

**REPORT OF THE COMMITTEE ON LEGAL AFFAIRS, GOVERNANCE,
HUMAN RIGHTS, GENDER MATTERS AND CHILD AFFAIRS ON THE
REPORT OF THE AUDITOR-GENERAL ON THE IMPLEMENTATION OF
GENDER MAINSTREAMING ACTIVITIES IN ZAMBIA**

Consisting of:

Mr J J Mwiimbu, MP (Chairperson); Mr S Chisanga, MP; Ms C Namugala, MP;
Mr M A Malama, MP; Dr L M Kaingu, MP; Mr S Mushanga, MP; Mr J M
Kapyanga, MP; and Mr K K Hamudulu, MP.

The Honourable Mr Speaker
National Assembly
Parliament Buildings
P O Box 31299
LUSAKA

Sir,

Your Committee has the honour to present its report on Auditor-General's for
the Report of the Gender Mainstreaming activities in Zambia.

Functions of the Committee

2. In addition to any other duties conferred upon it by Mr Speaker or any
Standing Order or any other order of the Assembly, the duties of the Committee
on Legal Affairs, Governance, Human Rights, Gender Matters and Child Affairs
are as follows:

- (a) to study, report and make appropriate recommendations to the
Government through the House on the mandate, management and

- operations of the Government ministries, departments and/or agencies under its portfolio;
- (b) to carry out detailed scrutiny of certain activities being undertaken by the Government ministries, departments and/or agencies under its portfolio and make appropriate recommendations to the House for ultimate consideration by the Government;
 - (c) to make, if considered, necessary, recommendations to the Government on the need to review certain policies and certain existing legislation; and
 - (d) to consider any Bills that may be referred to it by the House.

Meetings of the Committee

3. During the period under review, your Committee held five meetings.

Procedure Adopted by the Committee

4. In order to fully appreciate the queries raised in the Auditor-General's report, the Committee invited the following stakeholders to provide both written and oral submissions:

- (i) Citizens Economic Empowerment Commission
- (ii) Ministry of Agriculture and Livestock
- (iii) Ministry of Lands, Natural Resources and Environmental Protection
- (iv) Ministry of Justice
- (v) Public Service Management Division
- (vi) Young Women Christian Association (YWCA)
- (vii) Women and Law in Southern Africa-Zambia

- (viii) Forum for the Advancement of Women's Education in Zambia (FAWEZA)
- (ix) Non Governmental Organisation Coordinating Committee (NGOCC)
- (x) Ministry of Gender and Child Development
- (xi) Ministry of Education, Science, Vocational Training and Early Education

AUDIT SCOPE AND METHODOLOGY

5. The Audit involved an examination of records and review of activities and programmes undertaken during the period from 2005 to 2010. The institutions included in the audit were GIDD at Cabinet Office, Ministry of Lands, Ministry of Education, Ministry of Agriculture and Cooperatives, Citizen Economic Empowerment Commission, Ministry of Justice, Law Association of Zambia and Zambia Law Development Commission, Policy Analysis and Coordination Division at Cabinet Office, Young Women Christian Association, Gender Sub-Committees of Provincial Development Coordinating Committee for Luapula, Copperbelt and Eastern Provinces and District Development Coordinating Committees for Mansa, Samfya, Kawambwa, Kitwe, Ndola, Masaiti, Katete and Mambwa.

The following audit techniques were used;

(I) Document Reviews

This involved a scrutiny of documents with a view of obtaining an understanding of the client. The following documents were reviewed:

- (a) National Gender Policy;
- (b) various sectoral policies;
- (c) the Budget and work plans to establish its gender responsiveness;
- (d) Strategic Plans of Actions at Ministry of Education, Ministry

- of Agriculture and Ministry of Lands;
- (e) guidelines and checklist for mainstreaming gender in the public sector;
- (f) quarterly and annual reports;
- (g) implementation reports for various activities including training reports
- (h) minutes of PDCC and DDCC gender subcommittee's meetings work plans and reports;
- (i) consultancy and other various reports;
- (j) programme documents, and
- (k) applicants and beneficiary databases at CEEC.

(II) Structured Interviews and Questionnaires

Structured interviews and, in some cases, questionnaires were provided to key players with a view of supplementing evidence obtained from document reviews as follows:

- a) Permanent Secretaries
- b) Directors at GIDD
- c) Gender focal point persons
- d) Monitoring and evaluation specialist and other staff at GIDD
- e) Management at LAZ, ZLDC and
- f) CEEC, PDCC and DDCC members at provincial and district centres. In addition, questionnaires were administered and meetings were conducted with the members of the committees.

6. AUDIT CRITERIA

Sources of Criteria

The sources of the audit criteria used to provide guidelines on the strategies on gender equity, equality and women empowerment were as follows:

- (i) the National Gender Policy;
- (ii) the Strategic Plan of Action for the National Gender Policy, 2004 to 2008;
- (iii) the Gender Policy Strategic Plan of Action, Performance Indicators and Targets 2004 to 2008;
- (iv) Cabinet Office Circular No. 9 of 1996;
- (v) best practice time taken to process loan applications from Zambia National Commercial Bank and Barclays Bank; and
- (vi) Millennium Development Goal No. 3.

7. AUDIT FINDINGS, GOVERNMENT'S RESPONSES AND COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS

- (a) **The Government Development Goal of Attaining Equity and Equality between Males and Females had not been achieved**

The requirement of 30% representation of women in decision making positions was not met according to the National Gender Policy and the Gender Policy Strategic Plan of Action Performance Indicators and Targets 2004-2008, it was a requirement that there should be a 30% representation of women in decision making positions.

However, the 30% minimum target had not been met during the period under review with regard to women in parliament, women in cabinet and women in top and middle public service management positions.

Government's Response

The Government had made efforts in increasing women representation in decision making positions. The judiciary had seen an increase in a number of women on the higher bench and this included having females as Acting Chief Justice and Deputy Chief Justice.

As regards women in top and middle management positions in the Public Service, the figure had increased from 26% in 2010 to 27% as at 30th April 2013. According to the Auditor-General's Report, out of 2,012 officers holding GSS04, equivalent and above, there were 580 women representing 26.9% in 2010.

Committee's Observations and Recommendations

Your Committee observes that due to the deep rooted nature of the perception of the issues around women in decision making, it is necessary, in line with the international protocols and treaties that Zambia has signed through affirmative action, to propel the nation towards equality in this area. It is recommended that Zambia should expedite the process of domesticating the CEDAW and the SADC Protocol on Gender and Development (2008), so as to attain equality in all elective political decision-making positions.

Your Committee also recommends that the imbalance between the genders in decision making positions can be redressed through affirmative action in all appointments and nominations. This must begin with the presidential appointments, if any tangible change is to be achieved, particularly the eight

nominated MPs.

(b) **Gender Imbalances in Education**

Despite equal admission rates at primary school, there were higher attrition rates among girls as compared to boys. The gender parity, that is, number of females per number of males, for basic education (grades 1 -9) was, on average, 0.94 in the period 2005 to 2009.

Further, the female attrition was amplified at the university level. At UNZA the gender parity was 0.6 in 2005 and increased by as little as 0.18 to 0.78 in 2009, while at CBU the gender parity was as low as 0.25 in 2005, rising to 0.45 in 2007, and again dropping to 0.32 in 2009.

