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SOUTHERN AFRICA TRIP REPORT

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

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Federation of Women Lawyers - Lesotho



July-August, 2005

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SECTION I

Travel Dates, Destination(s) and Purpose

A. Travel Dates and Destination(s)

WLR Chief of Party David Vaughn

July 11-13: Mbabane, Swaziland

July 14-16: Gaborone, Botswana

July 17-18: Johannesburg/Pretoria, South Africa

July 28-29: Cape Town, South Africa

WLR Deputy Chief of Party Mary Theisen

July 11-13: Mbabane, Swaziland

July 14-16: Gaborone, Botswana

July 17-22, 25-26, 29-31: Johannesburg/Pretoria, South Africa

July 27-28: Maseru, Lesotho

August 1-4: Maputo, Mozambique

Chemonics Manager Bhavna Lal

July 11-13: Mbabane, Swaziland

July 14-16: Gaborone, Botswana

July 18-22, 25-29: Johannesburg/Pretoria, South Africa

B. Purpose of Travel

David Vaughn, chief of party (COP), Mary Theisen, deputy chief of party (DCOP), and Bhavna Lal, Chemonics manager, traveled to Southern Africa in July and August, 2005, for various project-related purposes. These included closing the Women's Legal Rights Southern Africa (WLRSA) project office in Swaziland; shifting operations to the preexisting Centre for Development and Population Activities (CEDPA) office in Pretoria; training the new WLRSA staff on the policies and procedures of USAID, Chemonics and WLR; planning program activities for the next year; meeting with WLRSA's stakeholders; meeting with USAID missions in Botswana and South Africa and with staff of the US embassies in Swaziland and Lesotho; and assessing whether to support a legal literacy training proposal submitted to WLR by the Federation of Women Lawyers of Lesotho (FIDA). Ms. Theisen and Ms. Chaponda, the new regional coordinator, also traveled to Maputo, Mozambique, the first week of August to meet with key staff at USAID/Mozambique, the U.S. Embassy and future stakeholders to conduct a mini-assessment of anti-trafficking in persons activities for purposes of designing a new WLR add-on project to promote anti-trafficking legislation. In addition, Mr. Vaughn traveled to Cape Town, South Africa to meet with and further tap into women's legal rights resources there for potential use by WLR.

SECTION II

Trip Results

A. Closure of WLRSA Office in Mbabane, Swaziland

The WLR home office team (Vaughn, Theisen and Lal) spent approximately three days in Mbabane, from July 11 to 13, 2005, addressing administrative issues related to closing the WLRSA office in Swaziland. WLR decided to close this office in the wake of the June 21, 2005, resignation of Doo Aphane, the previous WLRSA regional coordinator. The home office team decided that it would be more technically sound and cost effective to transfer all project activities to Armelia Chaponda, who WLR had already hired to handle two of WLRSA activities, than to hire and train a new Swaziland-based regional coordinator to replace Ms. Aphane. As the trip progressed, it became very clear that this was a wise decision, as Ms. Chaponda quickly demonstrated her professionalism, dedication, and ability to assume all responsibilities of a regional coordinator. This decision was further strengthened by the office space made available to WLR by the Centre for Development and Population Activities (CEDPA) in Pretoria. CEDPA is a WLR subcontractor and employer of Ms. Chaponda.

Sizakele Hlatshwayo, the former administrative assistant for the WLRSA office in Swaziland, was tremendously helpful to the WLR home office team throughout the closeout process. She ably assisted us with the closing the WLRSA bank account, settling matters with the landlord, taking inventories, and shipping project-owned furniture to Pretoria. Ms. Hlatshwayo even offered the use of her home for sorting office files, where the home office team worked closely with her on separating files for shipment to Washington, DC and the new project office in Pretoria. In addition, Bete Mathabela, who had been WLRSA's regional accountant until March, 2005, assisted WLR with financial accounting aspects of office closure. It was very gratifying to see the dedication and professionalism of Ms. Hlatshwayo and Ms. Mathabela throughout the closeout process.

Chemonics manager, Bhavna Lal, also provided invaluable assistance with closing out the Swaziland office. Ms. Lal provided clear guidance and oversight to Ms. Hlatshwayo and Ms. Mathabela on closeout requirements, including issues related to personnel, inventory and disposition of property, accounting and banking, and records. Ms. Lal worked late into the night to ensure that everything was in place for a smooth administrative closeout and transfer to Pretoria. Due to the joint efforts of Ms. Lal, Ms. Hlatshwayo and Ms. Mathabela, the closeout was successfully completed, and all WLRSA property, including all files, was accounted for and safely delivered to the new WLRSA office in Pretoria.

The WLR home office team also met with U.S. Ambassador Lewis Lucke to fully brief him on the transfer of the project office. Ambassador Lucke expressed regret about the move, but understood the need for the change. The home office team informed him that WLR still intended to adapt the Namibian advocacy manual for Swaziland, which he warmly welcomed. Section IV contains additional notes from this and other meetings conducted in the region.

