted impact litigation in Benin as a part of an integrated strategy to promote women's legal rights by having discriminatory laws be struck down as unconstitutional. Impact litigation requires an infrastructure of knowledgeable people, legal and litigation experience, resources, research, strategy, and careful planning. Fortunately, many dedicated and experienced lawyers are associated with WLR's NGO partners. In the United States, impact litigation would also require a long timeline and a significant investment of financial support. However, the court system in Benin, while complex, allows virtually direct access to its Constitutional Court. Support for impact litigation will include technical support in the form of training, and funding to investigate exactly what this strategy entails, and on how to use international law and legal mechanisms and arguments to advance legal norms, laws and policies that secure women's rights and access to power and decision-making. WLR Benin will support a strategy to pursue women's rights cases with a high potential to bring about social change and legal reform.

Cases that, if successfully brought before the Constitutional Court could positively affect women's rights in Benin, are not being taken to court for lack of knowledge and funds. The first case will require technical legal assistance to help to develop a successful impact litigation strategy, so supporting impact litigation will require funding for a litigation expert or experts to train interested local lawyers. Plaintiffs need support for travel and living expenses for themselves and their children, who must travel to and stay in the south of Benin to litigate their cases for the time it takes a case to work its way through the legal system. Plaintiffs also need assistance with court costs. This component of the Benin Action Plan would also necessitate some funding for partial legal fees, as the lawyers, who already donate large amounts of their time and expertise, can not afford to donate the entire amount of additional time that will be required for such cases. Some local lawyers have the expertise and passion, but not the financial wherewithal, to conduct impact litigation, which has the potential for yielding impressive results at a relatively low cost.

At the heart of these activities is WLR's commitment to building the capacity of local NGOs to use local and national laws, as well as international human rights laws and mechanisms, to advance women's rights. There is also a considerable public awareness component to impact litigation. This will be an effective way to create interest about women's rights in the popular and male-dominated media. If handled correctly, the AFJB and other women's organizations will be the primary sources of information for newspapers, television and radio news. This will increase these organizations' exposure, and give wide coverage to women's rights issues from women's perspectives, which have been lacking in the mainstream media.

**Key Activities:** There are three activities to this component:

- WLR Benin will support research on what is needed to employ an impact litigation strategy
- Bring trainer to Benin to help small group of committed lawyers to develop a litigation strategy
- Provide assistance to bring and successfully argue a high-impact women's rights case at the Constitutional Court

**Implementing Partner:** interested lawyers associated with WLR Benin's NGO partners

**Component Targets:** We expect to achieve the following targets:

- Identify and hire a legal professional, preferably a law student or lawyer who is knowledgeable about Benin's legal system, to research impact litigation in the region and throughout Francophone Africa. Research should include the following information:
  - where in Africa, especially civil law Francophone countries in Africa, there are groups already employing an impact litigation strategy
  - what the results have been (if any)
  - how long cases might take to get to the highest courts
  - what the estimated costs will be for start-up and per case
  - what type of expertise and social research is needed
  - where to get financial and technical support
  - how to go about choosing the best cases
  - how to successfully counter customary law arguments
  - how to best protect the clients and attorneys
  - how to develop and implement a media strategy around a highly visible lawsuit on women's rights
  - how to best improve the chances of getting a positive result at the highest level
  - how to analyze the risks versus the benefits of an impact litigation strategy
  - how to use the law to advance women's legal rights as a fundamental human rights that the government is legally obligated to protect, respect and fulfill
- Identify and provide technical support in the form of a consultant or consultants, knowledgeable about Francophone law systems, impact litigation techniques, and successful legal strategies in Africa, to train lawyers in Benin to develop this expertise
- Provide financial support to develop a strategy, chose a women's legal rights case, and argue it before the Benin Constitutional Court

If the Women's Legal Rights Initiative continues beyond the timeline of this Action Plan, future WLR Benin activities for this component would include a publication of a compilation of the research findings, the content of the training, how the local lawyers proceeded to bring a case, their impact litigation strategy and how it was developed, what the results were, and lessons

learned. This publication could be distributed to interested parties throughout Francophone Africa, providing a regional benefit from WLR Benin's support.

#### **A5. Technical Assistance for New Laws**

**Overview:** As part of a strategy to see that the guarantee of equality between women and men is enforced in the legal framework in Benin, at the same time we are providing support to have laws that discriminate against women struck down by the Benin Constitutional Court, WLR will also offer technical assistance to the government to assist in drafting new, non-discriminatory laws to take their place. After discussing the possibilities with USAID/Benin and a group of lawyers, we have determined that the two areas where legal reform will have the greatest impact on the greatest number of women's lives are inheritance of land, and sexual harassment.

*Land:* Customary laws as now applied in Benin give women virtually no right to inherit land. In most of Africa, customary systems traditionally included a social safety net. For example, while women could not directly inherit land from their husbands when they died, the male relatives who did inherit, usually his brothers, were responsible for and were required to take care of the surviving widows and children. However, this is no longer the norm, and widows and other women are now often evicted from the land they lived and worked on for years.

Women make up 80 percent of the agricultural sector of Benin, but have little access to or control of the land they work. Not only can they not inherit property, but income derived from women's work on the land may be taken away by husbands or husbands' families. Women do not belong to the groups that make decisions about land.

The Ministry of Agriculture, with advice from the Supreme Court, started work on a draft Code on Land and Property that requires equality between women and men, but there has been no progress on it for some time. The draft Land Code does not include any propositions to address traditional obstacles to women's land rights. In Benin's civil law system, implementing regulations will be crucial to how the law is applied, and these regulations will be approved by the Ministry of Agriculture. The Ministry's Gender Unit intends to oversee the approval process and insist on strong regulations that will ensure that the law, which is contrary to custom, is enforced.

*Sexual Harassment:* Girls in Benin, as in many parts of Africa, often face sexual harassment by male teachers. Schools often failed to create an environment conducive to learning, especially for girls. Sexual harassment leads to many girls performing badly, dropping out, or not enrolling for secondary school. While anecdotal evidence is plentiful, statistics on sexual abuse against schoolgirls by male teachers are difficult to get, as girls are usually reluctant to talk about it. When a girl who is molested at school by a teacher does speak up, she is often accused of "leading the teacher on" and is shamed, or else her parents forbid her to attend school anymore, depriving her of an education. Sometimes the teacher is quietly reprimanded by a community leader, an approach that does nothing to solve the larger problem. Sexual harassment in schools also leads to pregnancies, and the spread of HIV/AIDS or other sexually transmitted diseases. Incredibly, there is no law against sexual harassment in schools (or in the workplace) in Benin.

There was some disagreement about whether drafting and promoting a law against sexual harassment in both schools and in the workplace was the best strategy, or whether it would be better to concentrate on the school environment during the preliminary education phase, and advance a sexual harassment law for adults in the workplace later. There was complete agreement that both issues must be addressed; this component will include an assessment and in-depth strategizing before it is implemented.

**Key Activities:** WLR Benin will support the following activities:

- Provide support for technical assistance for the completion of a new Land Code, to ensure that it enshrines and protects women's rights to own, inherit, and control land
- Provide support for technical assistance to the appropriate government ministry to develop a law against sexual harassment

If WLR Benin is extended beyond the lifetime of this plan, future activities would include 1) the development and implementation of a plan to share this model legislation with other Francophone civil law countries in the region, 2) an advocacy and education campaign for the public and for the National Assembly around each of these new laws, and 3) legal technical assistance to help the appropriate bodies develop implementing regulations for the new laws.

