



MODULE 9

**Structural Programming — Building
supportive legal, policy and institutional
environments**

Preamble

Important global commitments have been made to promote human rights, regardless of gender, age or other characteristics as framed by the UN Declaration of Human Rights (December 1948). The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) — passed by the UN General Assembly in 1978 and ratified in 1981 — has been signed by at least 189 states. Yet in numerous member states that have ratified CEDAW or adopted the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the 'Maputo Protocol') and other commitments, multiple legal and policy barriers still exist regarding the rights of females of any age to make their own decisions in the diverse spheres of their lives.

Direct girl-serving interventions may improve the competencies of individual young women and girls. However, these will have limited effectiveness unless a deliberate attempt is made to address the mediating factors (laws, policies and institutions) that open or close down opportunity pathways for girls, ultimately affecting their health, HIV and well-being outcomes. Effective programming needs to go beyond the focus on the individual girl towards a focus on transforming the power dynamics and opportunities that perpetuate inequalities and, particularly, on transforming gender equality, as well as on focusing on entrenched poverty and class systems.

During the transition from childhood to womanhood, girls may experience increasingly more rigid (even restrictive) expectations, norms, practices and opportunities. The key challenge is understanding how legal codes and policies can be leveraged or designed to constitute a positive opportunity structure for adolescent girls, young women and their families, and understanding how institutions and systems can be reformed to help young women and adolescent girls effectively navigate their futures.

This module describes the role of the legal, policy and regulatory spheres in shaping opportunities for women and girls, and demonstrates the potential roles of implementers to advocate for, influence and support implementation.

Key Takeaways

- Beyond her specific daily circumstances, a girl's ability to translate skills into action are dependent on her own development (cognitive, emotional, social, physical, spiritual and behavioural) and her physical and social environment.
- A powerful combination of explicit and implicit institutional norms, systems attributes, and the legal and policy landscape work together to create or forestall pathways to opportunities for girls at every point in their transition to adulthood. Opportunity structures function as mediating factors in enabling a girl to transform new skills into empowered action.
- A gender-transformative approach to girls' vulnerability transcends a focus on individual or even group action, and embraces the need to transform power relations, systems and structures across the legal, political and economic contexts.
- Changes to the legal, policy and institutional framework are often cited as arduous and lengthy. Yet the legal and policy pathway offers the most potential to institutionalize improvements in the lives of young women and adolescent girls. Communities, networks and coalitions can be empowered with knowledge and organized to challenge ineffective laws, policies and the political process.

Programming Considerations

In the African region, the Maputo Protocol — adopted by the African Union in Maputo, Mozambique, in 2003 and ratified in 2005 — guarantees comprehensive rights to women, including the right to take part in the political process, to social and political equality with men, to improved autonomy in their reproductive health decisions and to an end to female genital mutilation (see '*Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa*'). A rich tapestry of regional and subregional commitments and national laws further strengthen these political commitments.

Females face a number of legal challenges in the context of HIV — even in numerous member states that have ratified or adopted the Maputo Protocol and other commitments — including the following:¹

- Interpersonal violence and violence against women and girls
- Plural legal systems in which both formal and informal justice systems, such as customary, tribal, religious and traditional law, operate and often result in educational, economic, reproductive and human rights being denied rather than enhanced
- Criminal law provisions that disproportionately affect women — on sexuality, sexual orientation, gender identity and expression, choice of work, recreational activities, access to sexual and reproductive health (SRH) services, and confidentiality of HIV status
- Lack of access to SRH information and services
- Absence of sex- and age-disaggregated data that would reveal whether young women and adolescent girls are experiencing negative health outcomes disproportionately to males

9.1 Promote Legal, Policy and Regulatory Environments that Create Girl- and Women-friendly Opportunity Structures

To protect the rights of young women and adolescent girls, opportunity structures must be institutionalized in each country, starting with legal policy, and regulatory frameworks that safeguard girls' and women's inalienable rights and equip them with the tools for personal advancement. Promoting activities within those sectors includes:

- **Health:**
 - Legislative and policy action to reduce and reconcile mandatory minimum age of consent to access services
 - Banning the sale of alcohol to minors and within a defined perimeter around child-serving institutions
 - Abolishing nationality and residency requirements that block minors' access to services

