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ANNUAL REPORT ON GOOD PRACTICES, LESSONS LEARNED, AND SUCCESS STORIES

OCTOBER 1, 2004 – SEPTEMBER 30, 2005

**WOMEN'S LEGAL RIGHTS INITIATIVE
UNDER THE WOMEN IN DEVELOPMENT IQC**

CONTRACT NO. GEW-I-00-02-00016-00, TASK ORDER 01

June 2006

This publication was produced for review by the United States Agency for International Development. It was prepared by Chemonics International Inc. in partnership with the Centre for Development and Population Activities (CEDPA), MetaMetrics Inc., and Partners of the Americas.

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Cover photo: Civil society organization training of trainers' workshop on the Family Code, Antananarivo, Madagascar, June 2005.
Photographer: Rebecca Mischel

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SECTION I

Introduction

A. Background to the Women's Legal Rights Initiative

Over the past decade, the expansion of democracy has generated new challenges and issues for societies in general, and for women in particular. Democratic reform should enable all citizens to participate fully in all aspects of life, and society to benefit equitably from political change. Unfortunately, legal and customary barriers often prevent women from exercising their full legal rights and applying laws and protections. Many citizens — both men and women — are unaware of new or existing, but unenforced, laws and legislation designed to ensure equal rights and protections to women. Continued subordination of women, poverty, globalization of the markets for sex workers and cheap labor, lack of awareness of human rights, and lack of access to remedies can combine to produce continuing exploitation and abuse, preventing women from fully exercising their rights and achieving their capabilities. Discriminatory laws, poor justice sector capacity, and weak enforcement can also restrict women's legal rights.

To address these challenges, the U.S. Agency for International Development (USAID), through the Office of Women in Development (EGAT/WID), awarded the Women's Legal Rights Initiative (WLR) task order to Chemonics International Inc. and its subcontractors, the Centre for Development and Population Activities (CEDPA), MetaMetrics Inc., and Partners of the Americas. The Women's Legal Rights Initiative is a five-year project that works in

collaboration with EGAT/WID, and USAID regional bureaus and missions worldwide to strengthen and promote women's rights by enhancing opportunities for women to take part fully in the economic, social, and political workings of their societies. To achieve these goals, the WLR team is coordinating with USAID missions, international donors, and local stakeholders to identify obstacles and constraints that block women's exercise of internationally mandated human rights, discern gaps, address and rectify inequities, and document best practices and knowledge related to women's legal rights. WLR designs, implements, and evaluates activities in focus countries, specifically, Albania, Benin, Guatemala, Madagascar, Rwanda, and a regional program in southern Africa that includes Lesotho, Mozambique, South Africa, and Swaziland.

The WLR project contributes to achieving EGAT/WID's Strategic Objective 3 (SO3) — *Women's Legal Rights Increasingly Protected* — and strengthens USAID mission strategic objectives, particularly related to democracy and governance. The intermediate results (IRs) supported by the project are:

- IR 1: Improved legislation to protect women's legal rights
- IR 2: Enhanced justice sector capacity to interpret and enforce legislation that protects women's legal rights

Gender and the Law

Country by country, human rights treaty by human rights treaty, gender experts have erased law as subordinator of women and brought to life law as guarantor of women's equality. — *Georgetown University Law Professor Susan Deller Ross, speaking at the University of San Carlos School of Law, Guatemala, July 25, 2005*

- IR 3: Strengthened civil society organization ability to advocate for women’s legal rights
- IR 4: Increased public awareness of women’s legal rights

B. Purpose of the Report

Defining Good Practices

A good practice is one that meets at least two of the following criteria: leads to an actual change, has an impact on the policy environment, demonstrates an innovative or replicable approach, or demonstrates sustainability. — *U.N. Inter-Agency Committee on Women and Gender Equality*

WLR identifies good practices and lessons learned annually, a process that reveals constraints to women’s legal rights, documents models, and distinguishes gaps. There is no universally accepted definition of a “best practice” by USAID or other development organizations, largely because it is difficult to label anything a “best practice” without objective, comparative evidence underlying such a judgment.

Thus, for purposes of this report, we are using the term “good practices” and adopting the definition used by the United Nations Inter-Agency Committee on Women and Gender Equality (IACWGE).¹

WLR good practices for Years 1 and 2 were determined by the WLR technical team and project management unit in early February 2006 and based on best practices reports, quarterly reports, and project success stories from that time period. In addition to discussing good practices, the Year 3 report reviews lessons learned, approaches, and practices that offer ideas about what works best in a given situation. They can also be examples of how not to do something.

In Year 1, the annual report identified best practices necessary to design and implement women’s legal rights programs in a manner that effectively addressed the four intermediate results under SO3. With project-based initiatives under way, the Year 2 annual report illustrated, by country, the good practices and lessons learned, as well as success stories and impact from WLR activities in the previous year. It identified seven good practices and looked at how WLR’s experiences: (1) increased mobilization of leadership to promote women’s legal rights, (2) broadened local community participation to improve women’s legal status, and (3) improved knowledge to implement policies, strategies, and programs for women’s legal rights. The Year 2 report not only outlined overarching good practices and lessons learned from the design phase, but also catalogued the good practices and lessons learned from implementing project activities.

The Year 3 report takes a broader perspective on good practices and lessons learned. It still focuses on WLR country program activities but considers the process used for developing the activity within each of the project’s IRs; the need for and benefit of sound monitoring and evaluation (M&E) plans, including indicators and data collection; and strategies for project management, including (1) adapting project policy manuals to the local context and language, (2) using effective contractual vehicles for funding partner organizations, (3) providing consistent project communications, (4) developing the leadership capacity of local staff, and (5) creating an innovative, multitiered M&E system to more effectively measure the impact of WLR activities.

¹ The IACWGE, which carried out interagency coordination within the United Nations system in the field of women’s and gender equality, is now the Inter-Agency Network on Women and Gender Equality.

SECTION II

Good Practices and Lessons Learned from the Field

To determine good practices in Year 3 of the project, the WLR team with our cognizant technical officer (CTO) agreed on a common definition based on the explanation used by IACWGE. In the following section, we discuss good practices under each of the four IRs: (1) improve legislation to protect women’s legal rights, (2) enhance justice sector capacity to enforce women’s legal rights, (3) strengthen the ability of civil society organizations to advocate for women’s legal rights, and (4) increase public awareness of women’s legal rights.

A. Improve Legislation to Protect Women’s Legal Rights

Achieving women’s legal rights requires gender-equitable and responsive legislation and constitutional guarantees that create the basis for nations to protect and guarantee the rights of women. Most national constitutions around the world now grant equal rights to all citizens. According to the United Nations Development Fund for Women (UNIFEM), however, the means by which constitutions incorporate women’s human rights vary significantly from country to country. There need to be strong constitutional and legal frameworks so that governments acknowledge the rights of all citizens. Governments demonstrate responsiveness by designing mechanisms to implement these rights, and they should be held accountable to their citizens if they do not protect, defend, and implement rights as fully as possible. In Albania and Benin, several efforts have improved legislation to protect women’s legal rights and serve as good practices.

A1. Albania: Domestic Violence Legislation and Public Awareness

Good Practices

- Contract with an effective local NGO capable of implementing an ambitious project, draft a detailed subcontract, and maintain close contact with that NGO to ensure steady progress.
- Convene skilled legislative drafters with relevant experience, such as experts from the Ministry of Justice, with input from the judiciary, sociologists, psychologists, and legal professionals working with victims of family violence.
- Hold roundtables and meetings with stakeholders to solicit substantive input and continually refine the draft based on their input.
- Promote active lobbying of local NGOs on key pieces of legislation, and use USAID’s small grants program to support their efforts.
- Use the “citizen’s bill” approach to raise public awareness of domestic violence and garner support for the law. Even where constitutions do not permit citizen’s bills, it is important to link awareness of legal reform to increased support for this type of legislation.

Domestic violence, or violence against women by their intimate partners, is now widely recognized as a serious human rights and public health problem that transcends boundaries, occurs in all cultures, and concerns all sectors of society.² Albania is no exception. Albanian women routinely suffer physical and psychological abuse at the hands of their intimate partners. Their maltreatment is attributed to the enduring influence of the traditional code of customary laws known as the *Kanun*, which dates to the 15th century.³ The *Kanun* granted a man extensive rights vis-à-vis his wife; this collectively served to promote and preserve his power over her, including the right to beat and publicly humiliate her should she disobey him. Many men, particularly in the remote northeastern part of Albania, adhere to these traditions and are steeped in a culture that teaches male domination over women. Substandard socioeconomic development, poverty, low levels of education, and the absence of a democratic culture also contribute to violence against women.

Although Albania has no specific laws that criminalize domestic violence as a separately recognized offense, women can file assault charges that encompass acts of violence against them. Still, spousal abuse and rape are ongoing. Society's stigma against female victims of violence creates an environment where women do not feel comfortable reporting rapes and other forms of abuse (emotional, physical, or sexual). Women who do report instances of violence rarely see justice for their sufferings, because law enforcement lacks the resources to protect witnesses and arrest perpetrators. Prosecutorial constraints also hinder legal pursuit of offenders. The public's general lack of awareness about domestic violence specifically and women's rights in general, combined with the justice sector's lack of training, serve as barriers to achieving full realization of women's legal rights.

WLR, in cooperation with a nongovernmental governmental (NGO), the Citizens Advocacy Office (CAO), launched an ambitious initiative to raise awareness of domestic violence and draft legislation prohibiting it. The strategy was to undertake these activities simultaneously, with the expectation that citizens better sensitized to violence against women would support the draft law.

To raise public awareness, in the fall of 2004, CAO prepared and distributed posters and pamphlets on domestic violence to women's rights organizations throughout Albania. WLR Albania and CAO turned to soccer as a metaphor for its campaign against domestic violence, called "Red Card Against Violence." A "red card" refers to a penalty removing a soccer player from the game when the individual commits a serious offense, such as violent conduct and use of abusive language or gestures.⁴ The "red card" play analogy helped convey the seriousness of domestic violence and educated men in language they understood about the rules of fair play that should be extended beyond the soccer field to women. CAO developed radio and TV spots that were aired nationwide throughout the winter of 2004 and 2005.

During this period, WLR collaborated with CAO on a training program to develop a coordinated community response to domestic violence and to raise awareness among government officials about the need for a law prohibiting domestic violence. At different stages of this project, CAO

² WHO Multi-country Study on Women's Health and Domestic Violence Against Women, World Health Organization, 2005.

³ *Domestic Violence against Women: an Exploratory Study*, by Adriana Baban, published in Tirana by UNICEF and CIDA, no date on the publication but appears to have been 2003.