Prior to leaving Mbabane, Mr. Vaughn talked with Ms. Aphane to discuss arrangements for her final salary payment. Ms. Aphane told Mr. Vaughn that all communications should be directed to her attorney, Mandla Mkhwanazi. Subsequently, Mr. Vaughn spoke with Mr. Mkhwanazi and agreed to send him the letter that contained a check with Ms. Aphane's final salary payment. The check was later cashed by Ms. Aphane, thereby ending this matter.

B. Clarification of the Role of the USAID/Regional Center for Southern Africa (RCSA)

After successfully closing the Swazi office, the home office team traveled to Gabarone, Botswana, to meet with Roslyn Waters-Jensen, Deputy Director of the Regional Program Implementation Office, Keboitse Machangana, Democracy and Governance Advisor, Thato Jensen, Program Development Specialist, and Fred Wayne McDonald. Ms. Chponda, the new regional coordinator, traveled separately to Gabarone from Pretoria to attend the meeting as well.

At the meeting the Mr. Vaughn and Ms. Theisen briefed USAID/RCSA staff on WLR activities in southern Africa since WLRSA's inception in September 2004. Ms. Theisen outlined both the difficulties experienced with the previous coordinator in moving the project forward and efforts to redirect the Swazi office. Ms. Theisen conveyed that the results of these efforts were inadequate, and that WLRSA had hired Ms. Chponda, who has extensive experience working on USAID-funded projects, to replace Doo Aphane after her resignation. Ms. Chponda introduced herself highlighting her previous role as a manager for a regional program in southern African that included Botswana, Lesotho, Namibia, Swaziland, Malawi and South Africa, as well as her ability to speak several languages, such as Zulu, Tswana and SiPedi.

Ms. Theisen then described the vision WLR had for future programming and the new focus on country-specific, as opposed to regional, activities. This elicited some discussion of how the project had indeed evolved into one that was more country-specific than regional in nature, as WLR originally recommended in its assessment and analysis report. When the Mr. Vaughn offered to consider options for sharing WLR's experience, best practices, and lessons learned in southern Africa in a regional forum toward the end of the project, Mr. McDonald advised staying the new course and focusing, quite simply, on helping women.

Ms. Machangana noted that this new, country-specific, focus of WLRSA has implications for USAID/RCSA's role in WLRSA project oversight. She indicated, understandably, that it may be inappropriate for her to continue monitoring WLRSA given its tenuous connection to regional activities. Nevertheless, she and others present wished to remain informed of WLRSA activities. After some discussion, all agreed that, henceforth, WLR would share the southern Africa action plans with Ms. Machangana and Ms. Waters-Jensen to give them the opportunity to provide input and continue to provide USAID/RCSA with quarterly updates on WLR activities in the region. However, project monitoring and the administrative aspects of project implementation, e.g., acting on country clearance requests, would devolve to the individual USAID missions and embassies in those countries where WLR operates.

The meeting was successful in that the country-specific nature of WLRSA was clarified, as were WLR's reporting requirements to USAID/RCSA. At the conclusion of the meeting, Ms. Waters-Jensen invited the WLR team for lunch at the mission, where they were joined by Ms. Machangana and Mr. Jensen.

C. New Staff Orientation, Action Planning and Stakeholders Meetings

From Gabarone, WLR staff traveled to Johannesburg. Over the following 2 weeks, the WLR home office reviewed policies and procedures of USAID, Chemonics, WLR and CEDPA, and determined the extent to which Ms. Chaponda and Musa Mabele, the new WLRSA project assistant, would continue to follow CEDPA policies and where they would need to adopt WLR/Chemonics practices. Ms. Theisen and Ms. Chaponda met with various stakeholders and spent a considerable amount of time planning future WLRSA activities. Ms. Lal led discussions about best practices of project management and general requirements for the daily administration of the project such as project communications, procurement requirements, review of Chemonics' forms and templates, and budgeting for operational expenses. While Ms. Theisen and Ms. Chaponda were conducting technical consultations, Ms. Lal also spent time working with project assistant Ms. Mabele one on one to organize the filing system into a standardized format while reviewing previous project materials shipped over from the Swaziland office. Ms. Lal and Ms. Mabele also worked on drafting Ms. Mabele's updated position description and scope of work. The training sessions with Ms. Mabele were intensive and addressed the various facets and requirements of efficient record keeping and USAID and WLR contractual compliance requirements.

Mr. Vaughn, Ms. Theisen, Ms. Chaponda and Ms. Lal met with Acting Democracy and Governance Team Leader Stephen Snook at USAID/South Africa in Pretoria to update him on WLR activities and to solicit feedback on future plans. Mr. Snook offered the cooperation of his team and USAID/South Africa partner organizations to support WLR activities in South Africa. After participating in the first day of the orientation for the new staff and facilitating the meeting with Mr. Snook, Mr. Vaughn took previously scheduled leave time from July 19 to 27. Mr. Vaughn would later travel to Cape Town for meetings on July 28 and 29, where he met with the Race, Law and Gender Unit at the University of Cape Town and collected useful reports and training materials on violence against women and the application of domestic violence and sexual offences laws.