Government's Response

The failure to achieve gender parity in secondary and tertiary education could be attributed to lack of actively advancing policies and laws that reinforced gender parity and equality. There were also few specific initiatives that targeted the educational needs of under privileged girls and boys in order to increase their educational access.

Parity at secondary school level had not been achieved due to a high dropout rate for girls. Girls were being socialised to become wives, mothers and care-givers, which resulted in more domestic responsibilities, teenage pregnancies and early marriages. Once in secondary schools, girls were also vulnerable to sexual harassment and violence and related diseases such as HIV and AIDS.

Parity at tertiary education had remained almost unchanged from 2005 to 2010. Many young women did not enroll in colleges and universities, or found it difficult to continue attending classes after getting married or becoming pregnant. However, within some tertiary institutions, such as the University of Zambia, great improvements had been made.

In order to address gender imbalances and disparities in education, the Government has put in place the following measures:

- (i) the abolition of school fees from grades 1-9 to increase retention in education;
- (ii) engendering of the school curricula and associated teaching materials, in addition, efforts were being made to make the learning environment gender friendly;
- (iii) mechanisms for continued partnership between policy makers and traditional leaders to advocate for girl child education and fight against child marriages; and
- (v) promotion of the participation of girls in education in the remote areas through the Campaign for Female Education Programme (CAMFED).

Committee's Observations and Recommendations

Your Committee observes that the problems of high attrition rates at different levels of the education system were a consequence of several factors including; inadequate infrastructure in terms of physical space and sanitary facilities to absorb girls as well as distances to schools for rural girls.

In view of the above, your Committee recommends that there is need for construction of more schools with boarding facilities for children in the rural areas with equal number of boarding facilities for both girls and boys, this

would also reduce the risk of gender based violence and/or engaging in risky behaviour to raise money for transport or rent for those girls who walk long distances or opt to rent accommodation near the schools.

Your Committee also recommends that the bursary fund, should be made more accessible to vulnerable girls to help them pay for their school fees at secondary school and tertiary levels, to prevent them from dropping out due to lack of funds to meet these costs. Further, the re-entry policy needs to be scaled up and implemented so that girls who have dropped out of school due to pregnancies could resume.

(c) failure to Achieve the 40% Loan and Credit Facilities to Women

Review of the Gender Policy Strategic Plan of Action Performance Indicators and Targets 2004 to 2008, revealed that Government was required to put in place programmes that would reduce the burden of poverty on women at household, community and national levels. One of the performance outputs for achieving this was that 40% of loans and credit facilities for income generating activities, were accessed by women. Out of a total of three thousand seven hundred and sixty seven (3,767) applicants who applied for the CEEC funds in all the provinces, only two hundred and sixty four (264) applicants, representing 7%, were funded. In addition, out of the two hundred and sixty (264) approved applicants who were funded as of April 2010, only fifty one (51) applicants representing 19.3% were women. It was clear that the Citizenship Economic Empowerment Commission had not met the minimum target of 40% allocation to women, as such equitable distribution of resource to men and women had not been realized.

Government's Response

The CEEC had in the period under review, rolled out various products and services targeted at women such as the “Chilimba Market Products”. This product was essentially meant to allow trading marketers particularly women to have access to working capital finance using different collateral permutations that included peer pressure and community referencing. Under this product, the CEEC disbursed a total of KR1, 655,350 (K1.6bn) to various markets across the country, which benefited more than 2,000 women.

The CEEC had also developed programmes for youths and women, aimed at addressing the skills gaps and enterprise knowledge needed to undertake business activities. The CEEC, with support from the International Labour Organisation (ILO), conducted training in Women Entrepreneurship Development for Gender Equality (WEDGE) methodology, for mainstreaming gender issues in empowerment programme management and implementation. The programme was aimed at empowering the women by encouraging them to explore entrepreneurship skills in order for them to have basic skills in business plan formulation and market identification. Under this programme, the CEEC planned to conduct capacity building training for all projects funded for women to enhance business performance, but due to the inadequacy of operational funds, this was yet to be done.

The CEEC had also implemented out grower schemes that had facilitated business linkages benefiting mostly women, like the Fisenga dairy project in Luanshya and the Luwaka Vegetable Out Grower Scheme in Solwezi.

In order to improve access to the Empowerment Fund by the vulnerable groups that included women, the Commission with the guidance of Government reviewed and revised the conditions and procedures for accessing the Fund. Among the key changes were the following:

- i) the forms meant to cater for small loan applications of up to KR50,000 did not require a business plan, but just filling in a simplified application form, which was submitted for consideration. Collateral requirements had also been relaxed; and
- ii) the CEEC had engaged the Provincial Administrative structures for the submission of loan applications of up to KR50,000 for approval at the provincial level, to ease the turnaround time for loan appraisal and approval. This process was further strengthened by allocating empowerment funds to be managed by the Provincial Administrations.

Committee's Observations and Recommendations

Your Committee notes the Government's response and recommends that policy guidelines must be put in place to ensure that those appraising the revised loan forms should ensure that the minimum threshold of female applicants was considered, there was also need for more public awareness campaign on the availability of the CEEC fund so that more women were made aware of its existence and the procedures for accessing it.

(d) The Requirement of at Least 30 % of Land Owned by Women was not Achieved

Zambia had signed and ratified some international treaties, which provided for the need for women to have access to economic resources such as land. A review of the situation revealed that the Ministry of Lands had not adhered to

the requirements of at least thirty percent (30%) land ownership by women.

A review of the International Instruments and Protocols (that Zambia signed and ratified) and the National Gender Policy (2000) revealed that the Ministry of lands was obligated to ensure that 30% of land was allocated to women. The Commissioner of Lands issued a Circular Minute No. ML/101 /1, 2009 instructing all District Councils to ensure 30% of plots available are set aside and recommended for allocation to women and that 70% of the remaining plots are competed for by both women and men.

A review of the statistics provided by the Planning Department in the Ministry revealed that allocations of land to women were at variance with the Commissioner's directive.

It was clear from the above information that the Ministry of Lands had not achieved the 30% allocation of land to women and there was no evidence to show that corrective measures had been taken. This was further confirmed by the gender audit report carried out in March 2010, by GIDD as well as the 2008 Fifth National Development Plan report.

Some of the causes for failure to effectively mainstream gender into the lands allocation were as set out below.

(i) **High Survey Costs**

The high costs involved in acquisition of land and title to land, particularly survey costs, made the process of owning land too expensive, especially for rural women.

(ii) **Weaknesses in the Systems on Acquisition and Ownership of Land**

A review of the situation revealed that a simplified lands procedure had not been put in place. In addition, there was no mechanism put in place by Ministry of Lands to notify the land applicants to the effect that offer letters and the lease agreements had been prepared. Consequently, this tended to delay the processing of offers.

(iii) **Sensitisation of Women on Lands Rights**

Although the Ministry indicated that they had carried out sensitisation exercises on lands rights, they did not provide evidence to show which women had been sensitised.

(iv) **Weaknesses in the Land Information Management System**

The Ministry of Lands uses an IT-system called LIMS to maintain records of land applications and offers. Interviews held with the planning department officials at the Ministry and a review of the system revealed that the system parameter for sex was not a mandatory parameter. As such some of the data did not show the sex disaggregation between men and women.

