

Gender

Women's groups mark passage of Affirmative Action Law

By Rebecca Quaoe Duho

SOME women's right groups in the country have expressed their joy at the passage of the Affirmative Action (Gender Equity) Act by parliament and its subsequent assent into law by the President, Nana Addo Dankwa Akufo-Addo.

This they said "has been a long and arduous journey of activism and policy advocacy from diverse groups and individuals for the recognition of women's rights and gender equality in public life in the country".

On Tuesday, July 30, the Parliament of Ghana passed the Affirmative Action (Gender Equity) Act 2024. This was followed by it being assented into law on September 19, 2024, by the President.

The AA Act at a glance

At a media engagement last Thursday organised by ABANTU for Development and the AA Coalition, to mark the passage of the Bill into law, the Convener of the coalition, Sheila Minkah-Premo, who spoke on "The Impact of Affirmative Action (Gender Equity) Act 2024 on Addressing Social Inequalities in Ghana," said the purpose of the Act was to effectively redress social, cultural, economic and gender imbalance in the country, based on enduring gender bias rooted in entrenched patriarchal norms, despite formal legal equality between men and women, adding that it would address the existing gender disparities in various aspects of the society, including education, politics and the economy.

Giving a breakdown of the Act, she said the Act has 31 sections and seven schedules and gave some key provisions to include Progressive Targets for both

public and private sectors where the Act sought to provide for gender equity through the progressive achievement of gender balance in the public and private sectors according to set targets in the first schedule.

"From 2024 to 2026 we are looking at a minimum per cent of 30 per cent of women represented across all sectors. From 2027 to 2028, that percentage is to increase to 35 per cent and from 2029 to 2030 in tandem with the Sustainable Development Goal Five, the aim is to reach 50 per cent representation across all sectors. Thus, despite the renaming as an Affirmative Action (Gender Equity) Act, the end goal remains to achieve Gender Equality of 50-50 by 2030".

The Act is also looking at the 'Establishment of a multi-sectoral Gender Equity Committee to oversee the Act's implementation at the Ministry of Gender, Children and Social Protection (MoGCSP) in section four of the Act.

Gender Equity Compliance Certificates

According to Mrs Minkah-Premo, "This Committee will be the implementing body designated to oversee the implementation of the Act and it will be set up by the MoGCSP.

In section 13 of the Act, it also calls for the issuance of Gender Equity Compliance Certificates where all institutions — private and public — will be required to submit annual gender equity reports to the committee and in turn receive a Gender Equity Compliance Certificate.

In section 14, the government is required to ensure the appropriate representation of women in governance and decision-making positions, particularly the public services and



Ghana recorded 5,026 cases of breast cancer in 2022 with associated 2,369 deaths this represents an increase of 4,482, in the number of cases recorded in 2020



• Sheila Minkah-Premo, Convener, AA Coalition, addressing the media

ministerial positions in line with the first schedule.

In the section two, political parties are to voluntarily comply with the targets in their leadership and in the nomination of women for elections and the Act mandates that their manifestos should reflect this.

Section 21 calls for a mandatory gender equity policy by private employers for the maintenance of a quota system and report on this periodically by submitting the report to the Gender Equity Committee for review.

In section 24, the law makes way for the provision of incentives to the private sector such as Tax Exemptions under the Tax Exemptions Act or preference for government contracts under the Public Procurement Act to incentivise private organisations to comply with the AA Act.

Grievance procedure is also dealt with in section 25 where complaints can be made to the Gender Equity Committee, the Commission on Human Rights and Administrative Justice (CHRAJ), the National Labour Commission (if labour-related) or the High Court.

Also with regard to offences, section 28 says a person who victimises, obstructs or exerts undue influence to a female in public service or public life or subjects a female employee to gender

specific verbal attack, hate speech, stereotyping commits an offence. Also, a designated employer who fails to comply with the Act also commits an offence and is liable on summary conviction to a fine or to a term of imprisonment specified in the Act.

Next steps after assent

Giving the next steps after the presidential assent, Mrs Minkah-Premo

said the Ministry of Gender, Children and Social Protection was expected to set up a multi-sectoral Gender Equity Committee to start its work.

This will involve the commissioning of a Baseline Study Report to ascertain the current representation across all sectors and a Plan of Action to monitor and evaluate the progress.

Also, the ministry will also have to work on a Legislative Instrument to supplement the AA Act. This L.I., Mrs Minkah-Premo, said would provide detailed guidelines on how the provisions of the Act would be executed, adding that "we must ensure that these LIs are comprehensive, inclusive and reflective of the needs of the marginalised gender which is us women."

She also called for widespread sensitisation and advocacy to educate the populace on the impact of the Act as well as their obligations under the AA Act.

Coordinator, AA Bill Coalition, Rebecca Enyonam Ahadzi, in a welcome address, said: "The passage of this landmark legislation is a testament to the dedication and perseverance of various women's rights organisations, including the Affirmative Action Coalition (AABC), the Network of Women's Rights in Ghana (NETRIGHT), the Women Manifesto Coalition (WMC), and the Domestic Violence Coalition (DVC).

She said the coming into force of the Act marked a significant step towards advancing the integration of women who hitherto were marginalised in national development.

Moving forward, she said, "We must ensure that the Affirmative Action (Gender Equity) Law 2024 is implemented effectively to accelerate the pace towards a truly equal and inclusive society. By prioritising women's rights and gender equality through the passage of this Act, we aim to create a more accountable and participatory system that benefits all citizens".

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• Members of the AA Coalition after the media engagement