⁴ "Laws of the Game 2004," Federation Internationale de Football Association (<http://www.fifa.com/en/regulations/regulation/0.1584.3.00.html>), March 15, 2005.

convened meetings and roundtables in Tirana, the capital, and around the country to collect input for developing legislation and to vet a workable draft. The first roundtable, held in the fall of 2004, brought together the NGOs most active and interested in combating domestic violence. They formed an alliance under the auspices of CAO. At the second roundtable in January 2005, members of CAO's drafting group presented a draft law to civil society activists, representatives from government agencies and Parliament, and international organizations. The group discussed issues and agreed on how to address them in the next version of the draft. A few months later, when a nearly complete version was ready, CAO held a series of meetings at its offices that brought together the drafters and select outside legal experts for a final review. The drafters also solicited and received substantive comments from WLR, the Organization for Security and Cooperation in Europe (OSCE), and various other Albanian organizations. CAO recruited an excellent roster of experienced lawyers and professionals from women's organizations active in the field of domestic violence to develop and draft the legislation. WLR and others gave the group examples of domestic violence legislation from many countries, including Bulgaria, France, Ireland, Italy, Kosovo, Luxembourg, Macedonia, Portugal, Romania, the United Kingdom, and the United States. The first draft was an amalgamation of these sample statutes tailored to the Albanian context.

As the draft was being refined in the fall of 2005, CAO launched the citizen petition drive, consistent with its novel strategy to introduce the bill as a "citizen's bill." No law had ever been introduced to the Albanian Parliament in this way. Between November 2005 and January 2006, CAO, in cooperation with many regional NGOs and OSCE offices, collected more than 20,000 signatures. The CAO branched out to Shkodra, Elbanas, Durres, Berat, Korca and Pogradec, training small armies of volunteers to collect the signatures. Volunteers learned about the content of the draft law and stipulated what types of documents they would need to see before they could allow a citizen to sign the petition. This latter step was required to ensure the signatures would withstand any challenge to their legitimacy. By January 2006, all necessary signatures had been collected, and, on January 25, 2006, CAO publicly presented the bill to key members of Parliament, who promptly introduced it into parliamentary procedure. This was a difficult undertaking logistically, but critical for raising public awareness of the problem of domestic violence and methods of prevention. WLR is currently developing an implementation plan with key stakeholders to ensure enforcement once the law is passed.

This extensive consultative process resulted in better awareness of the legislation among policy makers and legal professionals, greater public support and understanding, and technically sound and contextually relevant domestic violence legislation.

A2. Benin: Sexual Harassment Legislation

Good Practices

- Develop a well-drafted sexual harassment law using local experts that improves a country's legal framework, thus benefiting the population (especially women), which can be replicated in other countries.
- Use a collaborative approach at all stages of the process to draft legislation by holding a workshop for key stakeholders early on to solicit buy-in and input.
- Build on previous work, knowledge, and expertise of a network of NGOs, and continue to work closely with them throughout the process.
- Hold regular informational meetings with key stakeholders to convey the results of the legislative drafting process.

In Benin, girls and women experience sexual harassment in many environments, particularly in schools and workplaces. Girls in Benin, as in many parts of Africa, often face sexual harassment in the form of pressure for sex by male teachers, which creates a hostile environment for learning and leads many girls to perform badly, drop out, or not enroll for secondary school. While anecdotal evidence is plentiful, statistics on sexual abuse against schoolgirls are difficult to find, as girls are usually reluctant to talk about it. Girls who are molested at school in Benin and report it are often accused of “leading the teacher on,” and their parents may forbid them to continue to attend school, depriving victimized girls of an education.

Sexual harassment in the workplace is also very common in Benin. Women are routinely subjected to sexist jokes, comments about their bodies, and demands for sex in order to keep their jobs. Sexual harassment causes women to leave their jobs or not participate in the money economy, which hurts their careers and dampens the country's economic development. Cross-cultural research shows that women who are sexually coerced are more likely to experience subsequent incidents of forced sex and risk-taking behavior during consensual sex (e.g., taking multiple partners and having unprotected sex). Consequently, they are at increased risk of unintended pregnancy and sexually transmitted infections, including HIV/AIDS.⁵ They are also more likely to experience poor mental health outcomes, and alcohol and substance abuse. Sexual harassment harms the victim and also the larger society, but there is no law in Benin against this practice in schools or in the workplace.

The process of writing draft legislation against sexual harassment was collaborative at all stages. First, the WLR team discussed the problem with key staff at USAID/Benin across sectors, including the democracy and governance, health, and education teams, as well as NGO partners. The team debated 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 focus first on schools and then educate the public, government representatives, and employees in different workplaces later. The team agreed that it was time to address both issues by making changes in the law and decided to recommend a general law against sexual harassment, leaving the final say to workshop participants.

⁵ *Unsafe Schools: A Literature Review of School-related Gender-based Violence in Developing Countries*, Wellesley Centers for Research on Women and Development and Training Services Inc., for EGAT/WID Office, USAID, 2000.

WLR Benin sponsored a one-week sexual harassment legislation development workshop in July 2005 for 24 key individuals from the national government, NGOs, and the education and business sectors. It was critical to invite key stakeholders, both men and women, so that the resulting draft legislation would be taken seriously. Many high-ranking officials from the government attended, including deputies, former ministers, and representatives of the Ministry of Family and the Ministry of Primary and Secondary Education. WLR Benin hired a respected and competent facilitator who was knowledgeable about the subject.

The participants discussed the severity of the problem of sexual harassment, the most effective scope of a civil law against it, the potential for abusing such a prohibition, the possible discouragement of flirting/courtship, and possible criminal penalties for repeat violators. The actual writing was done in small groups and then discussed in a plenary session and refined further. Fortunately, the group was able to build on previous work completed by the Women in Law and Development in Africa (WiLDAF), an African network of NGOs, which had created a model law against sexual harassment for West Africa. In four days, the group produced draft legislation against sexual harassment in businesses and schools tailored to the situation in Benin.

Once the legislation was drafted, WLR Benin, in collaboration with its local partners, organized a workshop for influential parliamentary deputies, who are elected representatives and members of the Law Commission and/or the Network of Parliamentarians for Population and Gender in the National Assembly, to educate them about sexual harassment. The representatives became well informed about sexual harassment and came to understand the contents of the draft bill. The group agreed to introduce the draft legislation, and together they developed a strategy to get it passed. They unanimously appointed the only woman representative present, the Honorable Lamatou Alaza, to introduce the legislation in an “emergency procedure,” a streamlined way for the National Assembly to consider bills for further study and vote.

Thus far, the sexual harassment legislation has not been introduced; elections in Benin in March 2006 may have delayed its consideration. Passage of a law prohibiting sexual harassment would positively affect millions of people in Benin, lead to sustainable improvements to women’s legal rights, and meet international human rights standards. See Annex B, subsection A, for a copy of the final report on the Sexual Harassment Legislation Department Workshop.



Participants from the Commission of the National Assembly of Benin and Centre Beninois pour le Développement des Initiatives à la Base (CBDIBA) at the Sexual Harassment Development Workshop in Cotonou, July 2004.

B. Enhance Justice Sector Capacity to Enforce Women's Legal Rights

Responsibility for implementation and enforcement of women's legal rights lies with the judiciary and within the wider justice system. The existence of laws does not in itself mean that women's human rights will be implemented and enforced. It is only when the courts and the other judicial players, including lawyers, prosecutors, law enforcement officers, and service providers, fully understand the rights of women that they can be expected to enforce these rights through judicial and legal processes. In many places, judges have not been trained and are unaware of human rights legislation, treaty obligations, and how they may apply the international human rights treaties to their own domestic cases. Too often, the justice system faces inefficiency and corruption; intimidation of judges, prosecutors, police and witnesses; lack of knowledge; and lack of will, desire, and capacity to enforce rights that exist on paper. In Albania and Guatemala, there are good practices in enhancing the capacity of the judicial sector that may serve as models for similar projects.

B1. Albania: Family Law Benchbook for Judges

Good Practices

- Create comprehensive, practical, and easily accessible benchbooks, in collaboration with local counterparts, to communicate changes and ensure proper implementation of legislation, such as a new family code.



U.S. Judge Judy Kreeger and Albanian Supreme Court Justice Vangiel Kosta prepare a Family Law Benchbook to ensure efficient implementation of Albania's Family Code.

One of the key actors in the domestic protection of women's rights is the judiciary. In Albania, the Magistrates' School, the educational institution responsible for preparing new judges and prosecutors and the continuous training of in-service personnel, is an important partner in WLR's efforts to improve judicial education. In 2004, a new gender-equitable Family Code entered into force in Albania that instituted major changes in concepts, institutions, and regulation. In partnership with local stakeholders, WLR identified the need to develop

practical explanatory publications to help implement the new code. Together with the Magistrates' School, WLR developed the Family Law Benchbook, a 120-page three-ring binder that includes a synopsis of provisions, case management tips, process flow charts, checklists, and suggested practices for family courts. This represents a good example of collaboration between a U.S. judge, Judy Kreeger, and an Albanian Supreme Court justice, Vangiel Kosta, in preparing an innovative tool for Albanian judges. The benchbook provides Albanian judges, who typically

lack legal resource materials, with up-to-date information in a uniquely accessible format for the first time. See Annex B, subsection B, for the table of contents for the benchbook.

B2. Albania: Gender Training at the Magistrates' School

Good Practices

- Integrate domestic violence, family law, gender awareness and sensitivity, and anti-trafficking curricula in conjunction with local legal and judicial training institutions and counterparts (e.g., the Magistrates' School) into existing curriculum.
- Stay flexible in adapting the curriculum to allow for further changes in the future (e.g., treating domestic violence differently from other forms of violence).
- Use outside experts and professionals with hands-on experience from NGOs and elsewhere to prepare curricula and act as trainers.

WLR Albania's continued support of the Magistrates' School is helping to develop a more gender-aware and sensitive judiciary. More than 100 family law judges, who came from a number of cities in Albania to discuss proper implementation of the Family Code with Judge Kreeger and Justice Kosta, attended two separate training sessions in which Judge Kreeger presented the benchbook she had adapted for Albanian judges. Although Judge Kreeger had become thoroughly knowledgeable about the Albanian code, Justice Kosta's participation was crucial, as he was able to review the nuances and give a context for code innovations. Through these training activities, WLR imparted important information on women's legal rights not only to the attendees, but also to other judges' trainees returned to their courts and communities to share information with their colleagues.