- Abolishing user fees and/or instituting financial protections to promote access to services by young women and girls
 - Instituting, popularizing and enforcing bills on patients' rights, including stipulations on privacy, confidentiality and informed consent laws.
- **Education:**
 - Passing universal primary and secondary education access laws
 - Promoting girl-friendly schools
 - Legal and policy reviews to address discrimination against pregnant and parenting adolescent girls and young women
 - Revising comprehensive school health policies, including integration of comprehensive sexuality education
- **Economic and Social Protection:**
 - Implementing affirmative action programmes to equalize women's access to financial services and employment (loans and other business inputs)
 - Integrating social safety nets to prioritize medical transportation vouchers, free healthcare, and cash transfers for vulnerable people (i.e. children, adolescent girls, pregnant women, the elderly and people with disabilities)
 - Passing land inheritance and property protections
 - Improving access to the legal registration of births and deaths
 - Providing universal childcare, targeting the most vulnerable homes, to allow mothers to work
 - Passing laws to avail paternity and maternity leave
- **Justice and Protection:**
 - Ensuring protection against domestic violence and gender-based violence (GBV)
 - Passing laws to end the marriage of minors under 18 years of age
 - Proscribing human trafficking for labour and sexual exploitation
 - Promoting laws that explicitly address online sexual exploitation
 - Promoting and implementing child safeguarding policies to enhance child safety within institutions and child-serving systems
 - Establishing Pre-trial diversion policies to prevent child entry into the juvenile system
 - Establishing victim-friendly and family courts to promote access to justice
 - Reconciling formal, traditional, and religious laws in the interest of protecting the child

9.2 Support Safe Environments for Young Women and Adolescent Girls

Adolescent girls and young women need to feel — and be — safe.

Adolescent girls and young women may face multiple forms of violence, including sexual violence, in diverse settings: at school, in the home, at work, in places of entertainment or religion, and in unsafe urban and rural environments. Simply walking to school may pose a risk, particularly where oppressive gender norms exist, and men and boys face little sanction for aggressive and violent behaviour. The United Nations Educational, Scientific and Cultural Organization (UNESCO) and the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women)² report that more than 246 million children are subjected to GBV in or around schools every year. This not only violates their human rights. It also can cause far-reaching physical, psychological and educational consequences.

In many contexts, females are still regarded as perpetual minors, subjected to their fathers' decision-making until they are married, when decision-making power transfers to their husbands. Marital rape, or non-consensual sex between married persons, is not recognized as a legal offence in many countries despite its forced and violent nature. Where wider laws against sexual violence do exist, they may not be effectively enforced, and young women and adolescent girls may have great difficulty seeking protection or redress.

This lack of individual autonomy and legal protection has serious consequences for young women and adolescent girls' holistic health and well-being, including HIV prevention. Mutually reinforcing advocacy is needed at all levels to change repressive laws, policies and regulations and to ensure that supportive ones are effectively enforced and fully implemented.

Creating safe spaces has emerged as a key strategy for the protection and empowerment of young women. These safe spaces can be created at the city level, in schools and in the community. Efforts can be made at the city level through creating better and safer public spaces where the community feels ownership and engagement and where design services function. This placemaking process engages young women and adolescent girls in planning and implementing public-space improvements for safety. School-related gender-based violence (SRGBV) is a particular focus of concern and can affect girls and boys, teachers and students. Community-owned places of safety and shelters can provide a community safety net for survivors of violence. The key objectives of community safe spaces are to provide young women and adolescent girls with a place to: socialize and build social networks;

receive social support from peers; acquire relevant skills; access safe and non-stigmatizing GBV response and prevention services (medical, legal and psychological); and receive information on women's rights, health and services (see 'Women & Girls Safe Spaces').

Safe spaces should be designed to follow some basic guiding principles and be:

- **Led by women and girls, to empower them.** Safe spaces should be led by women and girls through project planning and monitoring and evaluation to ensure ownership and relevancy.
- **Client/survivor centred.** The activities and services offered at the safe space should prioritize the safety and confidentiality of those accessing the centre. Design of the space, case files and client data should ensure confidentiality and privacy. All women and girls should have access to the centre and to staff trained in non-discriminatory practices.
- **Safe and accessible.** The centre should be located in the community so that it is accessible and affords safety and privacy. The location should be established through discussion with women and girls and the community.
- **Influenced by the community.** The success of women and girls in being able to access safe spaces is greatly influenced by community leaders, parents, husbands and partners. These stakeholders should be engaged in discussions around design and implementation of the safe space (See 'Module 6').
- **Coordinated and multisectoral.** The women and girls served at the centre have many and various needs. Services should respond to their developmental needs and diverse situations, particularly those related to GBV prevention and response. Examples of services provided might include SRH, psychosocial support and legal services. Clear internal and external referral protocols are essential.
- **Tailored.** Safe spaces balance service delivery, structured activities and opportunities to socialize with other women and girls, all through a lens of cultural and age-appropriateness. Safe spaces should actively seek to include young women and adolescent girls in all their diversity, including those with disability.

