

THE MAPUTO PROTOCOL ON ECONOMIC RIGHTS

What does the Maputo Protocol say about economic rights?



Article 13 is the main article on women's economic rights and, as seen below, it covers employment, social security, unpaid care work, tax, parental leave and more! Other articles of the Maputo Protocol also address related rights; for example, defining 'violence against women' as including economic harm and mandating governments to protect women from such forms of violence via legislative, administrative, social and economic measures.

Article 19(c) calls on states to promote women's access to and control over productive resources such as land and to guarantee their property rights. The Protocol also upholds specific economic rights relating to inheritance and special economic protections for widows, elderly women, women with disabilities and women in distress.

ARTICLE 13 - ECONOMIC AND SOCIAL WELFARE RIGHTS

States Parties shall adopt and enforce legislative and other measures to guarantee women equal opportunities in work and career advancement and other economic opportunities. In this respect, they shall:



- a) Promote equality of access to employment;
- b) Promote the right to equal remuneration for jobs of equal value for women and men;
- c) Ensure transparency in recruitment, promotion and dismissal of women and combat and punish sexual harassment in the workplace;
- d) Guarantee women the freedom to choose their occupation, and protect them from exploitation by their employers violating and exploiting their fundamental rights as recognised and guaranteed by conventions, laws and regulations in force;;
- e) Create conditions to promote and support the occupations and economic activities of women, in particular, within the informal sector;
- f) Establish a system of protection and social insurance for women working in the informal sector and sensitise them to adhere to it;
- g) Introduce a minimum age for work and prohibit the employment of children below that age, and prohibit, combat and punish all forms of exploitation of children, especially the girl-child;
- h) Take the necessary measures to recognise the economic value of the work of women in the home;
- i) Guarantee adequate and paid pre- and post-natal maternity leave in both the private and public sectors;
- j) Ensure the equal application of taxation laws to women and men;
- k) Recognise and enforce the right of salaried women to the same allowances and entitlements as those granted to salaried men for their spouses and children;

“ The Protocol also upholds specific economic rights relating to inheritance and special economic protections for widows, elderly women, women with disabilities and women in distress. ”



HOW HAVE GOVERNMENTS IMPLEMENTED THIS SO FAR?



Over half of African states maintain constitutional provisions guaranteeing equal remuneration for work of equal value or the right to fair or just pay. Three countries (**Ethiopia, Ghana and Zimbabwe**) enshrine rights related to maternity leave in their respective constitutions. Two countries (**Egypt and Lesotho**) have notable constitutional provisions on social welfare rights, such as pensions. Several constitutions enshrine the right to ownership of property and/or land.



More than half of African states have laws mandating equal remuneration for work of equal value. Several countries, such as **Comoros, Djibouti and Senegal**, prohibit discrimination in employment based on gender and sexual harassment in the workplace and provide for paid maternity leave (of varying durations). More than half of African states provide paid maternity leave that is 98 days or longer. Other laws address women's right to equal opportunity and freedom to choose employment (**DR Congo**), pensions (**Malawi**) and access to financial resources (**Mozambique**), property and land (**Mali**).



While policy reforms related to economic and social welfare rights are often integrated into national gender or development strategies, several reforms take a targeted approach. These include enhancing women's access to employment and training (**Cabo Verde, Gabon, Morocco and Mozambique**) and increasing access to land (**Madagascar, Tanzania and Uganda**). Other reforms focus on the situation of women in the informal sector (**Ghana**) or aim to enhance social protection (**Burundi**).



Across the continent, African governments have introduced institutional reforms to increase women's access to financial resources, such as microcredit (**Chad**) or establishing women-led banks (**Guinea**). Other reforms have sought to enhance support and financing mechanisms for women in specific sectors, such as agriculture (**Nigeria and Togo**) or the informal sector (**Cabo Verde**).

WHAT MORE COULD GOVERNMENTS BE DOING?



- ✔ Whilst most countries already do, all governments should
 - i) legally **prohibit gender-based discrimination** in employment,
 - ii) mandate equal remuneration for work of equal value, and
 - iii) prohibit and criminalise sexual harassment in employment.
- ✔ Prioritise **economic empowerment** for women through targeted seed funds and accessible opportunities in all sectors.
- ✔ Actively engage **women and girls** in socio-economic activities, promoting their **economic and social welfare**.
- ✔ Ensure **universal pensions** for older individuals, regardless of their employment history, to support financial security.
- ✔ Implement measures to address the **cost of living** and strengthen **training frameworks** for young women and girls.
- ✔ Introduce **incentives** to encourage women's participation in **scientific sectors** and support **women-led businesses** through coaching and advocacy.
- ✔ Promote **transparent management** and equitable income distribution, ensuring women can fully access the **benefits of work**, especially in the extractives sector.

WHAT WOULD A FUTURE WHERE ARTICLE 13 OF THE MAPUTO PROTOCOL IS IMPLEMENTED LOOK LIKE?

Women across Africa enjoy equal access to economic opportunities and are empowered to lead in all sectors. Employment practices are transformed, ensuring transparency in recruitment, promotion, and dismissal, with equal remuneration for work of equal value firmly established. No woman is left behind in her career advancement, and the informal sector is bolstered with supportive measures, including social insurance systems, to protect women's economic rights.

The economic value of women's unpaid care work is recognised and valued, with adequate paid maternity leave becoming the norm, ensuring women are supported in balancing family and professional life. **Social security systems extend protections to all women, particularly widows, elderly women, women with disabilities, and those in distress, safeguarding their financial security.** Women's access to and control over land, housing and property is guaranteed, securing their rights to inheritance and ownership, while economic violence is systematically addressed through strong legal and social measures. This future is one where women's economic contributions are celebrated and upheld, creating a more just and equitable society for all.



“ No woman is left behind in her career advancement, and the informal sector is bolstered with supportive measures, including social insurance systems, to protect women's economic rights. ”



Where can I find more resources about this and how can I get involved?

Scan this QR Code to find out!



SOLIDARITY FOR
AFRICAN WOMEN'S RIGHTS
A force for freedom



MOUVEMENT DE SOLIDARITÉ
POUR LES DROITS
DES FEMMES AFRICAINES
Une force pour la liberté