Ms. Theisen and Ms. Chaponda then met with the Tshwaranang Legal Advocacy Center (TLAC) to discuss the findings of the WLR-commissioned research paper on customary practices and gender and the potential for launching a WLR-sponsored community radio project in the Limpopo Province, one of the poorest and traditional regions in South Africa. They also met with the executive director of WomensNet to jump-start the WLR webpage that is housed on WomensNet's website and with Sizakele Hlatshwayo to discuss hiring her as a short-term consultant to lead the program in Swaziland to adapt the advocacy manual there. Ms. Theisen and Ms. Chaponda traveled to Lesotho to meet with the leadership of the Federation of Women Lawyers of Lesotho (FIDA) to determine whether to fund their proposed project (see Section II.D. below), and in the first week of August, they traveled to Maputo, Mozambique for meetings with USAID and the U.S. Embassy to discuss the new anti-trafficking in persons activity (see Section II.E.) as well as the Mozambican women's rights organizations *Muleidi* to gauge progress on adapting the advocacy manual.

After these meetings, all of which are described in detail in Section IV, Ms. Theisen and Ms. Chaponda took a hard look at activities conducted to date, and identified those worth continuing

or starting in light of limited time and resources. Ms. Theisen and Ms. Chaponda agreed that during the upcoming year, WLRSA will invest its time and resources in the following country-specific activities:

(1) South Africa: Launch a community radio program on women's rights in eastern or northern Limpopo Province; adapt the Namibian advocacy manual and plan follow-up training (after assessing its feasibility and desirability with USAID/South Africa and others); finish populating the webpage and explore methods of securing the site's sustainability; (2) Swaziland: Adapt the Namibian advocacy manual and plan follow-up training through Ms. Hlatshwayo; (3) Mozambique: Adapt the Namibian advocacy manual and plan follow-up training through *Muleidi* as well as the add-on anti-trafficking in persons activities; and (4) Lesotho: Support FIDA's legal literacy program.

These activities will be presented in the upcoming WLRSA action plan for October 1, 2005 to September 30, 2007. A draft action plan, which will be completed no later than September 30, will detail what will take place, when, with whom, and outline specific results and benchmarks with clear timetables.

D. Assessment of Federation of Women Lawyers' of Lesotho

Following the WLRSA Regional Civil Society Capacity Building Workshop in South Africa in February, 2005, the Federation of Women Lawyers of Lesotho (FIDA), which was an active participating organization at the workshop, submitted an unsolicited proposal to WLR for support of a legal literacy training program on women's rights in Lesotho. On July 27 and 28, Ms. Theisen and Ms. Chaponda traveled to Maseru, Lesotho, to meet the leadership of FIDA to assess whether WLR should provide technical and financial assistance to support the legal literacy training program. This meeting was an opportunity to discuss the proposal – both its programmatic and financial aspects - in detail.

The meeting was very successful. Ms. Theisen and Ms. Chaponda posed many questions regarding the substance of the training, including program design, plans for monitoring and evaluation, and budget issues. They were sufficiently impressed with FIDA's responses. In essence, the project is designed to train community leaders across Lesotho on a range of legal issues that impact women. The trainees (referred to as "FIDA paralegals") would then serve as informal resources for people within communities that lack access to accurate legal information. FIDA anticipates holding trainings on upcoming land reforms and the need for women to address property division issues before their husband's death to prevent land-grabbing, the new sexual offenses legislation, the new labor legislation, legal aspects of sexual and reproductive health, the drafting of wills, and the proposed child protection bill which, if passed, would institute mandatory family support payments from husbands. FIDA has successfully completed many projects related to promoting and protecting women's legal rights, and had implemented a similar paralegal training program a few years prior with Danish funding, which has since dried up. FIDA is applying lessons learned from that experience into project design for their proposed paralegal program.

Despite the considerable challenges facing civil society organizations in Lesotho, where there are virtually no local funding sources, FIDA has been able to operate continuously for nearly 16

years. This would auger well for FIDA's sustainability beyond WLRSA's assistance for the legal literacy program.

E. Design of New Activities for Mozambican Anti-Trafficking Legislation

In March 2005, USAID/Mozambique contacted the WLR home office team for assistance in preparing a proposal for USAID Africa Bureau funding for anti-trafficking in persons activities on the continent. The WLR team provided the mission with ideas for possible activities, sample scopes of work, and an illustrative budget. In July 2005, the Africa Bureau awarded USAID/Mozambique \$200,000 that will be added to the WLR task order for drafting an anti-trafficking in persons (TIPS) legislation.

To launch this exciting new opportunity for WLR, Ms. Theisen and Ms. Chavonda traveled to Maputo, Mozambique from August 2 to 4, 2005, to initiate consultations with local stakeholders that would be critical for the development of anti-trafficking legislation. The WLR team met with key staff at USAID/Mozambique and the U.S. Embassy, relevant civil society organizations, such as *Forum Mulher* and *Muleidi*, and government agencies, including the Ministry of Justice and the Ministry of Women and Social Action, to assess the speed with which the country could draft and enact such legislation, and identify potential partners with which WLR could cooperate to achieve the program's objectives. Ms. Theisen and Ms. Chavonda also met with a number of local candidates for possible consultancies to support this effort. Section IV below contains detailed meeting notes. This anti-trafficking in persons program will be more thoroughly described in the upcoming WLRSA action plan for October 1, 2005 to September 30, 2006.