**Implementing Partners:** interested lawyers from WLR Benin's NGO partners

**Component Targets:** We expect to achieve the following targets:

- One or more lawyers from partner NGOs will work with appropriate personnel at the Ministry of Agriculture to finish their draft Land Code, assuring that women's legal rights are guaranteed and protected, and present it to the National Assembly for their consideration
- One or more lawyers from partner NGOs will identify and work with the Ministry of Education or other appropriate government ministry to develop a law against sexual harassment in schools in Benin or develop *arrêtements* at the district level, or both
- Notification of lawyers' groups, women's groups, education groups, USAID missions, and interested others about the availability of these model laws once they are completed, and also inclusion on WLR's CD ROM of women's legal rights documents, which will be widely distributed

## **B. Coordination with USAID**

This action plan will be implemented in coordination with USAID/Benin.

USAID/Benin's family health strategic objective is to increase the use of family health services and prevention measures within a supportive policy environment. WLR Benin will reinforce this strategic objective by providing information and training on how improving women's legal status and enforcing women's rights will improve family health and access to health care. Many health

workers do not understand the connection between women's rights and health, so WLR Benin will hold at least one training for health care professionals on women's rights and health issues, including FGM, HIV/AIDs, and violence against women, with an emphasis on prevention. (See Public Awareness and Workshops for Community Leaders).

Trainings for people in the medical profession will increase the capacity of health care workers to provide improved quality of care to women who need it (the mission Health Team's IR 3 Improved Quality of Management and Services), and will increase their knowledge of prevention measures and promote appropriate behaviors (Health Team's IR 4 Increased Demand for and Practices Supporting Use of ... Prevention Measures). For example, after the training, health workers will be able to counsel people about not only about the health risks of FGM, but also that FGM is an illegal procedure, and how women's access to sexual and reproductive health can improve the health of the entire family. WLR Benin will also produce public education materials on the Family Code and make the connection between women's rights and health, which will be distributed in a proactive way with the intention of preventing rights abuses, rather than waiting until after abuses occur to give the public information.

USAID/Benin's basic education strategic objective is to ensure that more children receive a quality basic education on an equitable basis. It is clear that girls cannot receive an equitable education with boys if they are being sexually harassed by teachers or other students, or drop out of school because of such harassment. WLR Benin will provide information and training on the sexual harassment of girls in schools as a violation of women's and girls rights at trainings for paralegals, workers in the justice sector, and at workshops for community and religious leaders. Explanations about why sexual harassment violates women's rights and how it hurts not just girls and women, but harms the entire society, will be developed for WLR's public awareness campaign. Any attitude changes against sexual harassment would make it easier for parents to enroll their daughters in school, and for an improved environment for girls in schools. This addresses the basic education team's IR 2 (Increased girls enrollment, including a higher retention rate for girls).

Also, WLR Benin will provide legal technical assistance to the appropriate government ministry to develop new legislation against sexual harassment in schools. Education about and enforcement of such a law would act to increase girls enrollment and retention in schools (IR 2) and improve the environment at schools (IR 3) to make them more conducive to learning for girls, increase the professionalism of teachers and administrators, and address parental concerns about their girls' safety.

USAID/Benin's democracy and governance strategic objective is xxxx. Providing assistance to lawyers from WLR Benin NGO partners to bring impact litigation to protect the legal rights of women will improve the ability of civil society organizations to promote and facilitate administrative and legal changes (IR 3), and increase public awareness of rights (IR 4). Developing and using impact litigation strategy, and then using the experience in training paralegals to apply current laws and constitutional and international standards to protect women's rights, will expand the capacity of civil society organizations to provide legal services to women (IR 3), as well as to ensure the proper enforcement of legislation that protects women's rights (IR 2).

The WLR team will ensure that the activities in the action plan do not duplicate the work of other donors and that they support the goals and objectives of this project. Implementation of this project will be guided by EGAT/WID's CTO and SO 3 team and by mission strategic objectives. In all cases, the WLR team will ensure maximum collaboration and coordination with USAID programs and partners.

## SECTION V

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### Project Administration

#### A. WLR Country Selection Process for Benin

In collaboration with EGAT/WID, the WLR team met in April 2003, with WLR Cognizant Technical Officer (CTO) Ed Lijewski and four representatives chosen from the USAID Africa Regional Bureau, to select countries that could benefit from the Women's Legal Rights Initiative. Meeting participants sent an Africa-wide cable to missions, introducing WLR and asking for responses. WLR developed objective criteria for the country selection process and to measure the potential impact a project could have in a given country. These criteria are:

1. The applicability of the mission's strategic plan to a WLR component
2. The existence of significant local/indigenous grassroots women's or legal reform organizations, especially among current USAID partners
3. Women's rights work already underway, allowing WLR initiatives to build on and strengthen existing activities
4. The potential for substantive (breadth/depth) impact, given the existing political and economic environment
5. The ability to implement activities given the severity and breadth of systemic problems in the legal and judicial systems and customary law regimes
6. The potential for replication in neighboring countries, e.g., in Francophone or Anglophone regions, allowing best practices to be used productively

The WLR team assessed the 11 responses, and in consultation with the Africa Regional Bureau and relevant country desk officers, selected USAID/Benin. Benin meets all the criteria. USAID/Benin emphasizes a cross-sectoral gender strategy that involves all of the mission's Strategic Objective Teams. Benin has a number of active civil society organizations in the area of women's legal rights, which have been active in promoting women's rights, especially regarding the development and passage of the Family Code. WLR will be able to build on the accomplishments already achieved by the government and NGOs, and show significant impact by supporting proven successes. Benin is a new democracy, and relatively politically and economically stable. The government of Benin and USAID/Benin provide an enabling environment for a WLR project. Successful Benin-based programs will have great potential for replication in Francophone West Africa.

#### B. Collaborating Partners

To implement the projects described in this action plan, the WLR team will collaborate with two main NGO partners and the USAID/Benin Strategic Objective Teams.

The **Association des Femmes Juristes du Bénin (AFJB)** is one of the largest and most active women's NGOs in the country. Made up of legal professionals who donate their time and money, AFJB has three Legal Aid Centers, all in population centers in the south of Benin

(Lokossa, Porto Novo, and Cotonou), and they train paralegals who work in villages all over the country. Since 1990, the AFJB has promoted legal literacy, especially among women and those from rural areas. They work to advance the legal rights of women and girls. AFJB paralegals work mostly with the very poorest clients in communities throughout Benin to raise awareness of issues important to women. They also conduct workshops and information campaigns. The AFJB has collaborated with all branches of the Benin government; it lent its expertise to educate members of the National Assembly in a series of seminars on the many sections of the Family Code legislation before it came to a vote, and helped the Law Commission to revise the unconstitutional sections of the Family Code after it passed in 2001. The AFJB was mentioned by judges, other organizations, and government representatives as the organization most involved in the promotion of women's legal rights.

**Women in Law and Development in Africa (WiLDAF)** is another leading group working in Benin. A Pan-African non-governmental, non-profit organization, WiLDAF brings together organizations and individuals to promote the exercise of and respect for women's rights in Africa. WiLDAF's overall goal is to promote strategies for individual, community, national, sub-regional, and regional development. WiLDAF facilitates workshops and seminars on women, law, and development, and publishes a newsletter, a directory of women's resources, and posters and pamphlets giving simplified information on women's rights and development issues. WiLDAF also gives training and technical assistance to strengthen the capacity of local groups and individuals to design and carry out effective rights education, and maintains an institutional presence at sessions of major regional and international institutions dealing with the human rights of women. It works as both an organization and a network of organizations, and has conducted several successful continuing education sessions for judges and paralegals in Benin, and also community workshops on women's rights.