(v) **Difficulties in Obtaining Title Deeds**

The audit revealed that there were difficulties in obtaining Title Deeds. This had an effect on some applicants to loan facilities such as CEEC fund. In addition, some of the farmlands were under customary law. The implication of dual land tenure system was that it had a negative impact on gender equality. Despite the Lands Act not discriminating on the basis of sex, women were discriminated against both by the Customary and the Statutory law, either due to unaffordable conditionalities, cumbersome procedures,

lack of knowledge of systems in place for acquiring and developing the land (Statutory Law) or due to values and beliefs against women (Customary Laws).

Government's Response

High Survey Costs

The costs for surveying were the minimal costs required for the survey department to cover costs of transport to and from the sites, labour and building materials required for beacons, i.e cement, building sand and iron pegs. The larger the area, the higher the costs of surveying as more effort and materials were required. The survey fees had remained unchanged since 2004 when the statutory Instrument No. 19 of 2004 was issued, which brought these fees into operation. It should be noted that the cost of survey was influenced by external factors such as fuel.

In an effort to help the poor community especially the rural women, the Ministry of Lands had been sensitising communities especially in rural areas where most women were located, to organise themselves to have their pieces of land surveyed as a block. This approach was meant to significantly reduce the cost of survey per property.

Weaknesses in the System on Acquisition and Ownership of Land

In order to improve, quicken and simplify the process of land acquisitions and ownership, the Ministry of Lands was in the process of re-engineering the work process through a robust information system being developed. The Ministry had come up with a feedback mechanism, which involved capturing contact details for clients so as to inform them when their offer letters were ready for

collection or when the leases were ready for execution. And in the same vein, the Ministry informed them when there was a query.

Further, the Ministry had been advertising in the print media, for various documents processed by the Ministry under the Lands and Deeds department such as the certificates of title, which were ready for collection as a number of these documents had remained uncollected for a long time.

In addition, in order to simplify the land acquisition procedures, the Ministry of Lands was in the process of reviewing the Land Administrative Circular No. 1 of 1985.

Sensitisation of Women on Land Rights

The Ministry of Lands had been carrying out countrywide sensitisation exercises on land rights for women during the Land Development Fund and Lands Tribunal workshops with Council officials, traditional leaders and members of the communities to sensitise them on the need to promote equal access to land by both men and women.

The Lands Tribunal and the Ministry, held sensitisation workshops in Lusaka Province in November 2012 in Kafue, Chilanga, Chongwe and Luangwa Districts. The Zambia Information Services (ZANIS), was engaged to disseminate information, through public announcements, to the people in these areas.

Further, from 2009 to date, the Ministry under the Land Development Fund, undertook sensitisation workshops in Kapirimposhi, Serenje, Luanshya, Mufulira, Chipata, Katete, Mambwa, Nyimba, Petauke, Mansa, Luangwa, Chama, Isoka, Mafinga, Nakonde, Ikelenge, Kabompo, Kasempa, Mufumbwe,

Mwinilunga, Zambezi, Choma, Gwembe, Itezhi-Teshi, Kalomo, Kazungula, Monze, Sinazongwe, Kalabo and Shangombo districts. These workshops were attended by council officials, Government officials, traditional leaders and Members of the public. Issues of women land rights were discussed at these workshops.

Some traditional leaders had responded well to these sensitisation workshops and were asking for joint ownership (men and women) of land in their chiefdom.

The Ministry would continue with its sensitization programme to ensure and promote equal access to land by both men and women. In addition, the Ministry has employed a public relations officer who would help with various sensitization programmes including those on land acquisition.

Weaknesses in the Land Information Management System

The Ministry was currently developing and designing, a robust land information system, called Zambia Integrated Lands Management and Information System (ZILMIS). This would make improvements in the capturing and disaggregating of data and information, which would improve decision making. The new system would be able to disaggregate data and information on various variables including; sex, nationality, age, religious groupings, institutions and land usage. This would help in implementing policies that would bring about balanced development in the country.

Difficulties in Obtaining Title Deeds

In order to address the difficulties faced in obtaining Title Deeds, the Ministry of Lands was currently developing a communication strategy that would help with informing the general public on the procedures of obtaining Title Deeds.

The Ministry observed that most of the delays in obtaining Title Deeds were due to lack of knowledge on the procedures.

Further, the Ministry was currently working with the Zambia Law Development Commission (ZLDC), to draft legislation that would govern the administration of land under customary areas. Consultation workshops with traditional leaders, government officials, NGOs and other stakeholders had been held across the country on how best to develop this legislation. The legislation would promote equal access to land and make it possible to obtain title for land under customary tenure.

Problems in Enforcement of the Lands Act Cap 184 of 1995

The Lands Act of 1995 did not discriminate by gender and also recognised the existence of customary tenure in Zambia. However, the administration of land under customary areas was governed by customary law, which did not fall under the Lands Act Cap 184 of 1995.

Committee's Observations and Recommendations

Your Committee notes the Government's response and recommends that there is need to ensure that the instruction given under Circular Minute Number ML/101/1 issued in 2009, by the Commissioner of Lands was enshrined in the Land Policy and Lands Act, which should clearly stipulate measures to be taken against those that would be found breaching the requirement of allocating 30% land to women.

Your Committee observes that in order to address the challenge faced by women in the various categories, it was important to create gender awareness at all levels in the Ministry of Lands, Natural Resources and Environment and

the Ministry of Agriculture and Livestock. The same sensitization should be provided for the Chiefs and village headmen to administer land in a gender sensitive and equitable manner.

(e) Reported Cases of Rape and Defilement had not been sustainably reduced by 2%

According to the Strategic Plan of Action Performance Indicators and Targets, Ministry of Home Affairs, Ministry of Justice and GIDD were responsible for ensuring that there was a 2% reduction in reported gender violence cases.

A review of the number of reported cases from 2006 to 2010 revealed that, while there was a reduction of reported rape cases in 2007 and 2009 by 48.6% and 27.9% respectively, the number of reported cases increased by 78.4 % in 2008 and 6.72% in 2010 contrary to the required target reduction of 2%. Similarly, whilst the reported cases of defilement dropped by 68.1% and 4.3% in 2007 and 2009 respectively, the reported defilement cases sharply increased by 159% in 2008 and 14.5% in 2010 as opposed to a targeted reduction of 2%.

Government's Response

In order to tackle all forms of Gender Based Violence, the Ministry of Gender and Child Development was implementing a Gender Based Violence Programme, which would facilitate the tackling of gender based violence on sector wide basis and holistically including implementing the Anti Gender Based Violence Act of 2011.

Since much of the Gender Based Violence had its roots in cultural and traditional systems, one of the major activities in this regard, would be to engage the traditional leadership in order to address negative traditional values, which impacted negatively on people especially women. This

would be guided by the Gender Information, Education and Communication (IEC) Strategy.

Committee's Observations and Recommendations

Your Committee observes that reported cases did not necessarily signify a reduction in rape and defilement cases because the reduction could be as a result of non-reporting of cases. Your Committee therefore recommends that the Government should ensure that studies that capture the prevalence rates of sexual abuse are conducted on an annual basis in order to have up to date data that can be used to compare what is prevailing on the ground with the number of cases being reported.

Your Committee also recommends that The Government needs to conduct awareness campaigns on the Anti Gender Based Violence (GBV) Act for the general public to understand it and know how they could seek redress. The Government should also accelerate the full implementation of the Act.