SECTION III

Next Steps and Recommendations

A. Next Steps

The transition in project management from Doo Aphane to Armelia Chaponda has gone very smoothly, thanks to Sizakele Hlatshwayo, Bete Mathabela, Ms. Chaponda and WLRSA's new project assistant, Musa Mabele. Special thanks must also be given to Chemonics manager Bhavna Lal for her preparation before the trip and the day-to-day handling of critical administrative matters related to office closeout and start-up. The success of the transition is attributed to the commitment of these women to the project, their strong sense of professionalism and their reliability. The entire WLR team has a renewed sense of possibilities for achieving results and impact southern Africa in the remaining two years of the project.

Ms. Theisen and Ms. Chaponda will continue to coordinate with each other in planning the action plan for October 1, 2005 to September 30, 2006. Much leg work was done during the home office team's visit to southern Africa, but additional information-gathering is necessary before a realistic and achievable action plan can be fully developed. By the end of September 2005, WLR will have a clearer idea what is achievable, and that will be described in full in the action plan.

B. Recommendations to Mission

WLR has gathered many lessons learned on the viability of a regional women's legal rights program in southern Africa. Regional programs are challenging under the best of circumstances when there is sufficient funding, sufficient staff, confirmed "buy-in" from strategic stakeholders, narrow objectives, and a generous timeframe. As some of these elements were missing, WLRSA has been challenged.

WLR recommends that future projects which aim to address women's legal rights from a regional platform in southern Africa contain the following characteristics and elements: (1) develop and maintain clear, focused project goals by targeting one substantive legal issue (e.g., inheritance or domestic violence or maintenance); (2) add value to existing regional activities and networks related to that one legal issue, or foster one or two new regional approaches in that one area; (3) secure "buy-in" early on from relevant regional actors and country-specific actors to ensure their cooperation during the life of the project; (4) ensure strong project management through frequent and open communications, mentoring and guidance, and timely performance monitoring and evaluation; and (5) carefully select a project coordinator who can manage projects, more so than solely focusing on technical expertise or advocacy skills.

SECTION IV

Key Contacts and Meetings

The Honorable Lewis W. Lucke, U.S. Ambassador to Swaziland, Mbabane - July 12, 2005

Mr. Vaughn, Ms. Theisen and Ms. Lal met with Ambassador Lucke to brief him on WLR activities and explain why WLR needed to close project office in Swaziland. Ambassador Luck indicated that he suspected there were difficulties with the WLRSA office in Swaziland, as he had not heard from Doo Aphane since March 2005. Ambassador Lucke understood but regretted WLR's need to transfer offices. We informed him that WLR still intended to adapt the Namibian advocacy manual for Swaziland. Ambassador Lucke said he'd heard of the advocacy manual adaptation project, but didn't know it was WLR's project. He provided WLR with additional contacts in Swaziland, and WLR agreed that Ms. Chaponda would visit Swaziland and her earliest convenience to meet with him and advance the advocacy manual adaptation. As he has in the past, the ambassador expressed support for WLR and offered his good offices should we need them.

Roslyn Waters-Jensen, Deputy Director of the Regional Program Implementation Office, Keboitse Machangana, Democracy and Governance Advisor, Thato Jensen, Program Development Specialist, USAID/RCSA, Gabarone, Botswana - July 14, 2005

Please see Section II.B., "Clarification of the Role of the USAID/Regional Center for Southern Africa (RCSA)", above, for a description of this meeting.

Stephen Snook, Acting Democracy and Governance Team Leader, USAID/South Africa, Pretoria - July 18, 2005

Mr. Vaughn, Ms. Theisen, Ms. Lal and Armelia Chaponda met with Stephen Snook to brief him on WLR activities in South Africa. Democracy and Governance Team Leader Jeffrey Bakken and Rule of Law Unit Leader Harold Motshwane were unavailable to attend the meeting, as they were in Cape Town.

Mr. Snook was supportive of our proposed programming in South Africa, and agreed that shifting the focus to country level activities rather than regional was wise given the inherent difficulties, in the best of circumstances, to undertake regional programming. Ms. Chaponda described WLRSA's tentative plans to (1) launch a community radio campaign on women's legal issues in Limpopo Province, specifically the Venda region in the eastern part of the province; (2) to adapt the Namibian advocacy manual to South Africa, assuming no similar document already exists; and (3) to ensure population of the WLR website hosted by WomensNet. Mr. Snook helpfully suggested a nongovernmental organization (NGO) operating in the Venda region on domestic violence issues as a potential partner for the community radio project, and provided ideas on the challenging issue of sustainability of the website. Mr. Snook emphasized the importance of using community radio with content in local languages, when he stated "It's a great place to start." He also noted an innovative program that utilizes a network of

male volunteers to educate other men about domestic violence. Mr. Snook encouraged us to coordinate activities with the USAID-funded IDASA Institute for Democracy, a public interest group that builds democratic institutions, educates citizens and advocates social justice. Fortunately, IDSASA is located in the same office complex in Pretoria as the new WLR/CEDPA office. Mr. Snook finally recommended Mr. Motshwane and Civil Society Unit Leader Nomea Masihleho as resources for Ms. Chaponda as she assesses the viability of the advocacy manual project and the long-term sustainability of the webpage. Ms. Chaponda immediately availed herself of these contacts after the home office staff returned to Washington, DC.