WLR Benin will also partner with several smaller, grassroots NGOs. We want to have a direct line to end beneficiaries, and to building these groups' capacity to work on larger projects and partner with larger organizations. The **Droits de l'Homme, Paix, et Développement (DHPD)** is a relatively new (but with very experienced staff), small NGO, which promotes an integrated approach to human rights, peace-building, and the development of democracy. DHPD has experience doing grassroots education on human rights in general and women's and children's rights in particular, as well as conflict prevention and resolution. DHPD will contribute to the development of materials, and will implement at least one public awareness workshop and meeting, and will contribute to the trainings given by WiLDAF and AFJB.

The **Centre Beninois pour le Développement des Initiatives à la Base (CBDIBA)** is another small, very dedicated NGO that focuses on providing legal aid to poor rural people, especially women. CBDIBA, in collaboration with the Benin Ministry of Justice, sponsors trainings where judges and magistrates teach men and women from all over Benin to offer legal literacy education to rural women's associations. CBDIBA has trained almost 5,000 women, who have gone on to train and educate others in their communities. CBDIBA has also produced training manuals in five major local languages. WLR Benin will invite CBDIBA to contribute to our public awareness materials and training manuals on the Family Code. CBDIBA will also do at least one public awareness workshop and meeting.

In addition to USAID/Benin projects, WLR Benin is familiar with other programs in Benin that address aspects of women's rights issues. For example, UNICEF works with the Ministry of Primary and Secondary Education, and with local NGOs, primarily on girls' education and child health. The French Embassy works with NGOs on promoting women in the agricultural sector, and with the AFJB on preventing forced marriage, FGM, and *le lévirat*. The Danish Embassy is currently developing a women's rights project. The United Nations Population Fund (FNUAP) and the United Nations Development Programme (UNDP) work with the Government of Benin in the field of human rights generally, and in education, health, the environment, the elimination of illiteracy, and the reduction of poverty, all of which will help women but do not target women per se. WLR Benin will seize opportunities to cooperate with international donors with existing or developing women's legal rights projects.

### C. Staff and Management

The Benin WLR team in Washington, DC, is composed of Mary Hill Rojas, Sr. Manager; David Vaughn, Chief of Party and WLR Project Director; Lyn Beth Neylon, Legal Specialist; and Yung-Ting Kung and Rebecca Michel, Assistant Project Administrators. This team is in daily email contact with the WLR Benin Coordinator, Elvire Houenassou. We also have a regularly-scheduled teleconference once a week. Ms. Houenassou is in contact with USAID/Benin through Ms. Bernice Noudegbessi, the Gender Team leader, who will be advised of and invited to participate in all relevant WLR Benin activities, and who has graciously provided suggestions and her expertise to the project.

A local WLR Benin Coordinator and an administrative assistant are responsible for the day-to-day management of the program. Benin WLR team members from the home office will travel to Benin occasionally to check the status of the project, provide technical assistance, do team-building, and help with program activities as needed. The core team may also identify technical experts on a specific topic to travel to Benin and provide assistance and/or training to support the program. Local staff, in coordination with partner organizations, will identify local experts and organizations necessary to achieve the goals of the project.

### D. Guiding Principles

The WLR project focuses on strengthening and promoting women's legal rights worldwide. We are guided by four key principles:

***Support coordination and leverage resources.*** WLR will build on successful existing projects and initiatives that promote women's rights. Cooperation between and among other donors, government ministries, international organizations, and CSOs are essential to building partnerships, accessing and establishing networks, and leveraging resources to ensure sustainability.

***Provide high impact, results-oriented technical assistance that promotes participation and transparency.*** WLR-designed and/or -supported interventions are linked to well-defined opportunities based on the total in-country picture, involve local partners, are responsive to local needs, and provide the opportunity for the introduction of new approaches and methodologies to women's legal rights.

***Foster sustainability through strengthening capacity of local partners.*** WLR is a short-term effort, and as such, it is imperative that project activities strengthen local institutional and partner capacity. WLR projects identify and foster capacity, leadership and ownership in each focus country. Building partnerships and networks is imperative to ensure future funding and other resources, and WLR strives for sustainability for its projects.

***Stimulate discussion and action on women’s legal rights and economic empowerment.*** WLR helps stimulate discussion with Missions, project partners, and host-country institutions on the value and critical linkages of strengthened women’s legal rights. WLR will emphasize that economic empowerment is key for women to be able to pursue and achieve their legal rights. WLR will demonstrate the importance of women’s legal rights and act as a resource for USAID, local and international partners and the donor community.

## **E. Acronyms and Words & Phrases**

AFJB	Association des Femmes Juristes du Bénin (Association of Women Lawyers of Benin)
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
CSO	Civil Society Organization
EGAT/WID	The Bureau for Economic Growth, Agriculture, and Trade/Office of Women in Development (USAID)
FGM	Female Genital Mutilation, also known as “female circumcision” or “female genital cutting”
Gender	The socially constructed roles of men and women, and the relationship between them
IR	Intermediate Result
<i>le lévirat</i>	(noun, French) The customary practice of requiring a widow to marry her dead husband’s brother, son by another woman, or other close male relative to keep her in the husband’s family
NGO	Non-governmental Organization
SO	Strategic Objective
USAID	United States Agency for International Development
WiLDAF	Women in Law and Development in Africa
WLR	Women’s Legal Rights (Initiative)

## **F. Results Framework**

The chart below presents the results framework, listing overall WLR project goals and IRs.

## Performance Monitoring Plan

### Women's Legal Rights Initiative

#### ► Strategic Objective 1: Women's Legal Rights Increasingly Protected

##### ► IR 1: Improved Legislation to Protect Women's Legal Rights

- Indicator 1: Number of changes to national legislation to comply with international human rights standards and commitments
- Indicator 2: Number of legislative actions taken to embody women's rights in law (new, repealed, reformed bills introduced, debated, committee meetings held, working groups conducted, testimony given, voted on)
- Indicator 3: Number of executive branch policy directives in support of women's legal rights

##### ► IR 2: Enhanced Justice Sector Capacity to Interpret and Enforce Women's Legal Rights

- Indicator 1: Percent of violations of women's legal rights (i.e., cases of violence against women, FGM, sexual assault or harassment, child marriage, *lévirat*, nonpayment of pensions) reported to law enforcement or prosecutors, that are presented in court
- Indicator 2: Number of legal professionals and justice sector workers trained in women's legal rights and international human rights law
- Indicator 3: Number of lower court, magistrate, or judicial decisions that cite international human rights law
- Indicator 4: Number of mechanisms available for improving access to legal redress for violations of women's rights (women's bar associations, specialized courts, special police cells, units or stations, women in the justice system)
- Indicator 5: Number of justice sector workers at all levels using project-sponsored publications on women's legal rights

##### ► IR 3: Strengthened CSOs Ability to Advocate for Women's Legal Rights

- Indicator 1: Number of CSOs trained on women's legal rights and international human rights to advocate or work for women's legal rights, including research, advocacy, training, and legal assistance
- Indicator 2: Number of CSOs with multiple funding sources
- Indicator 3: Number of CSOs submitting reports to national, regional, and international human rights monitoring bodies
- Indicator 4: Number of legislative and/or policy actions in favor of women's legal rights taken as a result of civic advocacy (work by ministries on new laws or regulations, introduction of new legislation, references in speeches, pledge of resources to women's rights )

##### ► IR 4: Increased Public Awareness of Women's Legal Rights

- Indicator 1: Number of media stories that reference women's legal rights
- Indicator 2: Number of publications or campaigns developed to educate women and the general public on women's legal rights

## G. Strategic Objectives and Indicators

Indicators for each of the four intermediate results (IRs) will be used to report progress.