Your Committee observes that there is an Anti-GBV Fund that has been established under the Anti-GBV Act. Your Committee therefore, recommends that the Fund should be made operational so that GBV survivors could access it. This could help to reduce on the non-reporting of GBV cases and/or withdrawal of cases for fear of losing sources of income if the bread winner is incarcerated.

Your Committee further recommends that access to justice must be enhanced by ensuring that police and judiciary services are available and accessible to all.

(e) **Failure to put in Place Shelters for Victims**

According to the Strategic Plan of Action, GIDD, MOJ, MHA, YWCA were responsible for ensuring that physical structures for dealing with victims of GBV were put in place. However, interviews held with GIDD, Luapula PDCC gender sub- committee officials and physical inspections revealed that, except for those offered by YWCA, no measures had been taken in the construction or rehabilitation of physical structures that dealt with gender based violence victims by Government institutions. In addition, YWCA mentioned that the capacity for their shelters was only hundred (100), which was far below the reported number of cases.

Government's Response

In order to address this important issue, the government through the Ministry of Gender and Child Development was implementing the Anti Gender Based Violence Act of 2011. Through the Act, the Ministry of Community Development, Mother and Child Health had been mandated to construct, rehabilitate and manage Shelters for survivors of Gender Based Violence in collaboration with other stakeholders. The Ministry of Gender and Child Development was responsible for coordinating the implementation of the Act through a multi-sectoral technical committee, which had already been put in place and was operational.

Committee's Observations and Recommendations

Your Committee notes the submission and recommends that adequate resources should be allocated in the national budget for the purpose of establishing more shelters for victims of GBV. Your Committee also urges the Government to recognise other actors in this area such as NGOs who already have places of safety for GBV survivors and provide support to them

through regular grants to enable them continue complementing the efforts of Government.

8. Mainstreaming of Gender into Macro and Sectoral Policies, National Laws, and MPSAS)

(a) Mainstreaming of Gender into Macro Policies

According to the Gender Policy Strategic Plan of action performance indicators 2004 to 2008, 60% of macroeconomic policy frameworks were supposed to be engendered by 2008. In addition ratified protocols were supposed to be adopted with a view of incorporating sub-regional and international conventions and instruments dealing with gender into policies.

However, a review of the situation revealed the following issues set out below.

i) Vision 2030

Although Gender was mentioned under challenges, goals and strategies of the vision 2030, the overall vision statement and objectives of the vision did not make reference to gender.

ii) Fifth National Development Plan 2006-2010

Although the goals of the Fifth National Development Plan (FNDP) were gender responsive and supported by the provision of sex disaggregated data, fourteen (14) of the Sector Plans were inconsistent in tackling gender mainstreaming issues.

iii) Medium Term Budget Call Circular 2006-2010

A review of documentation on the Medium Term Budget Call Circular of 2006 and 2011 revealed that although the Poverty Reduction Strategic

Programme incorporated gender mainstreaming issues, the Call Circular did not provide for gender guidelines in relation to institutional structures. As a result of this deficiency, the composition of the Budget Committees and their terms of reference were not gender sensitive. The risk therefore, was that budgeting in public sector may not clearly take into account gender mainstreaming concerns during the budget preparation processes.

A review of 2008 and 2009 work plans and training reports revealed that GIDD had trained forty six (46) personnel from various ministries on gender budgeting.

However, a review of the Estimates of Revenue and Expenditure for 2008, 2009 and 2010 for Ministry of Education, Ministry of Lands and Ministry of Agriculture revealed that the National Budget, which showed the developmental programmes and projects in the country was still gender-blind. The gender analysis of the budget was not carried out before and after the budget had been prepared. As such, it was difficult to identify activities which were benefiting males and females in the budget. In the absence of a gender responsive budget, gender balanced developmental activities may not be achieved.

Government's Response

Mainstreaming of Gender into Macro Policies

Vision 2030

The overall vision statement could not mention gender because a Vision statement was a very broad inspirational description of what an organisation would like to achieve or accomplish in the midterm or long term future. It was intended to serve as a clear guide for choosing current

and future courses of action. Objectives served as the basis for creating policy and evaluating performance. Therefore not all objectives should be about gender.

Fifth National Development Plan 2006-2010

In the current Sixth National Development Plan 2011-2015, there was consistency in mainstreaming gender.

Medium Term Budget Call Circular (2006 2010)

The Ministry of Gender was in the process of reviewing the Circular to include gender guidelines and gender sensitive indicators. In addition, the Ministry would develop and circulate the terms of reference of the Budget Committee. The training in gender budgeting was an on-going activity because of a high turnover of staff within the Public Service.

In 2008 Parliamentarians were sensitised on the budget process. The Ministry of Gender would continue to sensitise Policy makers, parliamentarians and the Civil Society Organisations (CSOs).

Committee's Observations and Recommendations

Your Committee notes the response and recommends that the Ministry of Gender and child Development should be strengthened to have authority to compel other Government ministries and agencies with regards to engendering macro and sector policies.

Your Committee recommends that during the budgeting process, there should be clear guidelines on how and what Ministries and other spending agencies should include in their budgets regarding gender related activities.

With regard to the budget call circular, your Committee recommends that there was need to enforce its implementation by all Government Ministries. Budgets that had not followed the engendered call circular should not be approved.

Your Committee has noticed that the inclusion of international Women's Day budget line in most Ministries had been equated to budgeting for gender activities. This however, should not be the case as there are other gender related activities, such as budget analysis to include gender and collecting gender disaggregated data.

(b) Inadequacies in the National Gender Policy

Although Government had put in place a national gender policy in the year 2000, the policy had shortcomings as highlighted hereunder.

It defined the term 'gender' as "an analytical concept which focused on women's roles and responsibilities in relation to those of men. The definition portrayed the term "gender" to be women's rights or interests.

The National Gender Policy had not been reviewed by GIDD to assess its impacts as of April 2010 and International and Regional Protocols were not fully incorporated in it.

Government had during the years 1984 to 2008 signed and ratified about nineteen (19) International and Regional protocols. However, only eleven (11) were incorporated into the National Gender Policy leaving a balance of eight (8). The National Gender Policy prepared in 2000 did not include the

provisions of the protocols signed after the year 2000. For instance, the policy provided for 30% as the minimum threshold for women representation in decision making whereas the SADC protocol signed in 2008 advocated for 50%.

The Policy only made reference to gender-specific problems related to legal dualism but did not provide policy measures to address them.

The current Policy does not provide priority areas of focus nor strategic entry points in sectors where greatest desired output could be easily achieved.

The policy assumed that gender mainstreaming was for Public Service institutions only and did not give guidance on how the private sector would mainstream gender into their programmes.

Government's Response

The observation was noted. The definition in the draft Revised National Gender Policy appearing under working definitions was as follows:

Gender referred to the array of socially constructed roles and relationships, personality traits, attitudes, behaviours, values, relative power and influence that society ascribes to the two sexes on a differential basis. Gender is an acquired identity that is learned, changes over time, and varies widely within and across cultures.

The assessment would be done at the time of developing the National Implementation Plan of the revised policy.

The Ministry produced the CEDAW legislative Mapping Report, which highlighted the legislation that was discriminatory and needed repealing. The Draft policy under specific measures planned to

facilitate gender mainstreaming of policies, programmes, organisation structures and activities in ministries/institutions. Further, the draft policy under institutional arrangement would engage the Ministries/institutions responsible for legal formulation to provide guidance on the issue of dual legal system.