9.3 Engender Institutions to Work for Young Women and Adolescent Girls

A deeply transformative approach to programming that addresses gender inequities should transcend the interpersonal and social spheres by striving both to deepen the relationships between key institutions and systems and the young women and adolescent girls they serve, and to achieve equality between men and women with regards to decision-making and control of resources. This will help empower women to play a full role in society.

Although changing deep-seated values, norms and unequal power relations takes time, a combination of mutually supportive approaches — from the introduction and enforcement of supportive legislation, rules and regulations to effective community- and female-led initiatives — gradually make a difference. One of the many benefits is to reduce the vulnerability of adolescent girls and young women to HIV infection.

Specifically, with regards to SRH and rights, including HIV prevention and care and access to treatment, a gender-transformative approach means improving the access of young women and adolescent girls to all sexual and reproductive services, and engaging men and boys to address their own sexual and reproductive needs in ways that also support adolescent girls' and women's sexual and reproductive desires, needs and decisions. It is also essential to help communities to challenge social norms that perpetuate gender inequality.

Institutional transformation and system strengthening

Transforming institutions to improve the quality of care provided to young women and adolescent girls and to strengthen the capacity of national and local systems to address violence and to promote human rights involves a number of steps (see 'Module 7.5, Build Girl-responsive Systems of Care'), including:

1. **Start with a high-quality gender-responsive situational analysis** that explores the context-specific development and humanitarian challenges and, through quality disaggregated data, reveals which populations are most vulnerable and most likely to lack access to services (see 'Module 1').
2. **Strengthen the capacity of national and local systems to address violence and to promote human rights.** Undertake or commission formal assessments of the institutions and legal environment that shape high-level decision-making and policy formulation regarding services for young women and adolescent girls, including within health, education, justice and the welfare state.
3. **Map the stakeholders and interests that influence key institutions and institutional frameworks,** including their mandates and limitations, entry points, direct and indirect levers of influence, and key transition points.
4. **Support the convening of national dialogues and action-planning on HIV prevention** with stakeholders from government and civil society, and with young women and adolescent girls. Particularly focus on judicial dialogues that can affect case law on gender and women's rights, and on parliamentary dialogues to sensitize ministry officials.
5. **Institute routine and structured reviews of institutional by-laws, policies and protocols,** including extensive reviews of legal and policy compliance, implementation and institutional bottlenecks.

6. **Promote tracking and monitoring of resource allocations and resource flows dedicated to gender-sensitive provision** at all levels of decentralization in government, and advocate for youth- and gender-responsive budgeting.
7. Explicitly promote the engagement of young women and adolescent **girls as advocates and champions** in the key sectoral and institutional governance structures. Ensure that representation is balanced (not tokenistic), that explicit supports are available to ensure that activists and representatives understand the complexities of navigating decision-making spaces, and that representatives have formalized links that allow two-way communication with institutions.

9.4 Advance the Implementation of Legal, Policy and Regulatory Instruments for Communities

Even in the most gender-progressive environments, providing the right instruments and modalities to execute existing legal and policy frameworks remains a key barrier to the attainment of the rights of young women and adolescent girls. While funding limitations are broadly recognized as a critical determinant of the coverage and quality of implementation, there is no shortage of concrete actions that communities and advocates could be galvanized to execute to close the gap between legislation or policy formulation and implementation.

Legal empowerment of key affected communities — including broad-based legal advocacy and campaigns to educate communities on the details and implications of new and existing laws (legal awareness), popularization of laws that benefit young women and adolescent girls, and civic education to equip citizens with an understanding of their rights within the legal and justice system — forms a critical foundation for any implementation efforts.

Instituting rights of redress and mechanisms for appeals can ensure that institutions and systems are held to account, and can restore some trust between communities and the formal system. Effective actions may include designating an office or desk for an ombudsman to investigate maladministration, developing rights and responsibilities charters, and setting up whistle-blower hotlines to report violation of the law.