### Women's Legal Rights (WLR) Initiative Results Framework

The tables below detail each of the WLR Benin activities for all components, the relevant intermediate results, the applicable indicators, and the expected results of that activity

#### Component 1: Public Awareness

Activity	Relevant IRs	Indicators	Expected Results
Develop and distribute simplified language summaries of the new Family Code	IR 1. Improved Legislation to Protect Women's Rights  IR 2. Enhanced Justice Sector Capacity to Interpret and Enforce Women's Legal Rights  IR 3. Strengthened CSOs Ability to Advocate for Women's Legal Rights  IR 4. Increased Public Awareness of Women's Legal Rights	IR 1: Indicator 2 -- Number of legislative actions taken to embody women's rights in law  IR 2: Indicators 1, 5 -- Percent of violations of women's legal rights reported to law enforcement or prosecutors, that are presented in court; Number of justice sector workers at all levels using project-sponsored publications on women's legal rights  IR 3: Indicator 4 – Number of legislative and/or policy actions in favor of women's legal rights taken as a result of civic advocacy  IR 4: Indicators 1, 2 -- Number of media stories that reference women's legal rights; Number of publications or campaigns developed to educate women and the general public on women's legal rights	Brochures, posters, radio spots and other materials will educate and inform the public in language people can understand on their rights and responsibilities. This will ensure that the public can exercise their rights and obligations under the new Family Code. Women in particular will have the information necessary to seek legal help to protect themselves, their children, their homes, and their property. CSOs/NGOs can use this information to advocate with the justice sector, the National Assembly, and government ministries for the full protection and implementation of the law, ensuring the protection of women's legal rights.
Develop and distribute summaries of different women's rights in local languages	IR 1. Improved Legislation to Protect Women's Rights  IR 2. Enhanced Justice Sector Capacity to Interpret and Enforce Women's Legal Rights  IR 3. Strengthened CSOs Ability to Advocate for Women's Legal Rights  IR 4. Increased Public Awareness of Women's Legal Rights	IR 1: Indicators 1, 2, 3 -- Number of changes to national legislation to comply with international human rights standards and commitments; Number of legislative actions taken to embody women's rights in law ; Number of lower court, magistrate, or judicial decisions that cite international human rights law  IR 2: Indicators 1, 3, 5 -- Percent of violations of women's legal rights reported to law enforcement or prosecutors, that are presented in court; Number of lower court, magistrate, or judicial decisions that cite international human rights law;	Rights summaries, distributed through brochures, posters, radio spots and other materials will educate and inform the public in local languages that people can understand on their rights and responsibilities under Benin law and international human rights law. This will create a sense of entitlement among women that they have rights, and a public awareness that women have and can exercise their rights. Women in particular will have the information necessary to seek legal help to protect themselves, their children, their homes, and their property. CSOs/NGOs can use this information to advocate with the justice sector, the National

Activity	Relevant IRs	Indicators	Expected Results
		<p>Number of justice sector workers at all levels using project-sponsored publications on women's legal rights</p> <p>IR 3: Indicator 4 – Number of legislative and/or policy actions in favor of women's legal rights taken as a result of civic advocacy</p> <p>IR 4: Indicators 1, 2 -- Number of media stories that reference women's legal rights; Number of publications or campaigns developed to educate women and the general public on women's legal rights</p>	<p>Assembly, and government ministries for the full protection and implementation of the law, increasing their understanding of women's legal rights, and promoting a more democratic and fair society.</p>
<p>Training of people in networks for public education and advocacy</p>	<p>IR 1. Improved Legislation to Protect Women's Rights</p> <p>IR 2: Enhanced Justice Sector Capacity to Interpret and Enforce Women's Legal Rights</p> <p>IR 3. Strengthened CSOs Ability to Advocate for Women's Legal Rights</p> <p>IR 4. Increased Public Awareness of Women's Legal Rights</p>	<p>IR 1: Indicators 1, 2, 3 – Number of changes to national legislation to comply with international human rights standards and commitments; Number of legislative actions taken to embody women's rights in law; Number of lower court, magistrate, or judicial decisions that cite international human rights law</p> <p>IR 2: Indicators 1, 4, 5 -- Percent of violations of women's legal rights reported to law enforcement or prosecutors, that are presented in court; : Number of mechanisms available for improving access to legal redress for violations of women's rights; Number of justice sector workers at all levels using project-sponsored publications on women's legal rights</p> <p>IR 3: Indicators 1, 2, 3, 4 – Number of CSOs trained on women's legal rights and international human rights to advocate or work for women's legal rights, including research, advocacy, training, and legal assistance; Number of CSOs with multiple funding sources; Number of CSOs submitting reports to national, regional, and international human rights monitoring bodies Indicator; Number of legislative and/or policy actions in favor of women's legal rights taken as a result of civic advocacy</p>	<p>Training people in different networks across sectors on women's legal rights and how it applies to them, and then utilizing these people to promote public awareness about women's rights, will reach many people never targeted before, and will make the concept of women's legal rights practical and useful to ordinary people in their everyday lives. This will encourage women to understand that they have rights, and to use available mechanisms to protect them, and to advocate for themselves. Training people new to the concept of women's legal rights will raise not just their awareness as individuals, but also the people, networks, and agencies they work with. This will lead to more different kinds of CSOs to incorporate women's rights into their understanding and organizational missions.</p>

Activity	Relevant IRs	Indicators	Expected Results
		IR 4: Indicators 1, 2 -- Number of media stories that reference women's legal rights; Number of publications or campaigns developed to educate women and the general public on women's legal rights	
Access networks to distribute public education information and materials widely	<p>IR 1. Improved Legislation to Protect Women's Rights</p> <p>IR 2: Enhanced Justice Sector Capacity to Interpret and Enforce Women's Legal Rights</p> <p>IR 3. Strengthened CSOs Ability to Advocate for Women's Legal Rights</p> <p>IR 4. Increased Public Awareness of Women's Legal Rights</p>	<p>IR 1: Indicators 1, 2, 3 -- Number of changes to national legislation to comply with international human rights standards and commitments; Number of legislative actions taken to embody women's rights in law; Number of lower court, magistrate, or judicial decisions that cite international human rights law</p> <p>IR 2: Indicators 1, 4, 5 -- Percent of violations of women's legal rights reported to law enforcement or prosecutors, that are presented in court ; Number of mechanisms available for improving access to legal redress for violations of women's rights; Number of justice sector workers at all levels using project-sponsored publications on women's legal rights</p> <p>IR 3: Indicator 4 – Number of legislative and/or policy actions in favor of women's legal rights taken as a result of civic advocacy</p> <p>IR 4: Indicators 1, 2 -- Number of media stories that reference women's legal rights; Number of publications or campaigns developed to educate women and the general public on women's legal rights</p>	Using different networks across sectors to distribute information and materials on women's legal rights will promote public awareness about women's rights, will reach many people never targeted before, and will make the concept of women's legal rights practical and useful to ordinary people in their everyday lives. It will encourage women to understand that they have rights in a practical way, and to use available mechanisms to protect these rights, and to advocate for themselves. Training people new to the concept of women's legal rights will raise not just their awareness as individuals, but also educate the people, networks, and agencies they work with. This will lead to more and different kinds of CSOs to incorporate women's rights into their understanding and organizational missions, and lead to collaborations and partnerships that will remain after the project is finished.
Provide support for <i>L'Amazone</i>	<p>IR 1. Improved Legislation to Protect Women's Rights</p> <p>IR 2: Enhanced Justice Sector Capacity to Interpret and Enforce Women's Legal Rights</p> <p>IR 3. Strengthened CSOs Ability to Advocate for Women's Legal Rights</p>	<p>IR 1: Indicators 1, 2, 3 – Number of changes to national legislation to comply with international human rights standards and commitments; Number of legislative actions taken to embody women's rights in law; Number of lower court, magistrate, or judicial decisions that cite international human rights law</p> <p>IR 2: Indicators 1, 3, 5 -- Percent of violations of women's legal</p>	Raising public awareness on women's rights in general should create a sense of entitlement in women to their human rights, which should lead to more advocacy by women and CSOs for better laws, better and fairer enforcement of laws, better treatment by legal institutions, and better outcomes for women. Public awareness tends to nourish itself, and the more awareness there is of women's rights, the more media avenues will be available to discuss them. This

Activity	Relevant IRs	Indicators	Expected Results
	IR 4. Increased Public Awareness of Women's Legal Rights	<p>rights reported to law enforcement or prosecutors, that are presented in court; Number of lower court, magistrate, or judicial decisions that cite international human rights law; Number of justice sector workers at all levels using project-sponsored publications on women's legal rights</p> <p>IR 3: Indicator 4 -- Number of legislative and/or policy actions in favor of women's legal rights taken as a result of civic advocacy</p> <p>IR 4: Indicators 1, 2 -- Number of media stories that reference women's legal rights; Number of publications or campaigns developed to educate women and the general public on women's legal rights</p>	in turn educates more people, leading to more people and organizations advocating for positive social change through publications, media stories, and public awareness campaigns.