In addition to family law training, WLR Albania supported courses and training on domestic violence, anti-trafficking, and gender awareness and sensitivity for the Magistrates' School. In the spring 2006 semester, the school will present these subjects to future judges and prosecutors for the third consecutive year. In late 2005, WLR was informed that the school had integrated the domestic violence coursework into its ongoing family law curriculum, which attests to this program's impact. The curriculum includes 14 hours of instruction (seven 90-minute lectures) for second-year students at the Magistrates' School on the following topics:

- Legal and judicial aspects of family law and domestic violence
- The evolution of concepts related to family, marriage, and gender relations
- Rights of children and women
- Social factors contributing to domestic violence
- Criminal behavior related to domestic violence
- Legal measures in criminal cases related to domestic violence
- Legal measures available to families to prevent violation of children's rights
- The role of the prosecutor in cases of domestic violence

Henrik Ligori, a prosecutor, and Vjollca Mecaj, a magistrate, held the lectures. Many of these topics were new for the students, particularly the discussion of social factors that contribute to domestic violence. In their evaluations, students gave the course the highest rating and also

suggested that the curriculum be augmented by a discussion of the psychological aspects of domestic violence and of how judicial bodies could deal more effectively with the problem. The instructors felt that several challenges remained in successfully implementing the training: (1) how to best apply legal and social concepts related to domestic violence within the judicial sector, and (2) how to educate serving judicial sector professionals about the importance of domestic violence vis-à-vis other forms of violence.

The anti-trafficking course was structured in the same way as the training on domestic violence, with a focus on the problem from a judicial and social perspective. It had multiple objectives:

- Provide information about trafficking in humans (global, regional, and national contexts).
- Analyze the social factors that cause trafficking in humans, including the particular vulnerability of women and children.
- Discuss international and national criminal laws on trafficking.
- Review different types of stress (e.g., post-traumatic stress disorder and trauma).
- Explain investigatory procedures and techniques to combat trafficking.
- Discuss how to build a good relationship with the trafficked person, communication techniques, and how to avoid re-traumatizing victims.
- Review judicial procedures to combat trafficking and analyze the role of organized prostitution.
- Explain the consequences of trafficking and the reintegration of trafficked persons.
- Describe how the judicial sector can combat organized crime.

The third course, on gender issues, followed the format of the other two classes. It expands awareness of the physiological differences between men and women and their varying social behavior; conveys information regarding gender inequality in legislation; makes students aware of social problems that stem from gender biases and helps them develop intervention strategies; increases understanding of the role of tradition, culture, and social life in creating gender stereotypes; and helps students build a strategic plan to change their personal and professional attitudes regarding gender issues.

The director of the Magistrates' School has requested continued financial and technical support for the other domestic violence and anti-trafficking classes. The director intends to integrate these courses into the official curriculum beginning in 2007.

B3. Guatemala: Prosecutor Training

Good Practices

- Develop a multifaceted approach to prosecutor training that addresses the economic, social, and political implications of gender disparity, in addition to focusing on the legal sector.

In 2005, violence against women in Guatemala remained an extremely serious problem, with incidents increasing up to 30 percent over the previous four years. Although the Law on Domestic Violence exists, it is ineffective, because the punitive measures only provide for the lesser charge of assault, and the burden of evidence that the victim must meet is set at an unreasonable threshold. Even when women come forward, the investigative process leading to prosecution can take up to a year.

Violence Against Guatemalan Women

Between 2001 and August 2004, at least 1,188 women were murdered. In 2004 alone, 527 women were violently killed. The Human Rights Ombudsman has described the savage nature of many such murders. In addition to sexual violence, this includes “a particular type of cruelty that manifests itself in cuts to the face and inherent notion of the disfigurement of women’s beauty, the severing of organs.” — *Amnesty International, June 9, 2005*

Due to all these factors, and to a lack of awareness about women’s legal rights, an estimated 90 percent rate incidents go unreported. WLR Guatemala’s program is addressing these issues through legal education, training of legal professionals, and public awareness campaigns.

The lack of understanding of women’s legal rights in Guatemala has had a broad negative impact on the administration of justice. Not only are the lives of women adversely affected, but also, social, legal, and economic institutions are greatly challenged and diminished. A number of factors converge to create an environment of gender inequality: poorly trained justice sector officials and weak law and judicial enforcement systems are key. Cases remain pending for long periods as defense attorneys employ numerous appeals and motions. Courts can take months to resolve patently frivolous appeals, straining judicial resources. Women, the poor, and indigenous people are particularly disenfranchised by these constraints and often become victims of the legal system, as well as of violence.

WLR addressed some of these issues through a series of five prosecutorial training sessions with UNICAP (the Attorney General’s Office Training Institute) conducted in 2004. The sessions helped prosecutors

identify and learn important practices to protect women’s legal rights. Training covered the economic, social, and political implications of gender disparity and included a multicultural sensitivity component to address the unique concerns of indigenous women. Nearly 120 prosecutors from across Guatemala attended the training series. Two local consultants implemented the training, and participants were selected by the Public Ministry.



First group of 23 prosecutors trained in Panajachel, Sololá, conducted with the assistance of the training Institute of the Attorney General’s Office (UNICAP).

B4. Guatemala: Gender and the Law Diploma

Good Practices

- Use MOUs with cooperating agencies to ensure that everyone is working from the same concept and has the same understanding of deliverables and timelines.
- Develop a long-term and multilayered approach to building the capacity of a legal system by working at all levels, e.g., with a law school, public defenders, paralegals, and the community.
- Use outside legal experts such as Professor Susan Deller Ross from Georgetown University to inform the legal process.
- Link with other USAID-funded projects (e.g., the students selected for the diploma were selected from the USAID/Edumaya program that sponsored a group of Mayan women to study law at USAC).

Training judges and prosecutors is only one way to accomplish sustainability in the legal system. Concepts of law regarding women's rights need an institutional home, like a law school with adequate resources to warehouse tools and develop curricula to educate a new generation of gender-aware and sensitive advocates. WLR Guatemala is improving legal education with its partner, the University of San Carlos (USAC) Law School, the largest and oldest public law school in Central America. In 2004, the project conducted the final class of the Diploma in Gender and the Law. Of the 53 selected students, 47 completed the program and are now implementing the gender mainstreaming plans they designed and developed as part of the course.

In 2005, WLR built upon this process by elevating the Gender and the Law Program to a full master's or L.L.M. degree program on Women's Rights, Gender, and Access to Justice. Georgetown University Law Professor Susan Deller Ross was instrumental in this process, as she shared with WLR her experience designing and implementing similar programs in the United States and Africa. Twenty-five students, 19 women and 7 men, completed the first semester of this WLR-sponsored master's degree program.

WLR Specialty Finds an Academic Home

On February 27, 2006, USAID/Guatemala and the University of San Carlos Law School signed a landmark MOU. The rector of the university stressed the importance of this MOU, calling it "a major and significant step towards working on the sustainability of this program and securing it as well." The dean of the law school, representatives of USAC's board of directors, and representatives from USAID/Guatemala attended the event. In its action plan, WLR anticipated signing this MOU in late February and met its target.

WLR has continued to help build the capacity of Guatemala's legal system through a memorandum of understanding (MOU) with the Institute of the Public Defenders to promote understanding of gender and law issues for the institute's lawyers and paralegals. This training-of-trainers strategy will spread to the 150 public defenders throughout the country. As a result of this process, the Institute of the Public Defenders expects that its cadre of professionals will incorporate gender analysis and standards into their defense strategies, particularly for women alleged to have committed crimes. Finally, WLR has concluded

negotiations with the USAID/Guatemala-funded Justice Center of Villanueva to design and implement a training strategy to help 52 women community leaders become certified paralegal practitioners and assist women who are victims of domestic violence.

C. Strengthen CSOs' Ability to Advocate for Women's Legal Rights

In WLR focus countries, many well-developed civil society organizations work on a variety of issues related to women's legal rights. Many are quite active, particularly in dealing with violence against women. Activities leading up to the U.N. Fourth World Conference on Women in Beijing, China, in 1995 and the energy of women's NGOs to hold governments accountable for their commitments to the Beijing Platform for Action helped develop the capacity of NGOs to advocate more effectively. Increased access to modern communication technologies and the globalization of strategies and campaigns have made NGOs increasingly successful. Yet, many civil society organizations need further development to contribute effectively to a country's political, economic, and social development. More women are demanding that their voices be heard at all levels of decision making, and that their rights be advanced and protected by social, political, economic, legal, and judicial systems. In Benin, Madagascar, and the southern Africa region, WLR's work to bolster civil society advocacy programs illustrates various good practices.

C1. Benin: Collaborative Materials Design with NGO Partners

Good Practices

- Strengthen the capability of civil society organizations by engaging them fully in the process of developing legal and public awareness materials.
- Develop the best possible materials by using a collaborative process with local partners. The process is as important as the tools themselves. In Benin, women are subjected to numerous forms of discrimination. In 2004, Benin's National Assembly passed a significantly revised Family Code after more than 10 years of advocacy by women's rights organizations. WLR is focusing its efforts on educating all levels of society about the rights and obligations of women and men found in this new, more progressive, law that governs many aspects of everyday life.

For women to assert their rights, they must first be aware of them. WLR Benin works with local partners to implement a public awareness campaign that takes into account the multiplicity of local languages, the high degree of illiteracy, and customary law. The campaign has focused on the new Benin Family Code and what it means to women, families, and communities. The new law contains significant changes from the old French Civil Code and customary law, such as increasing age of marriage and outlawing polygamy. If enforced, it will profoundly affect the lives of every person, family, and community.

WLR Benin felt it was imperative that the public be made aware of their new rights and obligations. Instead of hiring a local or international consultant to write a paralegal manual and public awareness materials on the code, the WLR Benin coordinator organized a materials development workshop with our original four local NGO partners: 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/Benin (WiLDAF/Benin). WLR Benin sponsored a one-week workshop with the NGO partners, which each sent four representatives. These 16 participants, plus a facilitator and the WLR Benin coordinator and staff, gathered materials and the text of the new

Family Code, and worked together to produce a paralegal manual and a booklet to make the law accessible to all. The manual educates paralegals and other justice sector workers — those whom the public approach first for legal help or advice — about key provisions in the Family Code. In simple language, it explains practical effects of the code that are likely to come up in everyday life and how the new law differs from the customary law that most people know.

The representatives at the workshop came from various parts of Benin, thus the explanations reflected perspectives from different locales. Some participants were lawyers, some were not, but all were advocates for women’s rights. WLR Benin chose to work with four NGOs with different capacities, all of whom have training expertise and their own materials on women’s rights. WLR Benin wanted them all to use the same materials when presenting WLR training and community meetings to ensure a consistent message. Our NGO partners benefited from working together. They argued about the meaning of words and sections, brainstormed about creative ways to make legal points in a practical, easily accessible way to people with no legal training, and compromised on how much information could fit into a public awareness document. The grassroots advocates helped the lawyers focus on meeting the needs of people at the local level, and the lawyers conveyed valuable rights information and legal arguments to the activists.



