



CONAKRY FORUM ON PROMOTION OF FAMILY PLANNING THROUGH ADVOCACY AND LEGISLATIVE REFORM

A Milestone in the FP/RH Policy Environment in Francophone Africa

June 2003

Twenty parliamentarians from Benin, Burkina Faso, Chad, Guinea, Mali, and Senegal and 15 of their close allies in the public and nongovernmental sector convened in Conakry, Guinea, June 2–6, 2003, and adopted legislative agendas and strategies to improve family planning and reproductive health (FP/RH) programs in their respective countries.

The parliamentarians and their allies, all with demonstrated commitment to FP/RH issues back home, came together in the sub-regional “Forum on Promotion of Family Planning through Advocacy and Legislative Reform” held at the People’s Hall in Conakry. The forum was organized by the POLICY Project in collaboration with the FAAPPD (Forum of African-Arab Parliamentarians on Population and Development), and hosted by the National Assembly of the Republic of Guinea. Africajuris of Dakar, Senegal, provided the methodological aspect of legal reform. The Minister of Communication, M. Mamadi Condé, opened the forum on behalf of the First Lady, Mme. Henriette Conté. The Minister of Health, Pr Mamadou Saliou Diallo, a pioneer of family planning in Guinea who followed his speech with impromptu remarks on the challenges that lie ahead, closed the forum. A press conference followed the formal closing to describe the proceedings of the forum and content of the agendas and strategies.

In addition to forging important partnerships and producing legislative agendas, the forum allowed lawmakers and key partners in the region to critically analyze recently enacted reproductive health laws in four of the countries. Forum participants concluded that, in those four countries, the laws represent a double victory—one for FP/RH and one for the democratic process:

- a. The laws put legal authority behind the language of the International Conference on Population and Development’s (ICPD) “Program of Action” and other FP/RH-related international conventions and commitments, repealing any conflicting laws; and
- b. They were introduced as an initiative of the legislative rather than the executive branch, a rare event in francophone Africa where the executive initiates most legislative bills or co-opts legislative initiatives by replacing them with similar bills.

Evolution of FP/RH Legislation in Francophone Africa 1997–2003

Legislative reform efforts in the francophone region began in earnest with a March 1997 symposium held in Cotonou, Benin, to discuss legal barriers to FP/RH. The symposium was organized by the

International Planned Parenthood Federation (IPPF) with technical and financial support from POLICY, the United States Agency for International Development (USAID), the United Nations Population Fund (UNFPA), and other international and regional organizations. Participants included high-level officials from 15 francophone countries. Much of the focus was on the 1920 French law¹, which was applied to the colonies in the 1930s and imposed a total ban on contraception and abortion. While repealed or modified in all but a half dozen countries by the mid 1990s, its harmful legacy has persisted in the form of negative attitudes and passivity toward reproductive health issues. The 1997 symposium concluded with the “Cotonou Declaration”—a pledge to reduce legal and policy barriers affecting FP/RH programs and to eliminate practices that are harmful to women’s health.

Following two years of advocacy activities among ministry, parliamentarian, and civil society allies, the FAAPPD organized a June 1999 workshop in Abidjan, Côte d’Ivoire, with support from POLICY, UNFPA, and other organizations. Workshop participants with the assistance of a legal expert from Senegal (now with Africajuris) produced a model law² on RH reflecting the 1994 ICPD. POLICY, FAAPPD, the francophone office of Center for African Family Studies (CEFA), and other partners subsequently launched efforts to promote its adaptation and adoption at the country level. Following adoption of the law by the Guinea National Assembly in July 2000³, sub-regional workshops with parliamentarians were organized by POLICY, FAAPPD, and other partners in Bamako, Mali (November 2000) and Lomé, Togo (May 2001) to share lessons learned from the experiences of Guinean colleagues. Three additional countries—Chad, Mali and Benin⁴—have since enacted legislation based on the model law.

The Conakry Forum: A Milestone in the FP/RH Policy Environment

The Conakry sub-regional forum represents a milestone in francophone Africa in *two* major respects. First, partnerships has been greatly strengthened among legislators, executive branch officials, and civil society in those six countries, thereby enhancing the chances for translating laws into expanded access to quality FP/RH services. Second, the forum produced sound legislative agendas and strategies to which key stakeholders are committed.