**Component 2: Training for Justice Sector Actors**

<b>Activity</b>	<b>Relevant IRs</b>	<b>Indicators</b>	<b>Expected Results</b>
Initial training and continuing education for paralegals and intermediate-level justice sector workers	IR 2. Enhanced Justice Sector Capacity to Interpret and Enforce Legislation that Protects Women's Rights  IR 3. Strengthened CSOs Ability to Advocate for Women's Legal Rights	IR 2: Indicators 1, 2, 3, 5 -- Percent of violations of women's legal rights reported to law enforcement or prosecutors, that are presented in court; Number of legal professionals and justice sector workers trained in women's legal rights and international human rights law; Number of lower court, magistrate, or judicial decisions that cite international human rights law; Number of justice sector workers at all levels using project-sponsored publications on women's legal rights  IR 3: Indicator 4 -- Number of legislative and/or policy actions in favor of women's legal rights taken as a result of civic advocacy	Well-educated justice sector workers will provide vital legal aid to women seeking to exercise their rights and ensure non-discriminatory enforcement of the law. Better understanding and enforcement of the law will improve legal protection of women's rights, improving their lives and their children's lives, and ultimately the family's and community's lives as well. More and updated paralegals will provide better services and protection for victims of abuse, and will encourage them to understand and pursue their rights.
Training of judges, magistrates, and non-professional judges	IR 2. Enhanced Justice Sector Capacity to Interpret and Enforce Legislation that Protects Women's Rights	IR 2: Indicators 1, 2, 3, 4, 5 – Percent of violations of women's legal rights reported to law enforcement or prosecutors, that are presented in court; Number of legal professionals and justice sector workers trained in women's legal rights and international human rights law; Number of lower court, magistrate, or judicial decisions that cite international human rights law; Number of mechanisms available for improving access to legal redress for violations of women's rights; Number of justice sector workers at all levels using project-sponsored publications on women's legal rights	Legal decision-makers who are educated on women's rights will be more likely to ensure proper (non-discriminatory) enforcement of the law. Better understanding and enforcement of the law will help ensure protection of the rights of female litigants. Proper handling of cases will also encourage and empower women complainants and abuse victims to come forward with their cases of discrimination and abuse, thereby increasing the number of resolutions in their favor and convictions of abusers, reducing the number of victims/survivors and encouraging others to come forward.
Preparation of practice manuals for legal professionals and legal aid providers	IR 2. Enhanced Justice Sector Capacity to Interpret and Enforce Legislation that Protects Women's Rights	IR 2: Indicators 1, 2, 3, 5 – Percent of violations of women's legal reported to law enforcement or prosecutors, that are presented in court; Number of legal professionals and justice sector workers trained in women's legal rights and international human rights law; Number of lower court, magistrate, or judicial decisions that cite international human rights law; Number of justice sector workers at all levels using project-sponsored publications on women's legal rights	Well trained lawyers, paralegals, legal aid providers, and rights-related CSOs will advocate for the protection of women's rights and the proper enforcement of laws codifying equality. These efforts will empower women to utilize the services and legal processes available to protect themselves and their rights. The likelihood that they will be dealing with women's rights cases will motivate legal workers to use practice manuals that are readily available to them on the subject.

### Component 3: Workshop for Community Leaders

Activity	Relevant IRs	Indicators	Expected Results
Workshops for community leaders, including traditional and religious leaders, women's groups	<p>IR 1. Improved Legislation to Protect Women's Rights</p> <p>IR 2. Enhanced Justice Sector Capacity to Interpret and Enforce Legislation that Protects Women's Rights</p> <p>IR 3. Strengthened CSOs Ability to Advocate for Women's Legal Rights</p> <p>IR 4. Increased Public Awareness of Women's Legal Rights</p>	<p>IR 1: Indicators 1, 2, 3 -- Number of changes to national legislation to comply with international human rights standards and commitments; Number of legislative actions taken to embody women's rights in law; Number of executive branch policy directives in support of women's legal rights</p> <p>IR 2: Indicators 1, 4 -- Percent of violations of women's legal rights reported to law enforcement or prosecutors, that are presented in court; Number of mechanisms available for improving access to legal redress for violations of women's rights</p> <p>IR 3: Indicators 1, 2, 3, 4 -- Number of CSOs trained on women's legal rights and international human rights to advocate or work for women's legal rights, including research, advocacy, training, and legal assistance; Number of CSOs with multiple funding sources; Number of CSOs submitting reports to national, regional, and international human rights monitoring bodies; Number of legislative and/or policy actions in favor of women's legal rights taken as a result of civic advocacy</p> <p>IR 4: Indicators 1, 2 -- Number of media stories that reference women's legal rights; Number of publications or campaigns developed to educate women and the general public on women's legal rights</p>	<p>People make decisions in conjunction with others, especially community leaders. Training these leaders on women's legal rights and how they are a positive development for the community will influence key people to whom others go to for advice. Community leaders will see practical benefits in empowering women, and this attitude will reach many people it might not have through other means. It will make the concept of women's legal rights practical and useful to ordinary people in their everyday lives, and show that it is not an imported idea. This will allow women to work and live in their communities without as much fear and discrimination, and to use available mechanisms to protect and advocate for themselves at the grassroots level. This will lead to more and different kinds of CSOs to incorporate women's rights into their understanding and organizational missions, and to advocate for women's rights with community support.</p>
Workshops for health care workers and health-focused CSOs	<p>IR 1. Improved Legislation to Protect Women's Rights</p> <p>IR 3. Strengthened CSOs Ability to Advocate for Women's Legal Rights</p> <p>IR 4. Increased Public Awareness of Women's Legal Rights</p>	<p>IR 1: Indicators 1, 2, 3 -- Number of changes to national legislation to comply with international human rights standards and commitments; Number of legislative actions taken to embody women's rights in law; Number of executive branch policy directives in support of women's legal rights</p> <p>IR 3: Indicators 1, 2, 3, 4 -- Number of CSOs trained on women's legal rights and international human rights to advocate or work for</p>	<p>Training health care workers to understand and distribute information and materials on women's legal rights in the context of the right to health and non-discriminatory health care will promote public awareness about women's rights, will reach many people never targeted before, and will make the concept of women's legal rights practical and useful to ordinary people in their everyday lives. It will encourage women to understand that they have rights in</p>