Sally Shakleton, Executive Director, WomensNet, Johannesburg - July 19, 2005

Ms. Theisen, Ms. Chaponda, Ms. Lal and Musa Mabele met with the director of WomensNet to discuss the status of the WLR webpage, which is currently housed on the WomensNet website.

The original inventories (or annotated bibliographies) submitted to WomensNet last year by WLR partner organizations were incomplete as they lacked URLs. In March 2005, Ms. Aphane asked them to submit new inventories with either URLs or information on how to order the hard copy of each resource listed. All but one partner, Emang Basadi of Botswana, did so, and Ms. Aphane forwarded these “new and improved” inventories to Ms. Shakleton in May 2005. Since May, however, nothing from the new inventories had been loaded onto the webpage. The purpose of the meeting was for Ms. Theisen and Ms. Chaponda to learn why.

At the outset, Ms. Shakleton apologized for having neglected to dedicate time to this project, but indicated she would be able to turn to it in August. The WLR team and Ms. Shakleton then assessed the quality of the new inventories submitted in May. While Namibia’s was in excellent shape, the other partners’ inventories still needed more work. For example, a number of documents cited in the inventories still lacked URLs, had URLs that clearly couldn’t exist (e.g., the @ sign was part of the URL), or had links to *libraries* instead to the individual documents cited. Moreover, there was no consistency amongst the types of documents in the inventories and some listed out of date versions of publications and past issues of annual publications.

At this point, the viability and relevance of this project is unclear given the not insignificant problems of implementation caused by a serious lack of communication between former WLRSA staff and partners on the content of the inventories. As a result of this lack of communication, the partners included a wide range of documents, some of which aren’t even legal in nature. Second, it appears this project had lacked sufficient “buy-in” by WLR partners or a simple understanding that the intent was to collect in one webpage resources on rural women’s access to justice. Support for this conclusion can be found in the fact that (1) most WLR partners’ first inventories lacked information on how to access to documents on the web; (2) at no time did any of the WLR partners follow up with Ms. Aphane or Ms. Shackleton to inquire whether their inventories were being posted on the WLR webpage; and (3) it took 2-3 months for Ms. Aphane to collect the partners’ revised inventories when that became necessary. In this vein, it’s important to note that the second submission of WLR’s partner in Swaziland, Women and Law in Southern Africa (WLSA), was identical to its first, i.e., none of the documents cited specific URLs.

Another problem of implementation was lack of dedication by WomensNet. Although the Ms. Shalketon appears to support the spirit and purpose of this project, she has not dedicated the time needed for its realization because of her own demanding schedule. Sally states that based on WomensNet internal capacity she cannot delegate tasks related to developing this site to a Women'sNet staff member.

At this point, much remains to be done to complete populating the webpage. We agreed at the meeting that Ms. Shakleton would review all the inventories and upload onto the site those resources and documents that are current, useful and relevant. Given the poor state of most of the inventories, Ms. Shakleton is obliged to verify and/or find each document listed, which will take a considerable amount of time. We also decided Ms. Shakleton would jettison any documents that do not deal directly with women's legal rights so as not to clutter the site. It is not known how many useful documents will remain after this vetting process. Once this is done, WLR will assess how to keep the page current.

Robyn Solomon, Executive Director, and Bheki Moyo, Researcher, Tshwaranang Legal Advocacy Center (TLAC) - July 26, 2005

The purpose of this meeting was to review TLAC's findings on the lack of legal literacy amongst rural women in Limpopo Province and get their feedback on possible content for WLR's proposed community radio project. WLR also sought to ensure that TLAC was not already doing radio announcement as part of their communications strategy, which their website suggested. As it turns out, they do not, but they immediately supported WLR's intention of doing so and were thus very helpful throughout the meeting.

In designing the rural radio project, WLR would rely on the findings in the commissioned study, "Women, culture and Narratives on Masculinity: Cases from KwaZulu Natal and Limpopo" by Bhekinkosi Moyo. In revising the findings, Mr. Moyo emphasized that the majority of women and men in the Giyani region of Limpopo did not know about South Africa's maintenance laws, the customary marriages recognition act, or about laws against domestic violence. Note: Knowledge of the Recognition of Customary Marriages Act is particularly important to preserving married women's property rights. Previously, women married under customary law could not own property in their own right, and have the legal status of minors. The Act granted women in customary marriages the legal capacity to enter into contracts and own property, without their husband's co-signature. But women need to register their customary marriages to avail themselves of benefits. Moyo's research showed less than 20% of married women surveyed in the province understood this. A public education campaign is sorely needed.