Strengthening legal advice and assistance is a critical missing link in rights redress for the poor and disenfranchised and can help to surmount persistent low levels of engagement with the formal justice sector. For less sensitive issues, legal aid, paralegal assistance programmes and mobile clinics offer tremendous promise, particularly if complemented with interventions to strengthen the links between justice, enforcement and social service providers and with awareness-raising efforts. Where there are critical gaps in the range of funded staff available,



efforts to extend the reach of the formal justice system, such as through citizen brigades, can make critical services available to neglected communities. Community paralegals can be trained and engaged to use their knowledge of the law to seek solutions to instances of injustice within their own communities. Especially compelling are programmes that build the skills of sex workers to provide services to other young women within their communities (see '*Community-based Paralegals: A practitioner's guide*').

Reconciling formal, customary and religious justice systems

Often, the families and communities most in need of policy and legal intervention opt out of the formal system, for reasons ranging from fear and distrust to politicization. Often, indigent families believe the system has been designed for the wealthy (elite capture), or have limited resources and time to engage the formal sector. For these reasons, they may view traditional, customary and religious systems as more legitimate, or at least as a preferred alternative.

Promising Directions

Aligning for 21st century skills. Girls' limited access to economic and financial opportunity is closely linked to multiple risks and vulnerabilities, including early marriage, early unintended pregnancy, and HIV acquisition. Educational attainment directly predicts girls' holistic well-being for numerous of these outcomes, yet girls' education continues to be poorly prioritized. The disparities between girls and boys is intensified in the digital space, and by limited efforts to equip them with competencies such as critical thinking, media and technology literacy, communication and collaboration. In the long term, as societal demands evolve, these twenty-first century skills will enhance employability of young women and adolescent girls. Ensuring that young women and adolescent girls have the skills and opportunities to meet the evolving needs of the workplace could advance gender transformation and help young women and adolescent girls in their personal and professional development (see '*Global Framework on Transferable Skills*').

Restorative justice. There is increased recognition of the need to establish justice interventions that are not merely punitive, but incorporate values of healing, reconciliation and mutual respect. This is perhaps a reversion to the values held by traditional societies. Within families, communities, schools, civil society and government, applying concepts of restorative justice provides conflict resolution and promotes cohesive and democratic societies. In this paradigm shift, restorative justice does not assess the degree of punishment but focuses more on how recurrence of violence or transgression is prevented by reintegration of the offender into society. The concept can be applied to young women and girls as citizens in conflict with the law, or as victims or witnesses.



Case Study: Cases from the field³

Responding to the articulated strategy and policy of the Government of the Republic of Zambia (GRZ) on skilling up its youth population by 2030 and building on an already-established strong partnership between the GRZ and United Nations Children's Fund (UNICEF) around the rights of women and girls, UNICEF Zambia is implementing the *Zambian Girls 2030: Realizing My Potential Initiative*, a program of entrepreneurship, financial literacy, career guidance, and corporate mentoring aimed at empowering adolescent Zambian girls, enabling them to gain important skills to both improve their own lives and to contribute to the realisation of Zambia's Vision 2030. The programme is being implemented in 200 schools from Northern Province (Mungwi, Mbala, Luwingu and Mpulungu Districts) and Southern Province (Monze, Sinazongwe, Namwala and Pemba Districts).

The objective of the *Zambian Girls 2030* programme, supported through partnership with UK National Committee, is to empower girls through career guidance and skills mentoring through three key interventions:

- 1. School-level career and skills clubs.** These school-level clubs include girls in Grades 5–12, who meet weekly over the course of each school year to participate in career information sessions given by successful business leaders and distinguished role models, with a particular emphasis on women leaders. The career and skills information sessions focus on personal and career development, financial literacy and entrepreneurship. The core elements of club sessions include: career counselling with a focus on job markets in Zambia and the skills needed to access the job market, especially careers with traditional low entry of females (such as careers in science, technology, engineering and mathematics (STEM)); offering girls an overview of existing opportunities for higher education, student loans/bursary schemes, etc.; providing girls with the skills needed to access higher education (such as filling out a college application); training on financial planning, budgeting, savings, opening a bank account, accessing credit, etc; and entrepreneurship and business skills training and information.