Activity	Relevant IRs	Indicators	Expected Results
		<p>women's legal rights, including research, advocacy, training, and legal assistance; Number of CSOs with multiple funding sources; Number of CSOs submitting reports to national, regional, and international human rights monitoring bodies; Number of legislative and/or policy actions in favor of women's legal rights taken as a result of civic advocacy</p> <p>IR 4: Indicators 1, 2 -- Number of media stories that reference women's legal rights; Number of publications or campaigns developed to educate women and the general public on women's legal rights</p>	<p>a practical way, and to use available mechanisms to protect these rights, and to advocate for themselves. Training people in the health sector new to the concept of women's legal rights will raise not just their awareness as individuals, but also educate the people, networks, and agencies they work with. This will lead to CSOs in the health field to incorporate women's rights and gender issues into their understanding and organizational missions, and lead to collaborations and partnerships that will remain after the project is finished.</p>
<p>Develop and produce materials on women's rights for workshops and for general distribution</p>	<p>IR 1. Improved Legislation to Protect Women's Rights</p> <p>IR 2. Enhanced Justice Sector Capacity to Interpret and Enforce Women's Legal Rights</p> <p>IR 3. Strengthened CSOs Ability to Advocate for Women's Legal Rights</p> <p>IR 4. Increased Public Awareness of Women's Legal Rights</p>	<p>IR 1: Indicators 1, 2, 3 -- Number of changes to national legislation to comply with international human rights standards and commitments; Number of legislative actions taken to embody women's rights in law; Number of executive branch policy directives in support of women's legal rights</p> <p>IR 2: Indicators 1, 5 -- Percent of violations of women's legal rights reported to law enforcement or prosecutors, that are presented in court</p> <p>IR 3: Indicators 1, 3, 4 -- Number of CSOs trained on women's legal rights and international human rights to advocate or work for women's legal rights, including research, advocacy, training, and legal assistance; Number of CSOs submitting reports to national, regional, and international human rights monitoring bodies; Number of legislative and/or policy actions in favor of women's legal rights taken as a result of civic advocacy</p> <p>IR 4: Indicator 2 -- Number of publications or campaigns developed to educate women and the general public on women's legal rights</p>	<p>Women's legal rights materials will educate and inform the public on their rights and responsibilities under Benin law and international human rights law. This will create a sense of entitlement among women that they have rights, and a public awareness that women have and can exercise their rights. Women in particular will have the information necessary to seek legal help to protect themselves, their children, their homes, and their property. CSOs/NGOs can use this information to advocate with the justice sector, the National Assembly, and government ministries for the full protection and implementation of the law, increasing their understanding of women's legal rights, and promoting a more democratic and fair society. WLR materials will be a resource, available to anyone and everyone who needs them.</p>
<p>Technical Assistance to CSOs/NGOs to increase awareness,</p>	<p>IR 3. Strengthened CSOs Ability to Advocate for Women's Legal Rights</p>	<p>IR 3: Indicators 1, 2, 3, 4 -- Number of CSOs trained on women's legal rights and international human rights to advocate or work for women's legal rights, including</p>	<p>Training people in different organizations across sectors on women's legal rights and how they applies to their issue, and then encouraging the building of</p>

Activity	Relevant IRs	Indicators	Expected Results
improve advocacy, encourage cross-sector networking	IR 4. Increased Public Awareness of Women's Legal Rights	research, advocacy, training, and legal assistance; Number of CSOs with multiple funding sources; Number of CSOs submitting reports to national, regional, and international human rights monitoring bodies; Number of legislative and/or policy actions in favor of women's legal rights taken as a result of civic advocacy  IR 4: Indicators 1, 2 -- Number of media stories that reference women's legal rights; Number of publications or campaigns developed to educate women and the general public on women's legal rights	partnerships and rights campaigns, will promote public awareness about women's rights, will reach many people never targeted before. This will encourage women to understand that they have rights, and to use available mechanisms to protect them, and to advocate for themselves. Building the capacity of NGOs will lead to more public awareness campaigns, more advocacy, more rights monitoring, and to more and different kinds of CSOs to incorporate women's rights into their understanding and organizational missions.

#### Component 4: Support Impact Litigation Strategy

Activity	Relevant IRs	Indicators	Expected Results
Support research and strategic planning to determine impact litigation strategy	IR 2. Enhanced Justice Sector Capacity to Interpret and Enforce Women's Legal Rights  IR 3. Strengthened CSOs Ability to Advocate for Women's Legal Rights	IR 2: Indicators 2 -- Number of legal professionals and justice sector workers trained in women's legal rights and international human rights law  IR 3: Indicator 1 -- Number of CSOs trained on women's legal rights and international human rights to advocate or work for women's legal rights, including research, advocacy, training, and legal assistance	Research on an impact litigation strategy will supply information about knowledgeable people, regional experience, resources, strategy, and planning. With this information, local legal associations and women's groups will have a basis upon which to effectively bring a case. Trained lawyers can then share their information and experience with other legal professionals and women's associations who also want to pursue litigation as a tool to ensure women's legal rights.
Technical support for attorney training on impact litigation	IR 3. Strengthened CSOs Ability to Advocate for Women's Legal Rights	IR 3: Indicator 1 -- Number of CSOs trained on women's legal rights and international human rights to advocate or work for women's legal rights, including research, advocacy, training, and legal assistance	Training will build the capacity of NGOs to use local and national laws, as well as international human rights laws and mechanisms, to advance women's rights in the courts through litigation.
Financial support impact litigation	IR 1. Improved Legislation to Protect Women's Rights  IR 2. Enhanced Justice Sector Capacity to Interpret and Enforce Women's Legal Rights	IR 1: Indicators 1, 2, 3 -- Number of changes to national legislation to comply with international human rights standards and commitments; Number of legislative actions taken to embody women's rights in law; Number of executive branch policy directives in support of women's legal rights	Litigation will motivate the legislature and executive to make changes in existing laws to protect women's rights, either because of a ruling mandating change due to discrimination, or to prevent courts from holding laws unconstitutional. This will encourage more lawsuits to guarantee and enforce women's rights. Support will build the capacity of NGOs to use local, national, and

Activity	Relevant IRs	Indicators	Expected Results
	<p>IR 3. Strengthened CSOs Ability to Advocate for Women's Legal Rights</p> <p>IR 4. Increased Public Awareness of Women's Legal Rights</p>	<p>IR 2: Indicators 1, 2, 3, 4, 5 -- Percent of violations of women's legal rights reported to law enforcement or prosecutors, that are presented in court; Number of legal professionals and justice sector workers trained in women's legal rights and international human rights law; Number of lower court, magistrate, or judicial decisions that cite international human rights law; Number of mechanisms available for improving access to legal redress for violations of women's rights; Number of justice sector workers at all levels using project-sponsored publications on women's legal rights</p> <p>IR 3: Indicator 4 -- Number of legislative and/or policy actions in favor of women's legal rights taken as a result of civic advocacy</p> <p>IR 4: Indicators 1, 2 -- Number of media stories that reference women's legal rights; Number of publications or campaigns developed to educate women and the general public on women's legal rights</p>	<p>international human rights laws and mechanisms to advance women's rights in the courts through litigation. Women's organizations and the litigators will be the primary sources of information for newspapers, television and radio news about the case. This will increase these organizations' exposure, and give wide coverage to women's rights issues from women's perspectives, which have been lacking in the mainstream media.</p>