WLR Benin and NGO partners at the Materials Development Workshop in Cotonou.

At the end of the workshop, the participants had completed the manual and booklet and were proud of their efforts. Because they participated in the process from the beginning, they understood the purpose of the materials and the rationale for the text. The participants were highly involved in ensuring that the translations were as clear, concise, and understandable as the original French.

C2. Madagascar: Survey on Women’s Legal Rights and Access to Justice

Good Practices

- Strengthen the capability of civil society organizations by engaging them fully in the process of doing background research and putting together surveys focused on women’s rights.
- Use a local social science research firm to conduct the survey; this lends greater credibility to USAID and WLR, bolsters public awareness campaigns, and builds solid law reform activities.

- Adapt “Advocacy in Action” manuals used in Namibia for use in neighboring countries, demonstrating the ability to replicate an advocacy approach.

Legally, under the Family Code, women and men in Madagascar are not treated equally, specifically with respect to guardianship rights and head of household status. Currently, WLR works with the Ministry of Justice and civil society organizations to amend the law.

There is relatively little discrimination against women in urban areas, where Malagasy women own businesses and hold management positions in private enterprises and state-owned companies. However, in rural areas, social perceptions derived from tradition and custom create a gender divide that is difficult to overcome. In addition to societal discrimination, illiteracy and women’s lack of knowledge about their rights contribute to continued gender disparity.

WLR Madagascar is fully integrated into USAID/Madagascar’s democracy and governance portfolio, which included sharing technical information and office space in Antananarivo with the mission’s large-scale governance and civil society project, called Managing Information and Strengthening Organizations for Networked Governance Approaches (MISONGA). This allowed WLR to leverage resources to achieve a much broader impact than would have been otherwise possible. WLR Madagascar’s programmatic efforts address the challenges facing Malagasy women by strengthening civil society organizations, increasing public awareness, sharing information, and enhancing legal education.

The first systematic survey of women’s legal rights in Madagascar was conducted by a local Malagasy social science research team at Focus Development under the auspices of the WLR program and in conjunction with USAID/Madagascar, MISONGA, and WLR partner organizations. The survey does not focus exclusively on violence against women; it also includes the impact of violence in broader questions on what prevents women from participating in good governance as citizens and what are the major gaps between the realities of women’s lived experience and the formal legal regime. The survey results lent greater credibility to the work of USAID and WLR in Madagascar and bolstered the public awareness campaigns. The results were used as public awareness and advocacy tools and served as a basis upon which to build solid legal reform activities. WLR also produced family law brochures that were used by SOS Victime, an NGO, to raise awareness on Family Day in May 2004. Creating greater awareness encouraged a number of couples to get married, giving women greater property rights.

D. Increase Public Awareness of Women’s Legal Rights

Public awareness is critical to changing the way a society operates and governs itself, particularly when it comes to long-standing discriminatory practices that have strong traditional and cultural roots. Women, particularly in rural areas, often have no awareness of the rights that have more recently been guaranteed to them by new constitutions, legislation, and international conventions. Even women who know of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and similar instruments may be unaware of services and processes that will afford them access to justice against violence and discrimination. Academic institutions, public organizations, the media, individual citizens, and even government representatives need to learn about human rights and share this information with others, both in formal and informal settings. Public awareness of legal rights is being raised through legal

literacy campaigns, legal information and aid centers, and media campaigns. Women need to be trained in political and legal participation, advocacy, coalition building, and networking to ensure that the general public becomes more aware of women's legal rights in each country.

D1. Albania: Public Awareness Campaign on Family Code

Good Practices

- Use accessible, easy-to-understand materials regarding women's rights and responsibilities under new legislation (the revised Family Code), with a special emphasis on reaching rural women.
- Leverage resources through strategic partnerships with the private sector and other international donor organizations and stakeholders that have strong existing networks in the country.

WLR Albania chose to develop a public awareness campaign on the new Family Code passed in 2004, since it instituted progressive, far-reaching changes in the legal treatment of marriage, divorce, and family relations. The law replaces the 1985 code enacted under communism, when institutions or concepts of private property or marital contracts did not exist. The new code increases the minimum age of marriage from 16 to 18, which is very significant for rural girls and women. It recognizes cohabitation; previously, this was illegal, and the state would fine unmarried people who lived together and force their separation. The new law recognizes domestic violence, a first in Albanian legislation, granting judges the authority to order abusers out of the home for up to three years. This provision was vague and not intended to be comprehensive, necessitating development of a subsequent draft law on domestic violence.

To inform women of their new rights and options under the new Family Code, WLR developed a public awareness campaign in 2004 to reach out to many people, particularly rural women, who represent 44 percent of the population. They have little access to information and hold traditional and cultural ideas that oppose women's rights. Using brochures developed by WLR Albania that explain the provisions of the Family Code in simple language, more than 400 women were informed of their rights and responsibilities under the new law. The brochures are titled *How to Conclude a Marriage Contract*, *Marital Property Regimes: What's in It for Me*, and *Marriage and Family: Your Rights and Obligations*. The campaign sparked significant interest in the new legal regimes, particularly concerning property rights and future programs on women's legal rights. This activity was implemented in partnership with the USAID-funded Land O'Lakes Star Leaders Project, which has a network of 10,000 women throughout Albania, especially in rural areas. In an effort to further leverage resources, WLR collaborated with UNICEF, which funded the printing of additional brochures. WLR held training workshops for notaries, advocates (attorneys), and judges on the more important parts of the new code in 2004 and 2006.

D2. Albania: Public Awareness Campaign on CEDAW

Good Practices

- Adapt the CEDAW assessment tool for application in Albania and enable replication in neighboring countries.
- Use a multimedia public awareness campaign to reach all potential audiences for the report's findings.
- Strengthen the ability of civil society organizations to use CEDAW as a vehicle for enhancing women's legal rights .

In addition to its public awareness campaign on the Family Code, WLR is working to disseminate information about CEDAW, which Albania ratified in 1994, and the extent to which Albania has met its obligations under the convention. WLR conducted an assessment of Albania's compliance with CEDAW, using the tool devised by the American Bar Association's Central and East European Law Initiative (ABA/CEELI). This tool can be applied in any country in the world to analyze compliance with CEDAW. It consists of two important components: *de jure* and *de facto* compliance with each of CEDAW's 16 substantive articles. The *de jure* analysis examines the extent to which legislation complies with CEDAW. The *de facto* evaluation considers the extent to which women actually enjoy the rights and protections set forth in CEDAW. According to the report, Albania's *de jure* compliance was generally good, although further amendments were needed in the criminal code, health care, and the social insurance law. The report also found that there was no gender-based analysis of legislation, and that stronger national gender machinery was required. The *de facto* findings were less positive. Women face discrimination in all fields. They have difficulty obtaining financial credit, are politically underrepresented, and continue to experience domestic violence, low access to quality health care, and inequities in obtaining education.

To raise public awareness about CEDAW, WLR has been working with Refleksione Women's Association, the oldest Albanian women's rights group and mother organization to four other NGOs. The campaign has three objectives: (1) educate Albanians about CEDAW, its contents, and implications for Albania, (2) widely distribute the CEDAW assessment report, and (3) strengthen the ability of CSOs and professional groups to use both CEDAW and the report to advance women's rights. The campaign included a TV spot designed to make the public aware of CEDAW and its potential to protect women's rights. WLR disseminated CEDAW information through TV and radio broadcasts and print articles on CEDAW and the situation of Albanian women in newspapers, seminars, workshops, lectures, and roundtables.

D3. Benin: Public Awareness Campaign on Family Code

Good Practices

- Take the time and money to meet with people face-to-face rather than relying only on mass media to spread information.
- Adapt media campaigns to local customs and traditions (e.g., roundtables, public declarations, community meetings, singing, storytelling). For example, WLR Benin worked with local NGO partners and a network of NGOs so that presenters would be

people from the community near where the meeting was held, and could speak one of the local languages. WLR Benin materials were so popular that a literacy group asked the project if they could use its materials. WLR Benin trained 25 literacy teachers who traveled throughout the country teaching people to read and about the new laws and Family Code. WLR Benin was also approached by the Danish Development Agency (DANIDA) to translate and print the material in Yoruba, a fifth local language.

- Involve local activists and other key stakeholders in planning and presenting a campaign.
- Reach out to audiences not usually targeted for public awareness campaigns.

Most women, particularly in rural areas of Benin, are ignorant of their rights. They are isolated in communities that have followed customary law for generations. Only 25 percent of women are literate in French, which limits their access to resources, training, technical assistance, and employment. To reach these women, WLR hires local staff that can communicate in local languages and in French, and who serve as liaisons between the project and non-Francophone women.

Issues such as forced marriage, rape, polygamy, *levirat*, domestic violence, girls' education, female genital cutting, reproductive rights, and women's general lack of self-determination are considered family and customary matters, and therefore not worth protesting or reporting. Women either 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. Within this context, WLR Benin started a public awareness campaign on women's legal rights and the new Family Code. The campaign was developed collaboratively with local partners and considered the multiplicity of local languages (51) and the high degree of illiteracy.

The key activities of WLR's public awareness campaign were similar to most such campaigns: (1) a media strategy to use print, radio, and television effectively, (2) summaries of the new Family Code and its practical implications in simple, clear text in French and in four local languages (two common in the north, two common in the south), (3) non-text-based materials to convey information to illiterate audiences, such as using T-shirts emblazoned with "18" as the minimum age of marriage cited by the Family Code, and a play and a film about the Family Code and women's rights (*Promesse de Mariage*), (4) public education events on auspicious or commemorative days, such as International Women's Day, and (5) informational town hall-style community meetings on the Family Code. Local activists were involved in all WLR educational activities, and the project used local custom and tradition where possible to convey the message.

As an example of a good practice in using local customs, four public education "roundtables" held in rural areas, each lasting about five hours, were hosted by local NGOs. These community training and discussion events were held in Mono, Zou, Borgou, and Atacora, rural areas seldom chosen for public awareness activities. Each meeting was held in the local language, and pre- and post-meeting questions helped WLR evaluate the effectiveness of this kind of public education. Local authorities and traditional and religious leaders were invited, as well as the local media and the general public. WLR Benin reached more than 700 people directly with the roundtables.