The forum brought together parliamentarians who are members of FP/RH and population networks in their national assemblies in four countries (Guinea, Chad, Mali, and Benin) that have already enacted new reproductive health laws as well as two countries (Senegal and Burkina Faso) with legislative environments that are supportive of FP/RH. Parliamentarians were asked to invite their closest allies in the executive branch and civil society to join them in producing realistic legislative agendas and strategies for implementing them. The forum agenda was designed to provide these integrated country delegations with information, methodologies, and tools for systematically bringing national laws and policies into harmony with international conventions and commitments. POLICY conducted preparatory visits with

¹ The Law of 31 July 1920 suppressing the encouragement of abortion and the promotion of birth control, French West Africa Gazette (Journal Officiel de l’Afrique occidentale française), 1933, p. 624.

² Report of Regional Seminar for Parliamentarians in West Africa, “Séminaire régional sur l’harmonisation des législations en Afrique de l’Ouest en matière de planification familiale-santé sexuelle et santé de la reproduction”, Abidjan, Cote d’Ivoire, June 7-9, 1999, page 29, “Loi Type Sur la Santé Sexuelle et de la Reproduction”, Adoptée à Abidjan le 9 juin 1999 (“Model Law on Reproductive and Sexual Health”, adopted in Abidjan June 9, 1999).

³ République de Guinée, la Loi/L/2000/010/AN portant Santé de la Reproduction, promulguée par le Président de la République le 10 Juillet 2000.

⁴ République du Tchad, Proposition de loi portant promotion de la santé de reproduction, adoptée par l’Assemblée nationale (AN) le 15 mars 2002; République du Mali, Loi No 02-044 du 24 juin 2002 Relativee à la Santé de la Reproduction; République du Bénin, Loi No 2003-04, relative à la santé sexuelle et de la reproduction, adopté par l’Assemblée Nationale 24 janvier 2003.

forum invitees and other key policymakers in all six countries to pave the way for greater high-level commitment to the outcome of the forum. The visits also served to promote cohesion among invitees that was sustained during the forum when they worked as country teams to reach consensus on needed legislation and strategies for translating them into action.

During plenary sessions, participants shared information and experiences and were presented with an array of information on FP/RH and methodologies for legal reform, advocacy, use of the media, networking, and mobilization of resources. In working sessions, participants identified and addressed their particular needs for adapting, adopting, improving, expanding, and implementing laws. They then developed strategies that included advocacy, data analysis, awareness raising, and mobilization of resources to strengthen their alliances.

The Conakry forum—by helping to forge public-private partnerships and facilitate agreement on legislative agendas and strategies—produced among the participants an ambitious vision for vastly improved FP/RH programs in francophone Africa in which parliamentarians play a critical role. As leaders in their respective countries, the participants will favorably shape the policy environment in the region, adding strength to the political and popular support that has been emerging over the past decade.

Next Steps

Participants came away with legislative agendas that seek to enact reproductive health legislation where not yet in place, implement laws already adopted through regulations and operational policies, and improve the legislative framework by addressing additional areas of law that impact FP/RH access and quality. Participants also came away with a greater understanding of how the functions of the legislative branch allow it to engage more actively in translating laws into concrete actions. Thus the strategies accompanying the legislative agendas reflect parliament's representational role vis-à-vis constituents and its power to hold the executive branch accountable for effectively implementing the spirit and letter of the laws. Many challenges face parliamentarians, including lack of continuity resulting from turnover after elections and the paucity of resources for the legislative branch. In concert with their public and nongovernmental allies, parliamentarians developed strategies that make an effort to address these issues.

Country delegations will initiate the strategies produced at the forum and, with support from FAAPPD and POLICY, will begin to identify and mobilize the resources needed to successfully carry them forward. POLICY will also disseminate forum proceedings and technical resource materials, and support limited in-country technical missions and sub-regional meetings to maintain the momentum from the forum and keep participants informed. Finally, over the next year, POLICY will closely monitor progress in partnership with FAAPPD, USAID Missions, WARP projects, regional partners (e.g., CEFA, WAHO and CERPOD), and international organizations (e.g., UNFPA).