### Component 5: Technical Assistance for New Laws

Activity	Relevant IRs	Indicators	Expected Results
Technical assistance for the development of a revised Land Code	<p>IR 1. Improved Legislation to Protect Women's Rights</p> <p>IR 3. Strengthened CSOs Ability to Advocate for Women's Legal Rights</p>	<p>IR 1: Indicators 1, 2, 3 -- Number of changes to national legislation to comply with international human rights standards and commitments; Number of legislative actions taken to embody women's rights in law; Number of lower court, magistrate, or judicial decisions that cite international human rights law</p> <p>IR 3: Indicator 4 -- Number of legislative and/or policy actions in favor of women's legal rights taken as a result of civic advocacy</p>	<p>The process of drafting and adoption of this law will enlighten and inform the community and decision-makers about the unfairness and dire consequences of the customary law, and the need to change it. Eventually a draft Land Code will be introduced into the National Assembly, which will promote further discussion, education, and debate about women's legal rights, and the law will be passed in order to comply with Benin's constitutional guarantee of nondiscrimination</p>
Technical assistance for the development of a law against sexual harassment	<p>IR 1. Improved Legislation to Protect Women's Rights</p>	<p>IR 1: Indicators 1, 2, 3 -- Number of changes to national legislation to comply with international human rights standards and commitments; Number of legislative actions taken to embody women's rights in law;</p>	<p>The process of drafting and adoption of this law will enlighten and inform the community and decision-makers about the negative personal and social costs of sexual harassment, and</p>

Activity	Relevant IRs	Indicators	Expected Results
		Number of lower court, magistrate, or judicial decisions that cite international human rights law	the need to change it. Eventually a draft law against sexual harassment will introduced into the National Assembly, or perhaps regulations or <i>arrêtements</i> will be adopted by a government Ministry. This will promote further discussion, education, and debate about women's legal rights, and how sexual harassment is discriminatory and therefore unconstitutional in Benin

## **ANNEX A**

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### Scopes of Work

#### **Women's Legal Rights Initiative (WLR) WLR Benin Coordinator's Scope of Work**

##### **Background**

The Women's Legal Rights Initiative (WLR) team, in collaboration with EGAT/WID and USAID missions worldwide, is working to strengthen and promote women's legal rights and participation by enhancing opportunities for women to meaningfully participate in the economic, social and political dimensions of society. To achieve these goals, the project works with international donors and local stakeholders to provide strategies to identify constraints, gaps, and obstacles, and document best practices in the area of women's legal rights.

##### **Benin Project Design and Implementation**

USAID/Benin requested technical assistance for a program to enhance their ongoing programs that will promote and strengthen women's legal rights.

To achieve this goal, the WLR team will work closely and in coordination with USAID/Benin to identify priority issues, local partners, and necessary activities in Benin. The WLR team conducted a preliminary assessment to identify obstacles to the empowerment of women in Benin. From that assessment and analysis, the team will make recommendations for specific projects and design activities that will provide maximum benefit to ongoing programs, or that address an area where no program exists, in order to strengthen women's rights and the practical enjoyment of them. The WLR team has identified potential partners, and will work with them to avoid duplication of efforts and assure input from the grassroots level.

The WLR team is designing a country action plan. WLR activities in Benin could include a public awareness campaign on the new Family Code and women's rights, paralegal training, and continuing education for judges on gender-related issues in the Family Code, including inheritance, forced marriage, domestic violence, pensions, and land ownership. The Benin action plan may also provide for the preparation of bench books and practice manuals on the Family Code, and the development of materials on women's rights in local languages as well as in French. WLR may also support an impact litigation strategy to promote women's legal rights.

Following final development of the country action plan and USAID approval, WLR will begin project implementation. An expert in women's rights in Benin will support the WLR home office team. Because s/he will be based in Benin, this expert will not require country clearance, and no per diem or allowances will be given except for overnight trips taken outside of the region where the office is based.

### **Key Activities and Tasks**

The Women's Legal Rights-Benin Coordinator will work under the direct supervision of the WLR Legal Specialist for Benin, who answers to the WLR Project Director. S/he will be responsible for the local implementation of the action plan, and for producing the required deliverables.

Specifically, the WLR Benin Coordinator will:

- Work closely with the WLR Legal Specialist, home office staff, USAID/Benin, local partners, and project recipients to plan, develop, and implement the project
- Coordinate activities with local partners, and obtain their commitment to the project
- Identify strengths and weaknesses of activities and partners, and suggest adjustments to the plan and/or activities when necessary or desirable
- Facilitate cooperation and the building of sustainable networks among partners
- Meet and communicate with the WLR project team to update them on the progress of plan activities and partner participation
- Produce written reports of activities, "success stories," and other materials as needed
- Provide overall support throughout the assignment
- Hire and supervise an administrative assistant

### **Deliverables**

The Coordinator will be expected to deliver the following:

- Updates through email (daily) and conference calls (weekly), and additional communications when necessary
- Periodic written reports to the home office and/or USAID/Benin, including monthly programmatic and administrative progress reports and a final report
- Monitoring and evaluation data and project success stories
- Samples of materials produced by implementing partners with WLR support
- Contribution to annual best practices report

### **Qualifications**

- Demonstrable interest and experience in women's empowerment projects
- Practical legal experience and/or knowledge of the national and international legal framework supporting women's legal rights
- Fluent in French or English and one local language (English preferred not required)
- Successful project management experience
- Excellent interpersonal, facilitation, and written and oral communication skills
- Knowledge of civil society organizations, government ministries, international donors, and past and present programs promoting women's rights

### **Timing**

The WLR team anticipates this project will run from July, 2004 to September, 2005.

### **Reporting**

The WLR Benin Coordinator will report to the Benin Legal Specialist, Lyn Beth Neylon., and the WLR Project Director David Vaughn.

## **Women's Legal Rights Initiative (WLR) WLR Benin Administrative Assistant's Scope of Work**

### **Background**

The Women's Legal Rights Initiative (WLR) team, in collaboration with EGAT/WID and USAID missions worldwide is working to strengthen and promote women's legal rights and participation by enhancing opportunities for women to meaningfully participate in the economic, social and political dimensions of society. To achieve these goals, the project coordinates with international donors and local stakeholders to provide strategies to identify constraints, discern gaps, and document best practices in knowledge and practice.

### **Key Activities and Tasks**

Specific duties of the administrative assistant will include:

- Providing secretarial services as required
- Providing written and oral translation and interpretation as needed
- Procuring office supplies locally and negotiating office expenditures
- Setting up and monitoring local bank account
- Arranging in-country travel arrangements for all project-related travel
- Recruiting local short-term technical staff and doing related paperwork
- Creating and maintaining project files
- Responsibility for daily communications with WLR home office team
- Performing project-related errands as necessary
- Supporting the WLR Benin Coordinator with research and assistance, including providing best practices information
- Helping to coordinate workshops and conferences, including providing logistical and organizational support (i.e. responsible for agendas and materials, finding appropriate venues, catering, assisting participants, etc.)
- Distributing and sending mail upon request
- Working with the WLR Benin Coordinator, the Legal Specialist, and the WLR home office team to ensure project compliance with USAID regulations
- Liaising with the Chemonics home office on project-related accounting, personnel, publications, travel, procurement, information-gathering, and other requests
- Compilation of data on women's legal rights
- Keeping track of expenses and expenditures of the WLR Benin office

The administrative assistant will be responsible for these tasks as well as others that may be requested by the WLR/Benin Coordinator and the home office staff. The position is based in Benin and therefore requires no country clearance and no per diem or allowances.

**Deliverables**

The assistant will be expected to deliver the following:

- Training reports and evaluations
- Data compiled on women's legal rights
- Accounting data
- Notes from meetings with USAID, government, local partners, and civil society organizations

**Qualifications**

To succeed in managing the multiplicity and diversity of position responsibilities the administrative assistant will have a profound interest in women's issues and possess the following qualifications:

1. B.A. or a certificate of secretarial training preferred
2. A minimum of two years' work experience
3. Computer literacy required
4. Fluency speaking and writing in English required
5. Some knowledge of accounting
6. Ability to work with many types of people and to keep a friendly, positive attitude and a good work ethic

**Timing**

The administrative assistant will be employed from the time of hire, expected to be July/August, 2004, throughout the life of the WLR project in Benin.

**Reporting**

The administrative assistant will report to the WLR Benin Coordinator.