The general script was similar for all the roundtables. A group of women and men literate in the local language were identified before the event by the local NGO, given WLR Family Code T-shirts and public awareness materials, and placed in the front of the audience. These women and men read sections of the materials, so that the first information that most people heard about the Family Code was from a known, local person in their own language. This emphasized that the Family Code was developed and advocated by the people of Benin and passed by the people's representatives in the National Assembly, not imposed from the outside. Benin is still a fledgling democracy, and this was a good way to emphasize this important point. Following local custom, there was drumming, music, singing, and/or dancing to start the event, then short speeches in the local language or French from the panel, which usually consisted of the president of the host NGO, several local officials, the WLR Benin coordinator, and the WLR legal specialist. There was a long question and answer session, followed by more singing, dancing, and thanks.

“Town hall” meetings have also had a ripple effect at the grassroots level in these areas. Hosting these events gave WLR credibility, a reputation for meeting local needs, and appreciation for thinking rural areas are important enough to visit, all of which contributed to local “advertising” of the Family Code. Also, creating quality local language print materials and films and developing an effective dissemination strategy will make WLR information available to more people after the project has ended.

D4. Guatemala: Public Awareness Campaign on Violence Against Women

Good Practices

- Adapt public awareness materials to local language(s), culture, and disseminate through the culturally appropriate channels and people
- Use a local media firm to develop country-specific communication strategies, including stakeholder analysis, market segmentation, and development of core messages

In an effort to secure collaboration and sustainability of public awareness and education activities, WLR Guatemala entered into a new MOU with the Public Ministry. The MOU set out the foundation for a strategic partnership that involved the ministry at every decision-making point in the process of developing posters, brochures, and radio spots in Spanish and five Mayan languages. Through this level of involvement, the Public Ministry developed ownership of the process and a commitment to use the jointly prepared public awareness materials as an educational tool within the ministry itself. As a result, the Public Ministry now includes an electronic version of a WLR brochure on violence against women on its official Web site (www.mp.lex.gob.gt). The Ministry of Education was also involved in this effort and placed posters and brochures in schools throughout Guatemala. Triton Image and Communications, a local media firm, developed the materials that were carefully vetted by USAID and partners.

SECTION III

Good Practices and Lessons Learned in Project Management

One of the WLR project's achievements derives from its approach to managing effectively from a distance. Based in Washington, D.C., the technical team and project management unit liaise continuously with project offices despite several constraints — different time zones, language barriers, and cross-cultural differences (see Annex A for a complete list of project offices).

We have identified six management good practices: (1) reaching out in local languages, (2) adapting project policy manuals to the local context and language, (3) using effective contractual vehicles to improve accountability of participating NGOs, (4) providing consistent project communications, (5) developing the leadership capacity of local staff, and (6) creating an innovative, multitiered monitoring and evaluation (M&E) system to more effectively measure the impact of WLR activities.

A. Outreach in Local Languages

Women's literacy rates in the countries where we work are below the global average. For example, in Benin, only 25 percent of women are literate. This literacy rate is based on the ability to read and speak French. Many more women than men speak only local languages. Sociocultural norms often limit their mobility and access to education, both factors in acquiring French. Women may be literate in one or more of the 51 local languages in Benin, but their inability to speak French limits their access to resources, training, technical assistance, employment, and understanding the law. Therefore, to reach out to these women, we hire local staff and work with NGO partners that can communicate in both the local languages and French. Serving as liaisons between the project and women who do not speak French, they help disseminate information by translating WLR communication products into local languages.

In other WLR countries, such as Madagascar and the southern African region, office coordinators also speak multiple languages. In Madagascar, the WLR coordinator converses in Malagasy as well as in French, and in the office for the southern African region, the past and present coordinators are fluent in Afrikaans, Isizulu, Ixixhosa, Setswana, and SiPedi.

B. Project Policy Manuals

When operating a locally led field office from a distance, an essential component of effective management involves establishing a local field office policy manual that incorporates all local labor laws. The manual is a modified version of the Chemonics corporate policy manual template and serves as primary guidance to local field staff, as well as project staff based in Washington, D.C. It is a key tool for orienting new staff to Chemonics' policies, proper administrative channels, and local labor laws. To incorporate the local labor laws, a local lawyer is hired to review the manual and adapt it so that it better reflects the local context.

In Albania and other WLR countries, laws regarding maternity leave are an important relevant section of local labor law for WLR. In Albania, pregnant women are entitled to maternity leave 35 days before and 42 days up to 1 year (365 days) after birth, (Article 104 and 105, Labor Code, Mandatory Provisions). This local law has implications not just for the new mother, but also for budget line items related to salaries and hiring temporary replacement staff.

Local labor laws also are brought to bear in dismissing an employee. In several countries where WLR works, the rights of an employee are more favorable than those of the employer. Normal policies and procedures in the home office may be construed as illegal in the project country. For example, in Swaziland, local law does not allow Chemonics to require a terminated employee to submit a resignation letter if they do not agree with the dismissal. This is considered a form of intimidation.

In the field office, local personnel issues inevitably arise, and the more comprehensive the policy manual, the better equipped the project is to address grievances or concerns. Perhaps the most beneficial aspect of the policy manual is that it fosters a level of transparency and trust among project staff, as efforts have been made to adapt the manual to local laws and conditions.

C. Contractual Vehicles

Under the WID IQC WLR task order, WLR uses fixed price subcontracts (FPSC) and MOUs as vehicles for disbursing funds. Under a FPSC, contractors receive funds only after they have submitted deliverables within the time frame specified in the contract. This type of contracting mechanism has improved the accountability of partners working on WLR projects. For instance, during an evaluation of FY2005 activities in Benin conducted in December 2005, representatives from six of the project's seven partners acknowledged that the FPSC mechanism was a good one. Although participants initially complained about the overabundance of rules and regulations, they admitted that FPSCs were a smart and effective way to do business, and that because they only got paid for work that they actually finished, this mechanism forced them to be disciplined. The partners unanimously proposed that instead of one contract per activity, it would be more efficient to allow several activities per contract.

Memorandums of Understanding (MOU) have been a particularly useful mechanism for WLR. They allow for true collaboration between the project and local organizations, building on partnerships rather than one-way relationships. An MOU is a pledge to work together and holds all parties responsible for the implementation of a project. Any deviation from the outlined responsibilities requires explanation, so it is an effective way of creating sustainability and assuring results. It formalizes a commitment and creates transparency. As importantly, it is a document that can be used as an accountability tool for all parties.

In Guatemala, MOUs have been particularly effective as an oversight mechanism and monitoring and evaluation tool. As an example, the process of defining an MOU with the University of San Carlos clearly signaled to the University that they were viewed as a partner and would be held responsible for completing their part of implementation of the Gender and the Law Diploma program. The university has undergone several leadership changes throughout their collaboration with WLR, but successive administrations continued to support and implement the Diploma program due to their obligation clearly outlined in the MOU. We can attribute some of the

success of this ever-expanding partnership to the clear guidance provided by the MOU, which establish goals and objectives and ensured maximum impact through the optimization of the use of resources. See Annex B, subsection C, for a model MOU.

D. Project Communications

The central project office, based in Washington, D.C., communicates with six field offices on three different continents. To maintain open lines of communication, systems have been developed to overcome time differences and distance and facilitate transparency, oversight, guidance, and timely performance. These communications consist of daily e-mails, weekly conference calls, and monthly pouches.

Daily, two-way e-mails are sent every business day between the home office and the field office. The goal is to share information so that all team members are up to date on all project activities. Therefore, all project communications (financial, travel, technical, administrative) are sent at the end of each workday to all relevant home and field office staff on all aspects of project implementation and administration.

Conference calls or teleconferences are held once a week at a set time and date. All home office and field office teams meet for the teleconference to discuss project activities and communications. If either the field or home office team needs to change the day or time of the phone call, the changes are proposed and agreed upon in the daily e-mail in advance of the scheduled teleconference.

Pouches are sent out on a monthly basis or as often as necessary. The pouches usually hold monthly finance documents, timesheets, and original documents, such as signed employment agreements and/or contracts. Each pouch is sent with a pouch log that lists each document being sent. When the pouch is received by the office, the pouch log is checked against the documents to confirm that all documents were received.

E. Leadership Development

Our focus on developing leaders within each country project contributes to the sustainability of WLR activities. Project implementation in each country is led by a host-country national coordinator with guidance from expatriate technical specialists housed in Washington, D.C. Local field office staff drive implementation. This staffing arrangement enhances the effectiveness of project design, ensures local ownership, and encourages a national forum for discussing women's legal rights.

Involving local expertise in the project design process means that our program priorities reflect current gender realities in the countries in which we work. In each country, the local WLR coordinator facilitates the incorporation of local resources and expertise into our project activities. For example, in Benin, public awareness and training materials on the new Benin Family Code were developed by collaborative roundtables involving WLR's local partner organizations. Expatriate presence was minimal. As a result of the inclusive process, the materials were tailored for the intended audience and widely distributed. Donors, Benin

government officials, and NGOs have requested the materials for broader distribution, thus extending WLR's impact.

In each WLR country, coordinators are nationally recognized human rights advocates and leaders of initiatives to increase women's access to their legal rights. The WLR Albania coordinator, Emira Shkurti, was approached by the Albanian government to serve on the national Gender Equality Commission. The government tasked the commission with reevaluating and improving Albania's gender equality law and the structure of the office assigned to enforce and monitor the law. Shkurti's leadership encourages Albanian ownership of activities to secure women's legal rights, thus expanding WLR's influence.

The organizers of the international Inclusive Security Colloquium selected Rose Mukantabana, Rwanda project office coordinator, to represent the work of Rwandan women in promoting sustainable peace in their country. Through her participation, Mukantabana shared and gained knowledge of many different approaches to advocating for women's legal rights and gender equality in post-conflict contexts. She will apply this knowledge to WLR program design and implementation.

In Benin, the WLR coordinator, Elvire Houenassou, has been so effective in raising awareness and encouraging implementation of the Benin Family Code that, after the government passed four Family Code implementation laws, they requested that she appear on television to acknowledge the government's progress in enforcing the Family Code and promoting gender equality. Houenassou's ability to exert pressure on the government and other national leaders translates into strong results and impact for Benin's population.

Throughout the project, WLR has actively supported the professional development of its staff at all levels. For instance, in Benin, administrative assistant Justicial Houzanme was recently promoted to project manager.

Most importantly, enhancing and supporting local leadership means that WLR's influence will continue after the project ends. Coordinators for the country programs will remain as leaders within their countries and will continue to use their skills and expertise to promote women's legal rights and gender equality.

F. Hiring Local Personnel

WLR is administratively and programmatically complex, with six field offices and technical and administrative staff in both field and home offices. The technical team is housed in Washington, D.C., and communicates regularly with the field through teleconferences and e-mail. However, the implementers and primary administrators of the project are local personnel.