Further in the revised Policy, the institutional sector framework outlined the roles of identified key strategic partners, and the private sector was included in the institutional framework for implementers.

Committee's Observations and recommendations

Your Committee observes that the National Gender Policy was currently under review. Your Committee therefore recommends that the review process should be inclusive enough to capture all stakeholders such as NGOs. Your Committee also recommends that the Review process has taken too long, it should therefore, be speedily concluded.

(c) Gendering of Sector policies

An analysis of the different sector policy documents showed that out of a total of sixty (60) policies earmarked for appraisal and review, only forty one (41) policies, representing 68% of the policies had been engendered, thirteen (13) policies representing 22% had not been engendered whilst six (6) policies representing 10% were still in draft form as of March 2010.

Government's Response

Government was making steady progress in coming up with policies that were gender responsive. Most sectoral policies that came after the Gender policy of 2000 could be said to be gender responsive. One of the most

important national instruments on gender mainstreaming was the National Gender Policy of 2000, which was currently under review. After the review, it was envisaged that most sectoral policies that would later be adopted would be more gender responsive. At 60% gender responsive sectoral policies, it was hoped that Zambia could only progress from this figure.

Committee's Observations and Recommendations

Your Committee commends the efforts made to engender sectoral policies in Government. Your Committee recommends that more effort should be made with regard to implementation of the policies, as this is where there was a big challenge.

(d) Inadequate Mandate to Facilitate Appraisal and Review of Sectoral Policies by GIDD

GIDD was not mandated to compel line ministries to inform and consult GIDD when reviewing their policies so that the ministerial policies could be enshrined with gender mainstreaming requirements.

Government's Response

The situation of having a multiplicity of implementers emanated from the fact that during the period under consideration, GIDD was a Division in Cabinet office, its role was to coordinate and monitor the implementation of the National Gender Policy. Hence its organisational structure could not permit the Ministry to be at provincial and district levels. Further the Ministry still did not enforce nor propose punitive measures against institutions that did not comply.

The Ministry of Gender and Child Development (MGCD) mandate was merely to recommend to ministries/institutions to have policies engendered. The Ministry would engage the MPSAs on the issue.

Committee's Observations and Recommendations

Your Committee notes the response and recommends that capacity building of the newly created Ministry of Gender was fundamental to its efficient and effective operations. The creation of a new Ministry of Gender demanded that a clear mandate is defined in line with the coordinating functions of the said Ministry. The Ministry's coordinating role should be well streamlined to those functions, so that implementation in the literal sense of the work should be the responsibility of key line ministries.

(f) Time Lag Between National Gender Policy Approval and Approval for Some Sectoral Policies

Some policies that were drawn and approved by Cabinet before 3rd March 2000 at the time when the National Gender Policy was approved, were not effectively engendered due to a time lag between formulation of the National Gender Policy in 2000 and the approval of the implementation plan of the National Gender Policy in 2004.

(g) Training of Policy Makers in Gender Concepts and Analytical Skills

GIDD had not trained policy makers to ensure that they appreciated the concepts of gender. The gender concept was not well understood by many officials involved in policy formulation in most ministries. Policy makers were also not trained in gender analytical skills, and had no gender analytical tools or skills for gender analysis, which resulted in the formulation of policies that were gender blind.

Gender Issues Treated as Women Issues

There was a tendency to perceive gender issues as women issues or concerns rather than problems affecting society, which should be addressed through collaboration between males and females. As such gender mainstreaming work was relegated to women with the exclusion of their male counterparts.

Government's Response

Time lag between National Gender Policy Approval and Approval for Some Sectoral Policies

The Ministry of Gender was now being consulted through Cab Memos that were circulated to have a policy adopted. In addition the Ministry was consulted during ministerial consultative meetings related to policy review/formulation.

Training of Policy Makers in Gender Concepts and Analytical Skills

Training had been done but due to staff turnover among those who were trained, some had retired, promoted, resigned or transferred. Training was ongoing, but dependent on the availability of funds.

(h) Gender Issues treated as women issues

The Ministry of Gender would, when resources were available conduct sensitisation meetings.

Committee's Observations and Recommendations

Your Committee observes that the National Gender Policy was under review. Your Committee recommends that this time there will be prudent management of time between completion of review of the Policy and formulation of its implementation plan.

Your Committee also observes that training of policy makers in gender concepts and analytical skills is subject to availability of resources. Your Committee however, recommends that those who will be trained should be bonded to the government service for a specified period so that Government can benefit from their skills, which would be imparted to them at Government's expense.

Your Committee also recommends that the Ministry should sensitise other Government Institutions to ensure that gender Mainstreaming is not treated as a woman issue, but a gender issue. Your Committee further recommends that the training of Policy makers in gender analytical skills should be scaled up.

(i) Mainstreaming of Gender into the National Laws

An examination of the records at the Judiciary, Ministry of Justice, Zambia Law Development Commission and GIDD revealed that laws had not been repealed, amended or enacted to Deal with gender Imbalances.

Except for the Employment Act of 2011 the Anti-human Trafficking Act of 2008, Anti -Gender Based Violence Act of 2011 and the Penal Code that was amended in 2005 (though not all concerns were addressed), no laws had been repealed, amended or enacted with the specific goal of dealing with gender imbalances.

Government's Response

The Government was currently in the process of domesticating the Convention on the Elimination of All forms of Discrimination against Women (CEDAW) and had since produced the Legislative Mapping Report, which reviewed Zambia's legislation and policy framework and determined the extent to which the provisions of the CEDAW had been included in the legislation and policy and identified relevant legislation or policies where amendments may be needed, in order to incorporate the identified provisions.

Further, although the term 'gender' was not defined in the Constitution, the entire Constitution had been engendered in the sense that the masculine terms had been removed. In addition, the Draft Constitution provides for the Gender Commission and Article 23 had been repealed, in the draft constitution.

The Anti Gender based Violence Act No. 1 of 2011 provides what constitutes Gender Based violence and with regard to the Penal Code Cap 87 of the Laws of Zambia, in the event that there were any inconsistencies between the provisions of the Anti GBV Act No. 1 and any other law, the Act would prevail to the extent of the inconsistency.

The Anti Gender Based Violence Act also provided for a protection order under Part III of the Act.

COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS

Your Committee observes that Zambia has signed a number of international treaties and protocols on gender although most of them were yet to be domesticated. Your Committee therefore, urges the Government

to expedite the domestication of some of these international instruments such as the SADC Protocol on Gender and Development, 2008.

(j) Failure to Undertake a Study to Establish the Laws that were not Gender Sensitive

A comprehensive study to establish laws that were not gender sensitive had not been conducted by the Zambia Law Development Commission. Although, the Human Rights Constitutionalism and Democratisation Committee had engaged consultants to carry out audits of Zambian Legislation with a view of determining how far Zambia had domesticated the major international instruments to which Zambia was a party, no comprehensive study had been undertaken to determine whether laws were gender responsive.

(k) Failure to Translate the Relevant Laws into Local Languages

Despite GIDD being involved in the formulation of the gender-based violence legislation, accessibility of such a law and all other laws was restricted to the larger urban areas and to citizens able to read English. This was because the laws had not been translated into local languages.