After reviewing these findings, the Ms. Theisen and Ms. Chaponda brainstormed with both Ms. Solomon and Mr. Moyo on the contours of a rural radio project in Giyani, and the methods of gaining support of key local players. The key players include the *indunas* (chiefs), who resolve disputes between partners at social level rather than encouraging the legal route, community based organizations (CBOs) and NGOs, and community radio stations that broadcast in the local Shangan language. Mr. Moyo suggested that Ms. Chaponda work with one of his researchers, a woman from Limpopo who had paved his way to Giyani by providing introductions to the *indunas*, etc. Mr. Moyo also shared with Ms. Chaponda his list of Limpopo-based NGOs.

Melanie Lue-Dugmore, Acting Director, Race, Law and Gender Research Unit, University of Cape Town - July 28, 2005

This meeting was geared to further tapping into the tremendous women's legal rights resources of the Race, Law and Gender Unit, discussing areas of mutual interest, and expressing WLR's appreciation to the University of Cape Town for assistance and guidance provided during the assessment phase and subsequent visits to South Africa. The Race, Law and Gender Unit has engaged in extensive research on gender bias, domestic violence and sexual offences, as well as customary law and property rights as related to access to justice. They have developed a variety of curricula for training judges, particularly at the magistrate (lower) court level, and informal or traditional leaders on these issues and have conducted programs throughout South Africa in collaboration with the Justice College in Pretoria.

After Mr. Vaughn talked about WLRSA's upcoming efforts to design a community radio program in the Limpopo Province, Ms. Lue-Dugmore provided him with a very timely research report prepared by a researcher with the Race, Law and Gender Unit on violence against women that included a detailed section on the status of women and the courts in Limpopo. Ms. Lue-Dugmore also gave Mr. Vaughn a curriculum used to train magistrates in Limpopo on equality, sexual offences and social context. This useful background information provides a rich reserve for the development of content for a public education campaign.

In addition, Mr. Vaughn was provided with a video entitled "A Women's Place" by Tandazwa Ndita, a former staff member of the Race, Law and Gender Unit who is currently sitting as a judge in Cape Town. The video dramatically covers the everyday discrimination faced by women throughout South Africa. Ms. Lue-Dugmore is currently developing a strategy to use the video for awareness raising activities and training programs for formal and informal justice sector actors, including traditional leaders. She is also pursuing research on the interaction between courts, paralegals and advice centers, and the communities that they serve. The Race, Law and Gender Unit is taking a holistic approach to improving access to justice, particularly for women. This includes work on the "supply" side (the courts) and "demand" side (civil society). Ms. Lue-Dugmore remains very much interested in making the resources of the University of Cape Town available to WLR.

Meetings in Maputo, August 2-4, 2005

While the WLR home office team was in Southern Africa, WLR learned that it would receive add-on funds from the USAID Africa Bureau to undertake a project in Mozambique to develop anti-trafficking in persons (TIPS) legislation. The timing for this announcement was fortuitous as Ms. Theisen was in the field and was able to extend her trip to travel to Mozambique to meet with USAID/Mozambique and potential stakeholders. Ms. Theisen and Ms. Chaponda traveled to Maputo the first week in August to conduct a "mini-assessment", interview potential consultants and begin designing the project.

The U.S. Embassy has been more involved in anti-trafficking issues than the USAID mission, which is focusing intently on anti-corruption efforts. In fact, during WLR's visit, the mission was

on the eve of hosting an MSI team to conduct a two week assessment. Unfortunately, James Potts, the political officer at the embassy who had taken the lead on TIPS issues, was leaving for a new post on August 3, but his replacement had not arrived.

The embassy is keen on preventing Mozambique from returning to the Tier 2 watch list, from which it had just escaped by promising to include anti-trafficking provisions in an upcoming child protection bill. More work was needed because, should this be Mozambique's only effort to combat TIPS in the next year, Mozambique will undoubtedly find itself back on the watch list.

No local women's advocacy group was pushing for the drafting and passage of anti-trafficking legislation. There has been, however, much effort to promote and strengthen protection of children through legislation, including protecting them from being trafficked into slave labor.

It was in this context that Ms. Theisen and Ms. Chaponda conducted their assessment.

Jessica Zaman, Democracy and Governance Team Leader, Michelle Gross, HIV/Community-Based Care Officer, US AID Mission to Mozambique; and James Potts, Political Officer, U.S. Embassy, Mozambique - August 2, 2005

The WLR team began its meeting with USAID staff Jessica Zaman and Michelle Gross. James Potts from the U.S. Embassy joined the meeting toward the end. His presence was crucial for WLR to gather information.

Ms. Zaman indicated during this meeting and a few times later in the week, that it has been the U.S. Embassy that has been involved in TIPS issues; the USAID mission's number one concern is corruption. The embassy had recently held a luncheon with prominent members of the women's rights community to gauge interest in TIPS legislation, and found that, while there is interest, most participants cautioned that more research would need to be done for any legislation to be drafted or passed.

