

**African women's right to water: negotiating access and participation
in the context of competing and conflicting international, national and local norms
and institutions in Malawi, Kenya, Zimbabwe and South Africa**

International conference presenting research results from the project "Gender, human rights and water governance in Southern and Easter Africa: actors, norms and institution" funded by the Norwegian Research Council.

Research cooperation between: Institute of Women's Law at the University of Oslo (project leader professor Anne Hellum), University of Nairobi/Strathmore University (national team leader professor Patricia Kimeri-Mbote), Chancellor College (national team leader dr. Ngeyi Kanyangolo), SEARCWL University of Zimbabwe (national team leader dr. Ellen Sithole), IWMI (team leader Dr. Barbara van Koppen)

Time: 25th -26th September 2013

Venue: Gauteng South Africa

For registration contact: IWMI Southern Africa c/o Karen Gunter k.gunter@cgiar.org

Preliminary Program

25 September

08.00 - 08.30 Registration and coffee

08.30 - 08.40 Welcome by dr. Barbara van Koppen, IWMI, and project leader professor dr. juris Anne Hellum Institute of Women's Law, University of Oslo; Introductions

8.40 – 9.00 Welcome by Pregs Govender Vice chair South Africa human rights commission

International and regional developments

09.00 - 10.45 Chair Professor Ngeyi Kanyangolo

Professor Anne Hellum: The conceptual framework for the research project Gender, Human Rights and Water Governance (15 minutes)

Dr. Inga Winkler: Legal Advisor to the Special Rapporteur on the Human Right to Water and Sanitation: Recent developments and challenges on the human right to water and sanitation from a rural and urban gender perspective with focus on the work of Special Rapporteur on the Human Right to Water (30 minutes)

Naela Gabr Chair of the CEDAW Working Group on Special Recommendation on Article 14 (rural women): The CEDAW Committee's work on Article 14, issues concerning sanitation, drinking water, domestic water and water for food (20 minutes)

Charles Beutrel Nguena. Legal Officer to the Special Rapporteur on the Rights of Women in Africa Women's right to water and sanitation: the work of the African Commission on Human and Peoples' Rights (20 minutes)

Questions/discussion

10.45- 11.00 Coffee

From the International and Regional to the National: Gender implications of changing and co-existing water laws and governance structures

11. 00 – 13.30 Chair professor Patricia Kameri-Mbote

Kenya: Gender implications of changing and co-existing water laws and governance structures in Kenya. Professor Patricia Kameri-Mbote and professor Migai Akech

Malawi: National legal framework, water, gender and human rights Dr. Ngeyi Kanyangolo

Zimbabwe: Zimbabwe's water laws and policies in a changing legal, political and economic landscape :implications: for women's rights. Dr. Ellen Sithole and professor Anne Hellum

South Africa: Gender implications of changing and co-existing water laws and governance structures in South Africa. Research Fellow Ngcimezile Mbano and Dr. Barbara van Koppen.

13.00 – 13.30 Comments from discussants and general discussion about challenges for human rights treaty bodies

Discussants: Professor Fareda Banda and Theodora Oby Nwankwo CEDAW Committee member

13.30 – 14.30 Lunch

The human right to water and River Basin Management/IWRM/donors' water reforms: Taking women as starting point in the analysis of overlapping and conflicting land and water governance regimes

14.30–18.00 Chair Dr. Ellen Sithole

Video Message to conference participants Olivier de Schutter Special Rapporteur on the Human Right to Food

South Africa: Gender and human rights implications of statutory licensing: are priority General Authorizations a solution? Barbara van Koppen and Barbara Schreiner

Zimbabwe: Changing land and water uses in Domboshawa communal land: Gender dimensions of the interface between domestic and productive water uses under international, national and local law. Professor Anne Hellum and Research Fellow Elizabeth Rutsate

Kenya: Gender as the missing link in land and water governance regimes in Kenya: Lake Naivasha Basin in the Naivasha Catchment: Professor Patricia Kameri-Mbote and professor Migai Akech/Francis Kariuki

Malawi: Institutions and donors on water and gender. Michael Chasukwa

17.00 – 18.00 Comments from discussants and general discussion

Discussants: Dr. Inga Winkler, Naela Gabr Chair of the CEDAW Working Group, and Pregs Govender, South Africa Human Rights Commission

19.00 Dinner

Presentation during Coffee:

Senior Advisor Bodil Maal, NORAD: AUNEPAD program: Gender and Climate Change in Africa

26 September

From the national to the local: Women's access and participation in rural customary water governance regimes in Kenya, Zimbabwe, Malawi and South Africa

09.00 – 12.30 Chair dr. A. Chiweza

South Africa: The Flag Boshielo Irrigation Scheme from a gender and human rights perspective, Dr. Barbara van Koppen, Dr. Barbara Tapela, and Dr. Pinimidzai Sithole

Zimbabwe: Neither customary nor statutory: The intersection of land and water reform from the perspective of different groups of female small scale farmers on A1 farms in Mazove Catchment. Research fellow Elizabeth Rutsate

Kenya: Gender dimensions of customary water resource governance: Marakwet case study report, Dr. Elizabeth Gachenga

11.00 – 12.30 Comments from discussants and general discussion.

Discussants: CEDAW Committee member Theodora Oby Nwankwo and dr. Celestine Musembi

From the National to the Local: Women's access and participation in urban water and sanitation Kenya, Malawi and Zimbabwe

13.30 – 16.45 Chair professor Patricia Kameri-Mbote

Malawi: Case studies on Water User Associations in Malawi (rural and semi-urban) Reconciling Competing Imperatives in Local Water Governance. Dr. A. Chiweza

Zimbabwe: Emerging norms and practices in Harare's high density areas: implications of the water crisis for different groups of women. Dr. Ellen Sithole and professor Anne Hellum

Kenya: Watered Down: Gender and the Human Right to Water and Reasonable Sanitation in Mathare, Nairobi. Dr. Celestine Musembi

15.00 – 16.10 Comments from discussants and general discussion

Dr. Inga Winkler, CEDAW Committee member Theodora Oby Nwankwo

16.15 – 16.30 Coffee break

16.30 -18. 00 Chair professor Anne Hellum Panel discussion on challenges for human right treaty bodies

What is the distinctive nature of rural and urban African women's experiences of poverty and disadvantage related to water for basic domestic and productive needs? Is it sufficient to add women to existing rights through inclusion in constitutions legislation and existing water governance structures? How should water and sanitation as a social and economic right be recast to responde to the lived realities of different groups of women on the ground and the multiplicity of norms and institutions that guide their access, use and control of water. ?

Discussants: Professor Fareda Banda, Dr. Barbara van Koppen, professor Patricia Kamerimbote, and Khulekani Moyo

Recommendations from the conference to the human rights treaty bodies

19.00 Dinner