The local hiring process, critical in the selection of key people, is often conducted under difficult circumstances. Those hiring are usually the technical team from the home office. They are often in country for only a short period of time and reliant on local contacts for suggestions on how to advertise the positions. Also, these are small countries with high levels of poverty and small pools of qualified people, who may often already be employed by other international

groups. It is difficult, for example, to find accountants familiar with USAID procedures or administrative assistants who are skilled enough to manage the Chemonics financial systems.

Within the small pool of qualified personnel, often everyone knows everyone else. Especially in many parts of Africa, there is a known network of women's organizations. The project needs to hire project coordinators who can work with all groups and who are not known as polarizing figures. Once viable candidates are identified, it is essential to check all references before extending an offer letter. A probationary period — WLR uses six months — is an excellent tool to be able to gauge a new hire's fit with the project. WLR has had several staff that did not fit well with the project, and the probationary period allowed for the person's smooth departure. Once staff is hired, it is important to give them new opportunities for growth and promotion. WLR has actively supported the professional development of its staff. For instance, in the WLR Benin and Madagascar offices, the administrative assistants were promoted to project manager positions, thereby taking on more technical roles.

WLR performs regular performance reviews to make employees aware of ways in which they can improve their performance. Regular discussions between supervisors and supervisees encourage a culture of transparent communications and teamwork. Because WLR's project offices are small, the teamwork established through open communications and performance reviews is essential to the smooth functioning of country projects.

G. Monitoring and Evaluation

WLR's complexity could have made its M&E plan unwieldy. In addition, it is extremely difficult to measure a process, such as supporting good governance activities. However, M&E under WLR has evolved into an effective process that can be replicated, adapted, and transferred as a good practice to support program objectives. The process included close consultation with local stakeholders and other interested and involved partners in designing M&E tools and data collection instruments. The WLR M&E plan has been effective because of its simplicity. It relies on monitoring and evaluating quantitative and qualitative data at the macro, mid, and micro levels.

At the *macro level*, there are three activities that define the system:

- Implement a monitoring and evaluation system to track the project's delivery of expected outputs and quantitative measures of progress.
- Train staff to use the system. The WLR legal specialists and project management unit (PMU) staff work with WLR project staff to implement the data collection strategies.
- Review program implementation progress against the work plan on a monthly basis to ensure that tasks are performed effectively and in a timely manner.

The macro level system is based on the four WLR Intermediate Results (IRs): Improved Legislation to Protect Women's Legal Rights; Enhanced Justice Sector Capacity; Strengthened Civil Society Groups for Advocacy; Increased Public Awareness. Each of these IRs has pre-established indicators that are tracked by the WLR team. For example, under the IR on improved legislation, an indicator tracks changes to national legislation to comply with international

human rights standards. These statistics are captured on a performance monitoring matrix and submitted to USAID in each quarterly report.

At the *mid level*, the WLR team prepares country action plans that include a performance management plan for monitoring and evaluation. At this level, the plan disaggregates statistics presented at the macro level and provides a guide for expected results, making it possible to better assess the actual impact of WLR's specific activities on the IRs. The table on the following page details two such action plan activities from WLR Albania, their relevant EGAT/WID SO 3 IRs, the applicable indicator, and expected results.

Component One: CEDAW Assessment Report			
Activity	Relevant IRs	Indicators	Expected Results
Completion of the CEDAW assessment reports, resulting in a published report illustrating the compliance or lack thereof with CEDAW	IR1: Improved Legislation to Protect Women's Legal Rights IR2: Enhanced Justice Sector Capacity to Interpret and Enforce Legislation that Protects 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 legal professionals trained in women's legal rights and international human rights laws	The completed CEDAW report will analyze national law and its compliance or lack thereof with international law, and will provide recommendations for modifying or adopting laws to ensure that women's legal rights are adequately protected. The report will give NGOs and ministries hard evidence to lobby for changes. Legal professionals will be trained in the proper methods to conduct the assessment and analyze law from the international and human rights perspectives. These professionals will gain valuable expertise in women's legal rights.
Public awareness campaign on the legal rights of women pursuant to CEDAW and national legislation	IR4: Increased Public Awareness of Women's Legal Rights	Indicator 3: Number of publications or campaigns developed to educate women and the public on women's legal rights.	The report will serve as an opportunity for increasing public awareness and be used as a tool by NGOs

At the *micro level*, the WLR team gathers qualitative success stories and notable achievements as a means to track good practices and bring the voices of project beneficiaries to the monitoring and evaluation process. These stories ultimately contribute to identifying good practices. They are often gleaned from the evaluations of discrete activities. An example from Benin illustrates this point (see box to the right and Annex C).

Adoption of the Family Code in Benin

With support from the Women's Legal Rights Initiative, the country has adopted national reforms like the 2004 Family Code that render many longstanding local customs such as polygamy illegal, but awareness is low and enforcement is weak. WLR Benin, in conjunction with local partners, visits remote areas of the country informing women and men about the new laws. For instance, the project's public awareness campaign has resulted in passage of four national executive orders implementing key provisions of the Code and attendance of nearly 7,000 attendees at numerous public awareness events in rural areas.

H. Working with Local Subcontractors

Selecting and working with topnotch local subcontractors is key to project success. Local subcontractors know the territory, the language, the issues, and the actors. In the case of WLR, they know which women's issues are important and how to approach them. However, it is not enough that local subcontractors be technically strong; they also must have the capability to adhere to Chemonics' administrative and financial systems. The nature of development is that some degree of institutional capacity building is desirable, but not to the point of inhibiting the achievement of project results.

Due diligence of subcontractors must be conducted by checking references, examining mission statements and annual reports, talking with staff, and querying staff about financial systems. Mission statements and annual reports, in particular, can give a good sense of an organization. If

an organization is not a women's organization, does it highlight its gender work? Does it have a participatory approach to development? Answers to these and other questions can be found in an organization's written materials and through staff interviews.

There must be a clear understanding between project personnel and the subcontractor as to expectations not just about substantive issues and approach, but also about administrative issues such as invoicing standards, backup financial documentation, and filing systems. These expectations must be made clear from the very beginning of the project if there is to be smooth implementation. It is therefore essential that administrative staff from the home office travel to the country and train subcontractor staff in the systems needed for effective communications and implementation of project activities.

SECTION IV

Conclusions

Good governance encompasses commitment to the rule of law, the public good, transparency and accountability, and effective delivery of public services. Democracy and good governance together provide the strongest guarantee of security, justice, and economic development. True democratic development calls for the informed participation of all citizens, including strengthening and elevating the voices of disadvantaged populations such as women.

It is important to note that methods to implement the good practices in one context do not automatically transfer to one another. Politics, culture, tradition, and other issues may influence the effectiveness of one method in another place and time. Sharing good practices and the variety of methods used to implement them allows us to see how others are working to accomplish similar goals and to gain from their experiences, both successes and lessons learned, in the field and in project management.

In the coming year, WLR will focus on better documenting, collecting, and disseminating success stories from widespread field offices, developing good practices processes and/or tools that can be replicated in other countries, strengthening the M&E system and leadership capabilities of staff and partners, and implementing cost-effective activities that help advance women's legal rights in Albania, Benin, Guatemala, Madagascar, Rwanda, and the southern African region. WLR will also begin to think more strategically about how best to communicate and disseminate the cumulative good practices of its project to target audiences, including USAID, partners/local stakeholders, and other stakeholders (including the broader international development community, donors, the private sector, and others) to ensure ongoing funding and longer term sustainability past the existing life of the project.

Finally, greater efforts will be made to frame project activities, implementation, and dissemination of results within the context of USAID's recent designation of countries as transformational (stable countries with the basic conditions for development) and/or fragile (states in which government is unwilling or unable to provide basic security and services because of past or emerging crises).⁶ Increasing political, economic, and social stability supports nonviolent resolution of conflict and enhances democratic practice and equitable economic recovery in countries vulnerable to, in, and emerging from crisis. Advancing women's legal rights through programs like WLR helps ensure that progress will be made in ensuring democratic and economic reforms in transformational or fragile states

Throughout Year 4, the WLR team will address these challenges and build on good practices from Years 1, 2, and 3 in designing, implementing, and evaluating key future initiatives and activities. This will culminate in a report on Good Practices in Women's Legal Rights in Year 5.

⁶ See USAID's Fragile States Strategy, the National Security Strategy of the United States of America, the State-USAID Joint Strategic Plan, and USAID's Strategic Framework for Africa.

ANNEX A

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ANNEX B

Good Practices Tools

A. Benin: Sexual Harassment Legislation Department Workshop

Attached is the final report on the Sexual Harassment Legislation Department Workshop held in Benin.

CONSULTATION TO ESTABLISH A DRAFT LAW ON SEXUAL HARASSMENT



REPORT

Consultant: **Dominique ADJAHOUINOU**

Magistrate

- President of the Court of First Instance of Ouidah
- Chairman of the Beninese Human Rights Commission
- Member of the National Codification and Legislation Committee

July 2005

While it is true that the subject is not taken seriously by others, sexual harassment is a flagrant violation of human rights because it denies the victim of both sexual freedom and dignity. The phenomenon is commonplace in Benin, yet it is real and creates much concern in Beninese society. To be sure, one only has to pay attention to the daily reality in academic, university and professional as well as training center and family environments.

In light of this phenomenon, which has multiple consequences and forms vis-à-vis the victims, it is necessary to have a legal tool to reduce, in the absence of ending the commission of these offending acts, the extent of them and to punish the guilty parties and accomplices.

To do so, the Women's Legal Rights Initiative for women's rights (WLR-Benin) set about establishing a proposed law on sexual harassment in collaboration with its local partners and conducting the lobbying necessary for its adoption by the Beninese Parliament.

A consultant was hired to facilitate the work to establish the proposed legal text.

The objective of this report is to highlight the salient points of the tasks carried out by the consultant, provide an account and analysis of the work of the workshop to establish the proposed law on sexual harassment.

It is structured around four points:

1. Presentation of the consultant's terms of reference.
2. Preparation work for the workshop.
3. Report on the workshop to establish the proposed law.
4. Analysis and conclusion.

I - PRESENTATION OF THE CONSULTANT'S TERMS OF REFERENCE

a) - Presentation

The workshop to establish the proposed law on sexual harassment is prepared and facilitated by a consultant, a jurist with expertise in both conducting workshops to establish draft/proposed laws and controlling mechanisms for the National Assembly to vote on the law as well as techniques to support adults.

The consultant is also responsible for finalizing the proposed law [and] having it validated by some participants and by the WLR-Benin.