Jim Potts briefed the WLR team on his recent activities in this area and described the political terrain. Apart from the luncheon described above, Mr. Potts had had meetings with the Ministry of Justice officials. Mr. Potts suggested that we meet with Pedro Nhatitima, legal advisor of the Ministry of Justice; Aguida Nhantumbo of the Ministry of Women and Social Action; the head of the Mozambican Women's Organization which is closely connected to the governing FRELIMO party; and Gracas Samo, Executive Director of *Forum Mulher*, the umbrella organization of Mozambican NGOs concerned with women's issues.

Gracas Samo, Executive Director, and Terezinha da Silva, President of the Board of Directors, *Forum Mulher* - August 3, 2005

Ms. Samu has the very influential position of executive director of an umbrella organization of women's rights NGOs. It appears that members are very cohesive, and, through the forum, they leverage political clout and financial resources by focusing on priority issues. Trafficking in women, although a problem that worries members, is not an area they currently work in as they are drafting a new domestic violence law and implementing the family law.

Ms. Samu nevertheless suggested strategies for pushing this issue and cultivating the needed political and organizational support to pass TIPS legislation in Mozambique. Of most immediate need is identifying the extent of the problem through more research and disseminating any information already available, a recommendation echoed in later meetings with other stakeholders. Ms. Da Silva joined the meeting halfway through, and provided more suggestions on strategy. In summary, while they recognize the importance of drafting TIPS legislation, they caution that NGOs already have their hands full, and thus “lobbying the lobbyists” may be the best first approach to building a constituency for this issues. They also had helpful information and suggestions on how to navigate the Ministry of Justice.

Aguida Nhantumbo, mid-level official within Ministry of Women and Social Action, and Executive Secretary of Inter-Ministerial Committee on the Advancement of Women - August 3, 2005

This government official appears to be tasked with the responsibility of convening an inter-ministerial committee to draft and promote TIPS legislation. However, during the course of the meeting, it appeared that her ministry had not progressed considerably in forming the committee or deciding on its scope of work. Through this meeting, the WLR team acquired a sense of capacity of the Mozambican government and the extent to which governmental input may be relied upon. Ms. Nhantumbo reiterated the concern that more information is needed to inform the policy debate and that treating TIPS as solely a criminal issue, i.e., simply criminalizing it in new legislation, will not be as effective as developing a holistic approach to this multi-facted social problem.

Paulina Mateus, President, Mozambican Women’s Organization (OMM) (former branch of FRELIMO) - August 3, 2005.

The WLR team met with the politically influential leader of OMM, both to learn of its role in the wider women’s rights movement, and to gauge whether they would it be an appropriate partner in forwarding this legislation. OMM has the advantage of many branch offices throughout Mozambique provinces; its’ presence in the rural communities is unsurpassed by any other women’s group.

Ms. Mateus appreciated the problem of trafficking, but said there was little information on the impact on women (as opposed to children, where there has been more press coverage and attention). However, she supported going ahead with this initiative because such cases do in fact exist. For various reasons, Ms. Theisen and Ms. Chaponda agreed that, while OMM’s support would be important to any future legislative initiative in this area, especially for garnering support in the regions, OMM would probably not be an ideal partner upon which WLR could rely to push the issue.

Pedro Nhatitima, Legal Advisor, Ministry of Justice - August 3, 2005

Ms. Theisen and Ms. Chaponda met with Mr. Nhatitima, who has been the embassy's primary point of contact on TIPS within the Mozambican government. The purpose of the meeting was to gauge his office's commitment to this issue and learn of how WLR could assist in moving any legislative drafting project forward. During the meeting, it appeared, that either TIPS was not high on Mr. Nhatitima's agenda, or he had not yet had the time to focus on a strategy to develop this legislation. Although Mr. Potts had represented that Mr. Nhatitima was interested in drafting this legislation, Mr. Nhatitima spoke more in terms of giving WLR advice on how WLR should draft the legislation. While his input was appreciated, it betrayed a certain lack of interest that WLR would need to overcome. It's important to note that, like others, Mr. Nhatitima believed more solid information is needed on the extent of the trafficking problem and that such research would form the foundation of any future law.

U.S. Ambassador Helen la Lime, Political Officer John Wysham, US AID Mission Director Donna Stauffer, US AID D&G Team Leader Jessica Zaman, U.S. Embassy - August 3, 2005

The WLR team had initially planned a de-briefing meeting with Ms. Zaman for August 4, before leaving Maputo. However, on the second day, while Ms. Theisen was conducting her assessment, the U.S. Ambassador requested a meeting to learn of preliminary findings. The debrief with USAID was then folded into this impromptu meeting with the ambassador, giving Ms. Theisen and Ms. Chaponda an opportunity to brief both groups together on their preliminary findings and recommendations.

The ambassador started the meeting by summarizing recent successful efforts to remove Mozambique from the watch list. The State Department has since given the embassy a list of action items to guide its anti-TIPS activities in the next year, progress on which would determine whether Mozambique would remain off the watch list. The ambassador graciously gave Ms. Theisen a copy of this TIPS action plan as well as a list of local resource people. The ambassador shared that she had met with the Minister of Justice who supported TIPS legislation in Mozambique, but issue remains whether Mr. Nhatitima's office within the ministry would be responsible for developing a draft, or another office led by a very powerful government official, Mr. Carimo. The ambassador wished to know of the viability of drafting TIPS legislation and seeing some appreciable movement in the next year.