Government's Response

The observation was noted however, translating the actual Acts into local language may distort meanings of certain provisions. The Ministry had endeavored to produce the Anti GBV Act of 2011 into a Simplified version and translate the law into local languages. A Consultant had been engaged to undertake this exercise of translating the simplified version and the assignment was expected to be completed during the course of 2013.

Committee's Observation's and Recommendations

Your Committee observes that only the Anti GBV Act was receiving attention in terms of simplification and translation into local languages. Your Committee recommends that all the other relevant laws should be simplified.

(l) Gender Mainstreaming of Activities and Programmes

(i) *Ministry of Agriculture and Cooperatives*

Engendering the Strategic Plan (2006-2010) - although Gender was fully recognized, statements on the mission and the goal of the strategic plan did not include gender.

Out of a total of fifteen (15) programmes reviewed, nine (9) programmes did not filter through the gender intentions of the policies. These were: Small Scale Irrigation: Community Mobilisation and Sensitisation Plan, small Scale Irrigation: Community Mobilisation and Sensitisation Report 2006, training manual for Agricultural Engineering Extension Staff, a publication of 2002, programme for Luapula Agricultural and Rural Development (PLARD) Draft Programme for Phase II September, 2009 and many other programmes.

Government's Response

Small Scale Irrigation: Community Mobilisation and Sensitisation Plan

The Government admitted that the Plan should have included Gender sensitive indicators.

Small Scale Irrigation: Community Mobilisation and Sensitisation Report 2006

The Government conceded that the gender sensitive indicators should have included the target group.

Training Manual for Agricultural Engineering Extension Staff: Publication of 2002

The Ministry of Gender would request the Ministry of Agriculture to review the manual, taking into account issues that had been raised.

Programme for Luapula Agricultural and Rural Development (PLARD) Draft Programme for Phase II September 2009

The Ministry of Gender would liaise with the Ministry of Agriculture on this matter

Zambia Agricultural marketing Processing and Infrastructure Projects, the Agricultural Sector Investment Programme, Rural Credit Facility Support to Eastern Province December 2005

The Ministry of Gender would liaise with the Ministry of Agriculture to ensure that sex disaggregated data was collected.

Export Board of Zambia (EBZ) of Zambia: 2003 Sector Report June 2004

There was need to liaise with the EBZ to improve in the area of data collection especially sex disaggregated data.

(ii) ***Ministry of Education (MOE)-The Education Sector National Implementation Framework (NIF) 2008-2010***

Efforts at engendering the curriculum were not a priority. For instance, in curriculum development, it only targeted life skills and HIV/AIDs. The absence of gender focus was also clear in the targets and output indicators for 2010. The matrix was general and did not mention gender, girls, boys, and men, women, female and male.

Government's Response

The Ministry of Education had prioritised gender analytical capacity building. The capacity building was an ongoing exercise e.g. the SADC training on Gender Responsive Budgeting.

Committee's Observations and Recommendations

Your Committee notes the responses from government on the various activities under the Ministry of Agriculture and the Ministry of Education. Your Committee therefore, recommends that the two ministries should ensure that there is gender mainstreaming of their activities and programmes as highlighted by the Auditor General's Report.

9. Inadequacies in the Guidelines for Mainstreaming Gender in Public Service

A review of the situation revealed that although GIDD prepared the Guidelines and Checklists for Mainstreaming of Gender in the Public Service to be used in the implementation of the National Gender Policy, there were weaknesses as set out hereunder.

(a) Lack of Training in the Use of Guidelines and Checklist for Mainstreaming Gender

Although G1DD had put in place the implementation guidelines and checklists for mainstreaming gender in the public sector, the audit assessment revealed that many of the gender sub-committee members had not been trained in the use of the implementation guidelines and checklists and as such, the members did not know how to use them and what was expected of them.

(b) Mainstreaming Guidelines and Checklists

The Guidelines and Checklists for mainstreaming gender in the public sector revealed that they had not been reviewed for suitability by GIDD, therefore it was difficult to implement some gender mainstreaming activities using the guidelines.

(c) Guidelines Only Developed for the Public Sector

A scrutiny of the guidelines and checklists revealed that the guidelines were only meant for the public sector and not include the private sector. As a result, gender mainstreaming may be delayed to be implemented across the country in that it would only be dealt with in the public sector.

Government's Response

The training and sensitisation was undertaken, but there was high staff turnover in the Ministries. According to the Ministry of Gender the sensitisation was an on-going activity. But this was dependent on availability of resources.

Mainstreaming Guidelines and Checklists

The Guidelines needed to be reviewed regularly and Ministries needed to inform the Ministry of Gender on changes in the composition of the Gender Sub Committees.

Guidelines Only Developed for Public Sector

The Ministry of Gender would review the guidelines to include the private sector.

Committee's Observations and Recommendations

Your Committee urges all line Ministries to initiate review of the guidelines in conjunction with the Ministry of Gender and Child Development. Your Committee also recommends the training of gender sub-Committee Members by the Ministry of Gender and Child Development.

10. The Institutional Frameworks not Working Effectively

***a)* The Gender Focal Points (GFPS) were not Working Effectively**

In July 1996, Cabinet Office Circular No. 9 of 1996 was issued requesting Government Ministries to appoint GFPs drawn from Planning Units or at other senior management level. GIDD was to ensure the facilitation of institutional capacity building and thereafter trained thirty (30) GFPs in various government institutions in the country.

The audit however, revealed the following:

(i) **Failure to Circulate and Review the Terms of Reference by GIDD**

Although GIDD had formulated terms of reference for the GFPs, a review of responses from the survey revealed that the terms of reference were not adequately disseminated as some GFPs stated that they were not aware of the documents.

(ii) **Lack of Continuity of GFPS**

A survey revealed that GFPs did not last long in their positions as they were either transferred to another Ministry or promoted to a different position.

(iii) **Lack of a Data Base for GFPS at GIDD**

GIDD did not have a database of GFPs in the line ministries as well as, at provincial and district levels. It was therefore apparent that GIDD had no tracking system of the GFPs who were conducting gender mainstreaming in various MPSAs.

(iv) **Failure to Incorporate the Role of GFPS in the Job Descriptions**

It was revealed that the GFPs played a dual role in their MPSAs (i.e. as planners and GFPs). This was because the role of GFP was an addition to their jobs and gender tasks were not incorporated in their job descriptions. As such, the task of gender mainstreaming suffered as the work of the GFP as a planner in their various institutions took precedence over their gender mainstreaming role. In addition, there was no formal way in which their performance as GFP was appraised.

(v) **Lack of Orientation in the Role of GFPS**

Some of the GFPs had not been oriented on their role as GFPs as a result they lacked gender analytical skill.

(vi) **Limited Linkage Between GIDD and the GFPS**

There was evidence of ineffective linkage between GIDD and the GFPs and this had contributed to the unsystematic implementation of gender mainstreaming activities. For example, GIDD met the GFPs only twice a year in bi-annual meetings and there was no help desk at GIDD dedicated to providing guidance to GFPs throughout the year.

(vii) **Other Constraints Facing GFPS**

Some GFPs, particularly those in the provincial centers, faced constraints that impeded their ability to implement gender mainstreaming activities, such as lack of control on gender budget lines and work plans and lack of influence on cultivating resources from the sectors for mainstreaming gender in the public service.