He prepares the report on the workshop.

The consultant leads the workshop and ensures the results.

b) – Duties of the Consultant

N°	DUTIES	DATES	EXPECTED RESULTS
	Supervise the preparation of the training and awareness tools.	10 days	A draft/proposed law on sexual harassment.
Before the Workshop			
01	Summarize the existing legal texts and position of the documentation on sexual harassment in Benin and elsewhere.	July 6-8, 2005 (3 days)	Summary of the various existing legal texts, which will be the background document for the workshop, in addition to other documents.
02	Establish the daily schedule for the workshop.		Draft of the transmission and law vote strategy.
03	Proposal and strategies for the transmission and vote on the draft law.		Draft of the workshop schedule.
04	Formation of work groups.		All technical logistics are ensured.
05	Verification of the working materials.		

N°	DUTIES	DATES	EXPECTED RESULTS
06	Instructions about the availability of the work room.		
During the Workshop			
07	Presentation of the objectives, expected results and program.	July 11-14, 2005 (4 days)	Draft of the draft/proposed law on sexual harassment.
08	Organization of the work in full and small groups.		Strategy for transmitting the draft/proposed law on sexual harassment in view of the vote.
09	Evaluation of the workshop and willingness to continue.		
After the Workshop			
10	Completion	July 15-20, 2005 (3 days)	The draft/proposed law on sexual harassment near end.
11	Validation		
12	Workshop report prepared and filed.		Final version of the workshop report.

II – PREPARATION WORK

In the framework of the workshop preparation, a number of tasks were performed:

1 Documentary research made it possible to collect:

- a) Documentation on the theory relative to issue of sexual harassment;
 - b) Existing legal texts:
 - In Benin: The Penal Code, Law 98-004 of January 27, 1998 concerning the Republic of Benin Labor Code, Interministerial Order No. 16/MEPS/METFP/CAB/DC/SGM/SA of October 1, 2003 concerning sanctions for sexual crime offenders in schools and secondary education, general, technical and professional institutions, public and private;
 - In Africa: The Togo draft bill on sexual harassment;
 - In Europe: French Law No. 92-1179 of November 2, 1992 on sexual harassment, French Law No. 98-468 of June 1998 on the prevention and suppression of sex crimes as well as the protection of minors - the draft law of Luxembourg on protection against sexual harassment in the workplace.
- 2- The summary of the documents collected was used to write an introductory report on the subject: Sexual Harassment: Status of Benin Sites;
 - 3- A daily journal on the workshop was prepared;
 - 4- Overseeing the practical organization of the workshop.

III – REPORT ON THE WORKSHOP TO ESTABLISH THE DRAFT LAW ON SEXUAL HARASSMENT

The workshop organized by the WLR-Benin to prepare the proposal of the workshop to establish the proposed law on sexual harassment was conducted from Monday, July 11 through Thursday, July 14, 2005.

Twenty people from several areas participated, including:

- Deputies
- Representative from the Network of African Women Ministers and Members of Parliament (REFAMP in French)
- Representatives of NGOs and women's associations
- Representatives of the ministries (Ministry of Justice in Legislation and Human Rights, Ministry of Primary and Secondary Education, Ministry of the Family)
- Representative of USAID.
- Representative of Swiss Cooperation

The names of the participants are attached to this report.

1 – Beginning of the Work

Without great fanfare, the opening ceremony for the workshop to establish the proposed law on sexual harassment included a welcome by Elvire AHOUNOU-HOUENASSOU, WLR-Benin Coordinator. She took the opportunity to thank the participants who are the customary partners and urged them to put forth their best efforts, as usual, in order for the objectives of the workshop to be achieved.

After the introduction of the participants and general information, the consultant, Dominique ADJAHOUINOU, presented the objectives and results anticipated at the end of the workshop.

2 – Development of the Work

The workshop activities were marked by three major segments:

- Presentation of the introductory report
- Group work
- Full-meeting work

a) – Introductory Report

The workshop tasks began with an introductory report presented by the consultant-facilitator, Dominique ADJAHOUINO, on the topic: Sexual Harassment: Status of Benin Sites.

In preliminary comments, the consultant indicated that the goal of presenting this report was to spark a general debate among the participants with a view to harmonizing their points of view on the issue of sexual harassment, which is not an offence that is easy to determine.

During his presentation, he pointed out that the phenomenon of sexual harassment in Benin is real and did not begin yesterday, even though it has only been denounced for a short period in studies and awareness campaigns, and that the laws of various countries have only attempted to suppress it since the 1990's, in particular since the Beijing Conference.

Mr. ADJAHOUINO showed that in fact and in law, it is often difficult to draw a clear line between sexual harassment and seduction, which is a quite normal human phenomenon. He defined sexual harassment as any behavior manifested by speech, acts or gestures with a sexual connotation, which go against a person's will and attack their dignity, physical safety or even place their job in jeopardy. For him, sexual harassment is generally comprised of repetitive acts, but under certain circumstances, an isolated act may also be considered as such.

The communicator gave several examples of locations where the offending act is committed and cited the persons involved in these actions and who are often women, but at times men. He gave some examples of sexual harassment and supported his comments with established French precedents.

Addressing the matter of suppressing sexual harassment in Benin, Dominique ADJAHOUINO showed the legal void noted in the Beninese criminal code and labor code. Only an interministerial order provides disciplinary sanctions for those guilty of sexual harassment in schools and secondary education institutions.

He first wanted to fill this gap with an enacted law and second for this law to be distanced from what the French Parliament considers "Anglo-Saxon drift" by avoiding disrupting the seduction between men and women vis-à-vis a specifically Beninese mentality.

A full debate followed this presentation. It made it possible for the participants to exchange [examples of] the many consequences of sexual harassment, which:

- On the social and physiological level, cause victims to lose confidence and concentration, be traumatized, etc.

- On the educational level, cause [victims to] abandon studies, drop a level or repeatedly fail, etc.

The participants also upheld the need to propose a legal text, which takes into account the realities of the Beninese culture relative to seduction between men and women.

b) – Group Work

Two work groups were organized.

The first group chaired by the Honorable René Valéry MONGBE, Deputy to the National Assembly, prepared the draft of the statement of reasons and specific provisions.

The second group led by Claire AYEMONNA, née HOUGAN, former Minister, REFAMP member, and assisted by the Honorable Abraham ZINZINDOHOUE, Deputy to the National Assembly, wrote the draft of the general provisions, protective measures and sanctions.

Two group-work sessions were organized and developed as follows:

- The first on Monday, July 11, 2005 from 2 to 5 p.m. and Tuesday, July 12, 2005 from 8:30 to 10:30 a.m.
- The second on Tuesday, July 12, 2005 from 2 to 4:30 p.m. and Wednesday 9 to 10:30 a.m.

c) – Full-group Work

Three full-group work sessions were held to adopt:

- The draft of the statement of reasons and general provisions.
- The draft of the specific provisions and protective measures and that of the sanctions.
- The draft law in its final version.

IV – ANALYSIS AND CONCLUSION

1- The WLR-Benin initiative made it possible to undertake actions with a view to fill the legal void observed in Benin relative to the definition and suppression of sexual harassment.

2- Interest is great because sexual harassment is unacceptable because [it is] contrary to human dignity. The new environment linked to the rule of law requires legislating to protect human rights, in particular the rights of vulnerable people who are the women and children in Benin.

It is also worthy of opening a national debate on an issue that is still trivialized, but which is a phenomenon with harmful consequences to the victims.

The hope is to make it possible to adopt this legal text if the lobbying necessary is carried out with the various networks of deputies.

3- The methodological approaches used in the framework of establishing the proposed law are an asset. To be sure of this, one only has to notice the constant participation of the majority of deputies invited to the workshop and the quality of the contribution of the participants coming from various backgrounds.

4- On the technical level, the title “Law on Sexual Harassment in Benin” was retained to enable the Beninese legislature, which is not vocal about producing laws, to address at the same time several issues in the legal text, including the one linked to criminal punishment and to the protection of victims in the workplace, in primary, secondary and university institutions as well as at training sites or in domestic environments.

The proposed law consists of three parts:

- The statement of the reasons. It indicates the reasons for which the proposed law was submitted to the legislature, the spirit in which it operates and the objectives that it establishes.

- The general provisions, which define sexual harassment and the scope of application of the law.

- The specific provisions. They set forth measures to protect the victims, in particular workers and minors.

- The sanctions set forth to crack down on the offenders and accomplices. They vary according to the recidivism of the offenders or if the victims are people who are vulnerable.

The draft law established during the workshop meets, from the perspective of its contents, the cultural requirements for its application. It proposes a concise definition of the violation, without any ambiguity, but a scope, which covers several fields. This draft contains enough provisions to protect victims in educational institutions and the workplace. The penalty proposed is harsh enough to dissuade the acts from being commonplace.

B. Albania: Family Law Benchbook

Contents

Section 1 – Building a Family Law Section

1. Tools to help organize a family law section
2. Plan of action for district court
3. Advantages/challenges for courts in rural jurisdictions
4. 10 top court actions to improve practice
5. Court as a trauma centre
6. Key values of the court
7. Fundamental issues of case flow management
8. Case flow management chart

Section 2 – Case Management

1. Case management principles
2. Proven techniques for successful case flow management
3. Domestic relations case management in a nutshell
4. Status conference disposition sheet
5. Order first case management conference

Section 3 – The Marriage: Rights and Obligations of Spouses

1. Conducting a marriage
2. Rights and obligations of spouses

Section 4 – Annulment of Marriage

1. Invalidation (annulment) of marriage

Section 5 – Dissolving the Marriage

1. Dissolution of marriage checklist: the process
2. Uncontested divorce flowchart
3. Divorce flowchart
4. Dissolution of marriage: disclosure checklist.
5. Interview checklist for dissolution of marriage
6. Emotional phases of divorce
7. Agreement format considerations

Section 6 – Establishment of Paternity

1. Children: miscellaneous provisions
2. Opposition of paternity flowchart

Section 7 – Child Custody and Visitation

1. Child custody (Art 154-162)
2. Shared parental responsibility guidelines
3. Shared parenting
4. Parallel parenting
5. Children's reactions to divorce by age
6. Mental health evaluation
7. Corrected order for psychological evaluations
8. Order of referral to the custody investigations unit
9. Handling mental health professionals
10. Protecting and recognizing the children's rights
11. Standard visitation schedule

Section 8 – Domestic Violence

1. Establish mechanisms to enforce compliance
2. List of Albanian organizations working on DV issues
3. Myths and facts about domestic violence
4. The power and control wheel
5. Other warning signs
6. Why men beat women?
7. The cycle of violence
8. Children's reaction to domestic violence

Section 9 – Financial Issues

1. Property rights
2. Documents to be exchanged between parties

Section 10 – The Final Hearing

1. Trial order
2. Conducting a trial: an outline

Section 11 – Adoptions

1. Adoptions
2. Adoption flowchart

Section 12 – Guardianship

1. Guardianship of minors
2. Guardian assignment for minors flowchart
3. Guardian assignment for the incapacitated flowchart
4. Sample decision for the guardian's annual report
5. Guardian's annual report

C. Guatemala: Model Memorandum of Understanding with University of San Carlos

CHEMONICS INTERNATIONAL INC. (hereinafter CHEMONICS) is an international consultant, which carries out in Guatemala the WOMEN’S RIGHTS INITIATIVE (hereinafter the Program), financed with funds from the United States Agency for International Development (USAID), represented by attorney, DAVID VAUGHN, Director of the Program, party of the first part; and SCHOOL OF LEGAL AND SOCIAL SCIENCES OF THE UNIVERSITY OF SAN CARLOS DE GUATEMALA (hereinafter the SCHOOL), represented in this matter by its Dean, Lic. Carlos Estuardo Gálvez Barrios, party of the second part.