Tasks	Activities	Jul-04	Aug-04	Sep-04	Oct-04	Nov-04	Dec-04	Jan-05	Feb-05	Mar-05	Apr-05	May-05	Jun-05	Jul-05	Aug-05	Sep-05
		Get materials and info translated into local languages							■	■	■					
Distribute materials and promote message through netw orks							■	■	■	■	■	■	■	■	■	■
Develop contacts and relationships w ith media		■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Identify and establish relationships w ith netw orks		■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Identify netw ork members for training								■	■							
Develop training agenda								■	■							
Coordinate and help give training w ith partner NGO and experts						■	■	■	■	■						
Provide technical assistance to NGOs, mission and government as needed		■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Training for Justice Sector Actors	Identify specific training needs for each group			■	■	■	■									
	Develop training plans and calendars			■	■	■	■									
	Develop revised/updated training manual and materials				■	■	■									
	Develop M&E surveys for each group				■	■	■									
	Analyze M&E Surveys									■	■	■	■	■		
	Produced revised manual and materials						■	■								
	Develop training agendas for each group						■	■	■	■	■	■	■			
	Identify participants for each training				■	■	■	■	■							
	Coordinate plans among trainers/NGOs, logistics			■	■	■	■	■	■	■	■	■	■	■	■	■
	Hold first paralegal training									■						
	Hold second paralegal training										■					
	Hold first training for intermediate-level justice sector actors									■						
	Hold second training for intermediate-level justice sector actors												■			
	Hold continuing ed course for judges												■			
Hold first continuing ed course for paralegals											■					
Hold second continuing ed course for paralegals												■				

Tasks	Activities	Jul-04	Aug-04	Sep-04	Oct-04	Nov-04	Dec-04	Jan-05	Feb-05	Mar-05	Apr-05	May-05	Jun-05	Jul-05	Aug-05	Sep-05
<b>Workshop for Community Leaders</b>	Invite input from communities to identify training needs		■	■												
	Identify key leaders to invite in each département		■	■												
	Develop training materials		■	■												
	Translate training materials			■	■											
	Produce training materials			■	■											
	Identify priority communities and develop plan for each		■	■												
	Develop M&E surveys		■	■												
	Develop training agenda for each group				■	■	■	■	■							
	Hold one-day workshop in Département 1					■										
	Hold one-day workshop in Département 2					■										
	Hold one-day workshop in Département 3						■									
	Hold one-day workshop in Département 4							■								
	Hold one-day workshop in Département 5								■							
	Hold one-day workshop in Département 6									■						
Analyze M&E Surveys									■	■						
<b>Support Impact Litigation as a Strategy to Promote Women's Legal Rights</b>	Identify and hire legal professional						■									
	Support research report being written							■	■	■	■	■				
	Produce report on findings												■			
	Develop list of groups who want report							■	■	■	■	■	■			
	Distribute report												■	■	■	■
	Meeting to discuss findings and do strategic planning														■	
<b>Technical Assistance for New Laws</b>	Identify legal experts				■											
	Devise strategy				■											
	Establish contacts and relationships with appropriate ministries and people				■	■	■	■	■	■	■	■	■	■	■	
	Work on draft legislation					■	■	■	■	■	■	■	■	■	■	
	Develop plan to share models with others				■					■						

**Note:** All country action plan activities will be overseen by the Legal Specialist and the Local Coordinator. Trainings will be conducted and materials will be developed by NGOs with input from WLR. The Administrative Assistant will assist the Local Coordinator and NGOs with logistics as needed.

## ANNEX C

## Sample Public Awareness Brochure (Forced Marriage)

☞ la pauvreté de la femme souvent contrainte de subvenir à tous les besoins du foyer une fois que le mari a versé une forte dot à ses parents pour le mariage ;

☞ le faible taux de scolarisation des filles données en mariage dès leur plus jeune âge.

**Les mariages forcés sont-ils légaux ?**

Les mariages forcés sont illégaux car ils ne respectent pas certaines conditions de fond prévues par loi, notamment :

☞ L'article 144 du Code Civil interdit à tout homme de se marier avant l'âge de 18 ans et à la femme de se marier avant l'âge de 15 ans ;

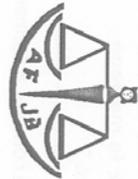
☞ En vertu de l'article 146 il n'y a pas de mariage sans consentement ;

☞ Le Code Pénal en vigueur au Bénin punit sévèrement l'enlèvement

des mineurs par des peines de réclusion allant de 5 ans à la réclusion à perpétuité si la jeune fille enlevée est âgée de moins de 15 ans.

*Ces coutumes ancestrales freinent sans cesse le développement de chaque être humain et de toute la société béninoise. Ensemble nous devons voir à l'éradication complète de ce phénomène dégradant et protéger la sécurité et la dignité des femmes et des petites filles du Bénin*

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**ASSOCIATION DES FEMMES JURISTES DU BÉNIN**

**LES MARIAGES FORCÉS**

Ce dépliant a été réalisé avec l'appui financier de l'Ambassade de France



Liberté - Équité - Paix

**Qu'est-ce que le mariage forcé ?**

Le mariage forcé consiste à donner en mariage une jeune fille dont l'âge peut varier entre 10 et 15 ans, et ce **sans le consentement** de la jeune fille.

**Qu'est-ce que le mariage par rapt ?**

Le mariage par rapt se manifeste par l'enlèvement d'une jeune fille par un groupe d'hommes mandatés ou non par la famille de la jeune fille, et ce, sans le consentement de cette dernière.

**Qu'est-ce que le mariage par échange ?**

Le mariage par échange consiste à échanger 2 petites filles en les plaçant dans des familles qui se sont préalablement entendues pour les

marier à leur fils respectifs dès l'âge de la puberté. Cet échange peut être fait lorsque la petite fille atteint l'âge de 4 ou 5 ans.

Le mariage forcé, le mariage par rapt et le mariage par échange sont des coutumes ancestrales béninoises qui continuent d'être pratiquées un peu partout sur le territoire national.

**Quelles sont les causes du mariage forcé ?**

Les causes de ce phénomène sont multiples. Il s'agit notamment :

- ☞ de la pauvreté de certains parents qui envoient leur fille en mariage dans le but de recevoir la dot qui leur permettra de subvenir aux besoins de la famille ;
- ☞ la cupidité de certains parents qui donnent leur fille au plus offrant ;
- ☞ la vie de débauche de certaines filles contraint les parents à donner ces dernières en mariage ;

☞ une fille peut être donnée en mariage en échange du paiement d'une dette contractée par ses parents ;

☞ la dot exorbitante demandée dans certaines localités de notre pays pousse les jeunes hommes à enlever les filles pour pouvoir les marier.

**Quelles sont les conséquences de ces formes de mariage ?**

Les conséquences sont à la fois diverses et très sérieuses :

- ☞ Le suicide des jeunes filles forcées de se marier ;
- ☞ Le décès par étouffement lors de l'enlèvement des jeunes filles ;
- ☞ le décès ou les blessures graves subies suite aux violences physiques exercées à leur endroit pour les forcer à consommer le mariage ;
- ☞ les grossesses précoces et successives qui entraînent parfois des décès lors des couches ;

## **ANNEX D**

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### Illustrative Table of Contents for Justice Sector Manual

#### **MODULES DE FORMATION DES FORMATEURS EN EDUCATION JURIDIQUE DES FEMMES**

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- Module II: Participation des citoyens à la gestion de la chose politique
- Module III: Droits et liberté des citoyens
- Module IV: Organisation judiciaire et compétences juridictionnelles
- Module V: L'Etat Civil
- Module VI: Le mariage et ses effets
- Module VII: Filiation et autorité Parentale
- Module VIII: Le divorce
- Module IX: Les successions
- Module X: Droit des coopératives

## **ANNEX E**

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