Ms. Theisen informed the group that, while it appears there is an appreciation of the need to criminalize TIPS through legislation, not enough reliable information is "out there" to mobilize public opinion or arm lobbying groups to push this legislation. In this vein, the ambassador remarked that her office has pushed, and recently won, \$100,000 for the International Organization for Migration's (IOM) new office in Maputo to conduct research.

The embassy is also pushing for more press coverage of the issues. The ambassador informed the WLR team that the embassy had set up a luncheon for August 4 with Lea Boaventura, Director of *Terre des Hommes*, and Justina Cumbe of the Ministry of Interior. Ms. Theisen welcomed this

opportunity, since a number of people had identified Ms. Cumbe as particularly involved and knowledgeable about anti-trafficking issues.

The ambassador was particularly concerned if there would be any chance of a draft being produced by the spring of 2006, to which Ms. Theisen responded that this should be possible with WLR support of both the NGO community and the ministry through the various stages of mobilizing support and the technical drafting. Ms. Theisen shared with the group her preliminary strategy of supporting legislative drafting, research and public awareness activities simultaneously, and that this strategy could work. Ms. Theisen then gave a detailed description of a program design led by WLR.

Both the U.S. Ambassador and the USAID/Mozambique Mission Director appeared satisfied with Ms. Theisen's conclusion regarding the viability of TIPs legislation within the next two years and WLR's proposed plan of action.

Consultant Interviews

Finally, Ms. Theisen and Ms. Chavonda interviewed three candidates for WLR's project leader in Mozambique. As of this writing, WLR is actively recruiting a Mozambican citizen with extensive relevant experience.

ANNEX A

Orientation Agenda



WLR-Southern Africa Orientation Training Agenda **CEDPA Office, Pretoria, South Africa July 18th-29th**

DAY 1

Introduction to the Womens Legal Rights Initiative

- Intro to project and it's activities to date worldwide
- Discussion of roles and responsibilities with regard to CEDPA, the Home Office (HO) and Chemonics
- Review of goals and objectives of the project for the remainder of year 1 and major activities to be covered in year 2 of WLR Southern Africa.
- Briefing on talking points to be covered with USAID/Pretoria
- Meeting with Stephen Snook at USAID/Pretoria of the D&G Team.

DAY 2

Project Communications (1/2 day)

- Introduction to Operations Guidelines Handbook
- Review of Home Office (HO) backstopping structure

- a. With Home Office (HO)
 - Emails: dailies and time sensitive emails
 - Weekly teleconferences
 - Pouches both to and from the HO and FO
 - Approvals
 - b. With USAID
 - Communications from USAID missions/bureaus to FO
 - Notification procedures to HO on emails to/from USAID
 - c. With 3rd parties
 - USAID branding requirements
 - Emails to/from regional partners
- Meeting with WomensNet, Johannesburg

DAY 3

-Continue any outstanding review on project communications

Contractual Reporting Requirements (1/2 day)

- Review Task Order (TO) & WLR sample templates and reports
- Trip and activity reports
- Quarterly reports with monitoring and evaluation (M&E)
- Action and work plans

DAY 4

Finance, Budget and Contracts Review (1 day)

- Review current budget line items with discussion of realistic costs in connection to planned activities
- Establish Year 4 country budget
- Review contract templates (CEDPA and Chemonics)
 - a. Mechanisms for contracting with individuals
 - b. Consultants ex. Services Agreements (e.g., translation, legal advice, etc.) and ST employment
 - c. Contracting with organizations ex. FPSC or FFP
- Procurement of goods and services
 - a. Current CEDPA processes
 - b. WLR contractual obligations
 - c. Establish process in keeping with contract requirements and CEDPA procedures

DAY 5

Office Management (1 day)

- Review file content and the WLR Southern Africa file index
- Trackers (e.g., for price quotes, inventories, etc.)
- Review Swazi office files and reconcile those docs and create corresponding file system to that of the HO's
- Review Personnel policies (CEDPA, and South African labor laws)

DAY 6

Monitoring and Evaluation (M&E) (1 day)

- Methods: data collection; surveys and studies
- Brainstorming session on capturing project impacts
 - a. Advocacy manual adaptation
 - South Africa
 - Swaziland
 - Mozambique
 - b. Community radio in Limpopo
 - c. Web page (WomensNet)
 - d. Paralegal training in Lesotho (FIDA)

Action Plan Brainstorming (on-going)

- South Africa programs: adaptation of advocacy manual, community radio, web page (WomensNet)
- Swaziland program: adaptation of advocacy manual
- Lesotho program: paralegal training
- Mozambique program: adaptation of advocacy manual

DAY 7

Draft 2005-2006 Action Plan (1 day)

- Compile information from brainstorming process into the WLR Action Plan report template (Mary and Armelia)