THE PARTIES AGREE:

First

To execute this Cooperation Agreement, which shall be the general framework for cooperation and exchange, through which the SCHOOL and CHEMONICS will develop their collaborative activities in strategic areas of the education process and to disseminate rights with a gender perspective, which will improve access to justice for women, and indigenous women in particular, improve the capacity of institutions in the legal sector to impart swift and appropriate justice and to contribute to reinforcing civil society organizations.

Second

This Cooperation Agreement, in the framework of the Chemonics Women’s Rights Initiative funded by USAID, is based on the general objective of the Program, which is “to reinforce and promote the legal rights of women throughout the world with the purpose of intensifying female participation in economic, social and political life.”

The specific objectives with which this Cooperation Agreement is executed are:

- To develop the refresher studies curriculum, which integrates legal-analytical tools from the gender perspective;
- To strengthen the SCHOOL’S capacity for rights education from the gender perspective;
- To develop an initial program of studies for Refresher Studies on Gender and Rights; and
- To contribute to increasing the capacity of the legal sector and civil society institutions to respond effectively to the demands, needs, issues and legal claims of the users.

Third

The PROGRAM will be supported by CHEMONICS through consultants and sub-contractors, which this entity appoints and hires, for which the guidelines and regulations of USAID on the subject shall be observed. This PROGRAM does not include the transfer of funds to the SCHOOL, or the funding of institutional costs.

Fourth

The SCHOOL assumes the commitment and responsibility for the Executive Board of the School of Law and the Board of the School of Post-graduate Studies to accept and approve the Refresher Studies Program on Gender and Rights, with the curriculum contents developed on the following three modules.

- Legal analysis of gender and rights
- Educating adults on gender and rights, and
- Developing skills in defending and promoting women's rights.

Fifth

The School assumes responsibility for negotiating the due recognition of the Gender and Rights Refresher Studies by its Executive Board and negotiating the approval of the Board of the School of Post-graduate Studies of the creation of the Master's Degree in Gender and Rights, including substantially the curricula, which is developed for these Refresher Studies and all the requirements of the School of Post-graduate Studies.

Sixth

The Refresher Studies in Gender and Rights shall be coordinated by the SCHOOL'S School of Post-graduate Studies, the same have a face-to-face format, they are theoretical and practical in nature, their participants shall be men and women, ethnic diversity shall be respected and the graduation requirement shall be the preparation of an individual project effectively implemented on the institutional level, supervised and evaluated as a practical phase.

Seventh

Funding of the qualification shall be mixed. On the one hand, CHEMONICS shall hire a staff of up to four professors (who will receive a salary for the hours dedicated to teaching in the Refresher Studies), who will develop the program contents of the same with the methodology established in the plan. On the other hand, the SCHOOL shall assume responsibility for paying the costs of the academic coordination, which the refresher studies entail. For this, a maximum in the amount of one thousand quetzals (Q.1,000.00), which each student must pay each semester, is established for partially subsidized registration. There shall not be any payment for registration or charges in addition to those specified in this item.

Eighth

The SCHOOL agrees to and assumes responsibility for facilitating the performance of the following specific activities according to this schedule and under the coordination and supervision of CHEMONICS:

- Preparatory Activities: JANUARY 2004 – MARCH 2004

(Development of the curriculum, establishment of the specific plan, which contains the program theme contents with their respective cognitive and affective objectives, means of evaluation, methodology and techniques, identification of the faculty, academic approval of the Refresher Studies in Gender and Rights program by the Executive Board of the SCHOOL and by the management of the School of Post-graduate Studies, notification and preparation of materials, facilitation of contacts and collaboration work between Chemonics and the Management of the School of Post-graduate Studies).

- Face-to-face teaching: MARCH-AUGUST 2004
- Design of strategies for legal defense
- and to impact public policy: SEPTEMBER-OCTOBER 2004
- Implementation and monitoring
- of strategies: NOVEMBER-DECEMBER 2004
- Technical assistance and training seminar:
JANUARY-MARCH 2005
- Graduation and activities to circulate results: APRIL-SEPTEMBER 2005

Ninth

CHEMONICS, for its part, commits to and assumes responsibility for:

1. Actively participating in the design and academic content of the curricula and plan, which is developed;
2. Working on the design of the profile, notification and selection of participants for the Refresher Studies in Gender and Rights program and jointly defining the graduation requirements with the SCHOOL.
3. Coordinating with the Defensoría de la Mujer Indígena [Indigenous Women's Aid], Attorney General's Office, Women's Aid of the Human Rights Agency, School of Legal Studies and civil society organizations on all aspects necessary.
4. Supporting the training of the faculty designated by the SCHOOL, by conducting a course on Gender and Rights and Teaching Rights with a Gender Perspective, prior to the start of the Refresher Studies for a maximum quota of thirty professors. From this training, up to four professors shall be selected, who will participate in teaching the Refresher Studies on Gender and Rights program and who will be supported as stipulated in the seventh clause of this agreement.

The School agrees, through its Executive Board, to grant to the professors trained who have fulfilled the requirements established credit for their corresponding academic merits.

5. CHEMONICS shall hire up to two consultants proposed by the SCHOOL who are experts, one (a) in the area of Human Rights and the other (b) in planning and academic curricular design in the area of Gender and Rights who shall contribute to establishing the curriculum,

which will be used to implement the qualification. Upon hire by CHEMONICS, they must follow the contractual guidelines defined by the same and USAID.

6. Supporting the development of the Qualification through activities to monitor and support the performance of the participants and through the identification and selection of national and international faculty members, which CHEMONICS will identify in conjunction with the SCHOOL;
7. Providing a minimum amount of materials to the students of the Gender and Rights Specialization Program, which support their educational process;
8. Facilitating the participation of USAC academicians in exchanges with similar organizations in the United States.

Tenth

All types of documents or materials developed in accordance with the terms of this Agreement and the consultancy, which will be contracted, shall be the exclusive property of Chemonics International, Inc. and of USAID and may not be reproduced in whole or part without the express consent and authorization of Chemonics International, Inc. or USAID. Any type of reproduction of materials, expressly authorized by Chemonics International, Inc. or USAID shall acknowledge the funding of USAID and intellectual property of Chemonics International, Inc. and acknowledge the School.

Eleventh

For the purposes of this Agreement, the SCHOOL shall be represented by the Dean of the same. All official communication from CHEMONICS shall be addressed to the Dean of the SCHOOL, except in cases in which he delegates a specific activity to another civil servant or employee of the University of San Carlos of Guatemala for which he must notify CHEMONICS expressly in writing. Communications from the SCHOOL to CHEMONICS shall be addressed to the Coordinator of Women's Legal Rights Initiative in Guatemala and to the Initiative Supervisor headquartered at CHEMONICS in Washington, D.C.

Twelfth

This Cooperation Agreement shall be valid for two years commencing upon its execution, and it may be revised and extended upon its termination by a statement in writing a minimum of one month prior to its expiration. Likewise, any commitment of funds and support to the program shall be subject to the lawfulness and forecasts stipulated under the terms specified by USAID to CHEMONICS and therefore these terms and conditions shall govern the agreement wherever pertinent.

In Guatemala on this _____ day of _____ 2004.

We agree with all of the preceding clauses and execute this Spanish instrument in two counterparts.

For The SCHOOL of Legal and Social Sciences For CHEMONICS International Inc.

Lic. Carlos Estuardo Gálvez Barrios
DEAN

Lic. David Vaughn
Project Director
Women's Rights Initiative

Todd Amani
Witness
USAID

ANNEX C

Success Stories

WLR submitted the success story on the following page to USAID/Washington for approval.



SUCCESS STORY

Women Reach for Legal Rights

USAID program provides critical support to bolster women's legal rights in Benin



Two girls at WLR Benin public awareness event in Houekanme, Benin, March 2005

PHOTO: LYN BETH NEYLON

With encouragement from the USAID-supported project, Benin has adopted national reforms that render many longstanding local customs illegal, but awareness is low and enforcement is weak. The Women's Legal Rights Benin team, with local partners, visit remote areas of the country informing women and men about the new laws.

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According to tradition in Benin, polygamy is commonplace, widows must marry from the family of the deceased husband, women inherit nothing from their fathers or husbands, and divorce and child custody are exclusively male domains. In some areas, female genital cutting is the norm. Sexual harassment, domestic violence, and forced early marriages are widespread, with girls as young as 7 "inducted" into new families. By age 19, more than half the women in Benin have at least one child.

One of the greatest barriers to empowering women in Benin is customary law and practice that denies women and girls basic human rights. However, an innovative Family Code was passed in 2004. This drastically changed the rights and responsibilities of men and women in Benin regarding marriage, divorce, children, dowry, succession, and inheritance. Passage of the Code has given USAID's Women's Legal Rights Initiative a strategic opportunity to frame education efforts around the new law. Since USAID's program began in September 2004, it has conducted an intensive public awareness campaign on women's legal rights and the Family Code throughout Benin. This campaign has resulted in:

- Passage of four national executive orders implementing key provisions of the Code.
- Publication and distribution of 15,000 public awareness booklets in French and four local languages and 4,000 legal training manuals on the Code.
- Placement of 2,000 posters on the civil status acts and marriage in city halls.
- Development of a film on the Code, which was broadcast on government television.
- Attendance of nearly 7,000 attendees at numerous public awareness events in rural areas.
- Training of 200 paralegals, 30 magistrates and lawyers, and 77 mayors on the Code from all departments.