Government's Response

Failure to Circulate and Review the Terms of Reference by GIDD

Terms of Reference for GFPs were developed and circulated. However, this implied that whilst the terms of reference were developed and circulated, some of the GFPs had no opportunity to acquaint themselves with the task, especially taking into account the high turnover of GFPs in line Ministries. This was one of the main causes of the problems due to inadequacies in handover and system functioning in the MPSAs.

Lack of Continuity of GFPs

This was acknowledged as the main cause in the "breakdown" of the institutional framework as the GFP model was believed to be ineffective and unsustainable in the current environment of development as accountability was compromised. This assertion was supported by the needs assessment carried out in some countries within and outside Africa on the performance and sustainability of the GFP Model. Therefore, some of the structural failures with the model were largely outside the control of the Ministry of Gender and Child Development.

Lack of Database for GFPs at GIDD

While the database had been created, updating the database became problematic as changes were happening quickly in MPSAs; and in most cases without the knowledge of the Ministry of Gender such that transfers, promotions, retirements and resignations of GFPs were not made known to the Ministry thereby the database had not been up to date.

Failure to incorporate the Role of GFPs in Job Descriptions

The Ministry of Gender had addressed this matter through a Cabinet Office Circular, which had put the responsibility of Gender Mainstreaming in the Office of the Director of Planning or such senior officer undertaking planning in MPSAs as part of the Key Result Areas. However, the involvement of the Ministry in the assessment of performance through Gender Audits was critical.

Lack of Orientation in the Role of GFPs

Due to the high turnover of GFPs, the orientation and training given to GFPs was not fully utilised. The high turnover created inconsistency and lack of continuity on the effectiveness of the orientation and training programmes among GFPs thereby making the cycle for orientation and training very frequent and inconsistent too.

Limited Linkage between GIDD and GFPs

Steps had been taken to address the situation. Since 2010, the Communication Specialist in the Ministry of Gender had been designated to be the contact person with all the GFPs in the MPSAs with regard to coordination of activities such as International Women's Day and Sixteen Days of Activism. This included coordination of radio programmes in various MPSAs. Equally, the Monitoring and Evaluation Specialist was assigned to provide support to MPSAs through Monitoring and Evaluation Technical Working Group established in 2011, which had since developed the 2011-2015 National Gender Monitoring and Evaluation Plan. Arising from this plan, the National Gender Status Report for 2011 encompassing key sector indicators had been developed by the Technical Working Group.

Other Constraints Facing GFPs

The main issue was that rather than mainstream activities (work plans) and financial resources at the MPSA level, there was still expectation that a separate budget line and work plan would always come from the Ministry of Gender and Child Development. This was against the principle of gender mainstreaming. This matter had since been communicated to Controlling Officers countrywide.

Committee's Observations and Recommendations

Your Committee observes that the high turn-over of GFPs in MPSAs, has made it difficult for the Ministry of Gender to review and circulate the terms of reference and update its data base with regard to the GFPs. There is also a lack of continuity in that portfolio in the various ministries. Your Committee therefore, recommends that the GFP's should be employed by the Ministry of Gender, but working in the line Ministries.

Engendering the line Ministries and participation in gender responsive planning and budgeting should be the core functions of the GFP's. These roles and responsibility should be reflected in their job descriptions.

(b) Provincial and District Development Coordinating Committee (PDCC and DDCC) Gender Sub-Committees

Part of the institutional framework that Government had put in place to implement gender mainstreaming activities were the PDCC and DDCC gender sub committees in provincial and district centers respectively. The subcommittees were responsible for overseeing the implementation of gender and development activities within their respective provinces/districts. GIDD on the other hand was responsible for ensuring that implementation of guidelines and checklists were in place and utilised; terms of reference for PDCC/DDCC Sub Committees were in place; Gender training programme were developed; PDCC/DDCC Gender Sub Committee members were oriented; Gender gaps and inadequacies were identified; Impact of gender programmes were monitored and assessed, Institutionalised systems of collecting gender disaggregated data were developed and implemented and all funded programmes and activities were executed.

In order to assess the effectiveness of the committees, three (3) provincial and three(3) districts in each province were inspected namely: Eastern, Copperbelt and Luapula provinces and Chipata, Katete, Mambwa, Samfya, Mansa, Kawambwa, Ndola, Kitwe and Masaiti districts. The audit revealed the following:

(i) Irregularities in the Performance of Established Gender Committees

According to the Strategic Plan of Action for mainstreaming of gender, GIDD, PSMD, PDCCs, DDCCs and MDD were responsible for creating Gender Subcommittees in provinces and districts. These Gender Subcommittees were supposed to meet at least on a quarterly basis. However, the following were revealed:

- **Kawambwa DDCC**

Although the Gender Sub-Committee was established in 2004, the members only met twice in the year 2009 to conduct activities on women's day celebrations and commemoration of 16 days of gender activism. It was contrary to the terms of reference which required them to meet at least quarterly.

- **Kitwe DDCC**

The Gender Sub-Committee was established in August, 2009. The committee only met twice from the time it was set up and did not maintain a record of its meetings.

- **Mambwa DDCC**

The Gender Sub-Committee was only established in March 2010 and had not carried out any gender mainstreaming activities.

- **Mansa DDCC**

The Gender Sub-Committee was established in April, 2009. Despite the Sub-Committee having stated that they met three times in the year, there were no minutes of meetings to confirm that the committees met as per terms of reference which required them to meet at least once quarterly.

- Ndola DDCC

The Gender Sub-Committee was established on 20th October 2006 and was inactive.

- Masaiti DDCC

The Gender Sub-Committee was established in December, 2007 and only met once per year to discuss matters related to international women's day preparations and commemorations but no gender mainstreaming activities were carried out by the Committee.

- Samfya DDCC

The Gender Sub-Committee was established in December, 2004. However, there was no evidence to show that the Committee met regularly as only minutes of the meetings held in September, 2009 were availed for audit purposes.

- Chipata PDCC

The Sub-Committee was established in 2007. The Committee was active and managed to lobby for material support from well-wishers to facilitate the commemoration of women's days and conduct activities in respect of the 16 days of gender activism.

However, the Sub-Committee had not carried out any review of policies, programmes and projects and did not maintain a record of gender disaggregated data, contrary to their terms of reference.

- Katete DDCC

The Sub-Committee was established in 2003 and was inactive until 2008. Although the Committee was purportedly active from 2008 onwards, no minutes of their meetings were provided for audit.

(ii) **Failure by PDCC and DDCC Gender Sub-committees to Utilise the Implementation Guidelines and Checklists for Mainstreaming Gender in the Public Service**

Although GIDD had prepared the implementation guidelines and checklists for mainstreaming gender in the public sector, 68% of members of the PDCC and DDCC gender sub-committees were not trained in the use of the implementation guidelines and checklists and 74% of the members had not used them, including some that had been trained.

It was also revealed that the implementation guidelines and checklists were not reviewed by GIDD for suitability to assess how effective they were in mainstreaming gender activities.

(iii) **Lack of Training in Gender Analytical Skills**

In order to carry out gender analysis of various policies, programmes and projects, GIDD had to provide training in gender analytical skills.

A scrutiny of work plans and budgets revealed that in 2008 funds in amounts totaling K72, 437,354 were made available for conducting training in gender analysis for gender sub committees in the provinces and districts.

However, it was revealed that 56% of the members of PDCC and DDCC Gender Sub-Committees had not been trained.

(iv) **Appointment of Members for Gender Mainstreaming Activities**

A review of the composition of the existing members of the Gender Sub-Committees revealed that some members of the Sub-Committee were

drawn from the lower positions (which were not decision making positions) of the various sectors at the provincial and district departments", contrary to Cabinet Circular No. 9 of 1996.

Consequently, they were not able to exert influence to ensure gender was mainstreamed in policies, programmes and activities of the sectors they represented.

(v) **Lack Of Monitoring and Evaluation of the Province and District Gender Subcommittees by GIDD**

71% of the members of the sub committees indicated that GIDD had not conducted any monitoring and evaluation exercise of the gender subcommittees.

(vi) **Awareness on the Existence of the Terms of Reference and orientation**

Out of a total of eighty four (84) responses to questionnaires submitted by members of PDCC and DDCC gender subcommittees, only forty (40) members, representing 48 %, indicated that they were aware of the existence of the terms of reference and that they had seen or read a copy, thirty four (34), representing 41%, were aware of their existence but they had not seen a copy and eleven (11), representing 13 % of members, were not aware of the existence of the terms of reference.

It was also established that 49 % of the members indicated that they were not oriented on their role as gender subcommittee members. As a result, they faced difficulties in carrying out their activities as they did not know what was expected of them. It was further established that, there were no referral materials on gender mainstreaming.

(vii) **Budgeting and Funding of Work Plans for Mainstreaming Activities**

An examination of work plans and budgets of the Gender Sub-Committees revealed that Ndola and Mambwe District Gender Sub-Committees were the only committees that did not prepare work plans and budgets for gender activities.

However, for the districts that prepared the work plans, the Sub-Committees did not implement the planned gender main streaming activities because they lacked funding.

(viii) **Coordination Between The Provincial Or District Gender Subcommittees And Line Ministries And/or GIDD**

Although the terms of reference indicated that PDCC and DDCC Gender Sub-Committees should act as a link between PDCC and DDCC respectively, line ministries and other institutions in the provinces and districts, it was revealed that there was a lack of coordination between the Gender Sub-Committees, Government departments and other institutions, resulting in Sub-Committees having no access to programmes being implemented by line ministries and other institutions.

(ix) **Lack of Gender Disaggregated Data**

Although the terms of reference for Gender Sub-Committees included collection of gender disaggregated data, it was revealed that there was no information collected by the Sub-Committees of the various sectors in the provinces and district centres visited. As a result, it was difficult to assess the gender mainstreaming activities conducted by the provinces or districts. In addition, the Sub-Committee revealed that they lacked clear guidelines

and format for collecting and recording gender disaggregated data.

Government's Response

Irregularities in the performance of Established Gender Committees

The Office of the District Commissioner was the Focal Point for Gender issues in the district. Consequently, the DDCC Chairpersons needed to supervise the activities of the DDCC including the Gender Sub-Committees.

Committee's Observations and Recommendations

Your Committee observes that not all District Commissioners had capacity to effectively oversee gender issues. Therefore, it is recommended that the Ministry of Gender should extend its training to District Commissioners as well.

Failure by PDCC and DDCC Gender Sub-Committees to utilize guidelines and Checklist for mainstreaming Gender in the Public Service

The Ministry of Gender acknowledged this as an issue of Capacity. However, at the launch of the strategy for engendering the public service by the Secretary to Cabinet in May 2011, which included all the Permanent Secretaries, Directors of Planning and Assistants in Ministries and Provinces, capacity building was given to ensure continuity and utilisation of the guidelines. Therefore, it was expected that training would have been conducted at the lower levels in line ministries and provinces.

Committee's Observations and Recommendations

Your Committee recommends that the Ministry of Gender should carry out an assessment of training of PDCC and DDCC, with a view to bridging the gap in cases where they would have been no training

Lack of Training in Gender Analytical Tools

The Ministry of Gender took note of the concern. However, the Ministry was able to train selected GFPs within the country and abroad in gender budgeting, gender auditing and monitoring and evaluation with the expectation that utilisation of the training given to GFPs was applied in their daily work in MPSAs. Therefore, non-utilisation of the skills in gender analysis was mainly due to work plans that were developed in the MPSAs, which lacked the application of such skills in the workplace.

Committee's Observations and Recommendations

Your Committee notes the submission and recommends that all MPSAs should ensure that GFPs working in their rank and file are incorporated in the formulation of their work plans to ensure that they can use their gender analytical skills in mainstreaming gender based activities in their respective ministries.

Appointment of Members for Gender Mainstreaming Activities

The failure to comply with Circular No. 9 of 1996 and such other instructions was addressed in the meeting with Permanent Secretaries, Directors of Planning in MPSAs during the launch of the strategy for engendering the public service in 2011. The Strategy for Engendering the Public Service, was an instrument that sought to accelerate gender

mainstreaming within the Public Service within the context of the PRSP in order to promote gender responsiveness in management and service delivery as part of the Public Service Reform Programme.

Lack of Monitoring and Evaluation of the Province and District Gender Sub-Committees by GIDD

The Ministry had been unable to undertake Monitoring and Evaluation Missions, due to limited funds available to the Ministry. However, Adhoc missions especially with Gender sub-Committee had been undertaken with respect to the Women Economic Empowerment Fund.

Awareness on the existence of Terms of Reference and Orientation

The Ministry on a regular basis sent materials/literature to all districts and conducted orientation meetings especially in the provinces.

Budgeting and Funding of Work plans for Mainstreaming Activities

Sufficient guidelines on this matter had been provided on the need for MPSAs to budget for all gender mainstreaming activities at province and district levels. To this effect, a Cabinet Office circular letter had, in the past, been issued to all Permanent Secretaries to ensure that Provinces' budgets for gender mainstreaming activities, other than for International Women's Day and Sixteen Days of Activism were available to the MPSAs.

Coordination between the Provincial or District Gender Sub-Committee and Line Ministries and/or GIDD

The Ministry of Gender and Child Development had already instructed the Provincial Child Development Coordinators to assist in coordination of gender programmes as an administrative measure. It was expected that once the new structure for the Ministry was implemented, the role of coordination would be fully undertaken by Ministry staff

Lack of Gender Disaggregated Data

The Ministry of Gender took note of the lack of a systematic framework for data collection, processing, monitoring and evaluation. However, this matter had since been addressed through stakeholder consensus on the matters raised in gender audits and other programmes regarding gender disaggregated data. In this regard, the National Gender Monitoring and Evaluation Plan 2011-2015 was developed to address the concern raised not only at provincial and district levels but also at national level.

Committee's Observations and Recommendations

Your Committee notes the submission and urges the Government to priorities matters of gender mainstreaming in the budgets of the various MPSAs at National, Provincial and District levels. Your Committee further recommends that there should be the actual development of the framework for collection of gender disaggregated data. Your Committee also recommends that there should be monitoring of activities by the Ministry of Gender to ensure implementation of gender mainstreaming activities at the grassroots.

CONCLUSION

11 In conclusion, your Committee wishes to express its gratitude to you, Mr Speaker, and to the Clerk of the National Assembly for the support rendered to it during the year. Your Committee is also indebted to all the witnesses who appeared before it for their co-operation in providing the necessary memoranda briefs.

Your Committee is very hopeful that the observations and recommendations contained in this Report will go a long way in improving the Implementation of Gender Mainstreaming Activities in Zambia.

J J Mwiimbu, MP
CHAIRPERSON

June, 2012
LUSAKA