2. **District-level career and skills camps.** These district-level camps are conducted during school holidays for girls in Grades 8 and 9. Camps engage corporate, academic and government leadership figures and specialists — with a particular emphasis on successful female leaders — to present the workplace realities and requirements of various fields of employment as well as opportunities for post-primary education and skills development. The camps also introduce the girls to potential role models and mentors who might guide them beyond this intervention. Camps also includes a 1-day career fair and exhibition by local businesses to introduce the girls to the realities of doing business in their area. Camp sessions focus on: 1) tertiary-level study, presenting options for academic studies beyond Grade 12, particularly in areas of low female entry and matched to labour market demands/shortages; 2) practicalities of applying to and attending college (such as application processes and scholarship availability); 3) job opportunities in different fields, with a focus on fields with traditionally low female entry; 4) professional workplace skills such as personal presentation, interviewing skills, professional dress standards, diction, persuasive expression, work and business ethics, and skills required for doing business in the 21st century economy.
3. **Career internship programme.** The internship programme matches adolescent girls in Grades 10, 11 and 12 with short-term corporate opportunities according to market needs, the girls' areas of interest and skills, and the availability of positions. Each internship is a full-time 2-week placement during the holiday period in an academic institution, corporation or government agency in a location such as the Copperbelt or Lusaka. The placements are in fields that currently need skilled staff, are traditionally low female entry, or are fields of expected growth in job market share.

In this project, UNICEF Zambia Country Office, through a partnership with the Ministry of General Education (MoGE) and implementing partner Restless Development, contributed to empowering girls through the provision of career and skills mentoring, financial literacy education and internship opportunities. To date, about 14,845 learners (9,811 girls) have attended the school clubs, 1,213 girls



have participated in career skills camps, and 423 girls have received internship placements. Through these interventions, adolescent Zambian girls have acquired knowledge and life skills that will enable them to improve their own lives through education and career choices. Skills acquired include financial literacy and entrepreneurship skills, and leadership and communication skills, and girls have received professional career development.

A number of challenges in implementation of the programme were identified:

- Learners' attendance at club meetings was inconsistent, often because of the long distances between home and school, the need to leave school early for the weekly clubs, and responsibilities at home. To address this challenge, UNICEF and Restless Development engaged the district MoGE officers to work with school administrators through school governance structures such as the parents and teachers committee to make parents aware of the importance of such initiatives for their children and therefore encourage their participation.
- Attendance was also reduced at times because of sports, school fairs, JETS (junior engineers, technicians and scientists) activities and other school obligations. To address the problem, clubs changed their schedules to accommodate other activities. UNICEF, in collaboration with the MoGE, is exploring the creation of synergies and linkages between the JETS programme and the careers and skills development initiative at all levels.
- The guidance and counselling teachers supporting and supervising the career club activities had limited availability for career club meetings. This challenge was mitigated through the empowerment of girls elected as chairpersons to facilitate the career club activities. Transfers of trained guidance and counselling teachers created gaps in the provision of trained counsellors. This problem was mitigated through continued refresher training and support from the district guidance and counselling coordinators in the capacity-building of guidance and counselling teachers.
- Data collection from 200 schools has been challenging, in part because of a weak reporting system between schools and the national MoGE. It was necessary to install an ICT system to support real-time data collection.

A number of valuable lessons have been learned through this programme:

- **Positive shifts in societal perception of the value of girls.** During the midline evaluation, the guidance and counselling teachers and school managers reported positive shifts in the societal perception of girls, particularly by fathers taking more interest in supporting their daughters to become educated. This shift could be observed in enrolment rates of girls into schools, reductions in girls' absenteeism and improved academic performance of girls in class. School managers further noted that during school open days, more male parents with female children were coming to collect the performance results of their children than previously. This meant that positive pressure and support from the parents motivated the girls to remain focused on their studies and to remain in school.
- **Teacher involvement.** Involvement of all subject teachers in planning careers-related activities is a good stepping stone to improved delivery of quality career and employability learning.
- **Self-discovery.** The sessions on human development, especially on SRH and rights, were critical for learners to dispel myths and understand their bodies and the risks that adolescents can be exposed to.
- **Public-private partnerships.** The newly established partnerships and linkages of both public and private institutions at the national, provincial and district levels, if fostered by the MoGE, can provide a basis for forming coalitions that support career guidance and counselling in schools beyond the career skills and camps and career fairs. UNICEF and its implementing partner are advocating for the formation of a national steering committee on guidance and counselling, to provide strategic planning around such possibilities.



Inventory of Legal Instruments, Covenants and Commitments

African Charter on Human and Peoples' Rights, 1981

An international human rights treaty that promotes and protects human rights in the African continent.

<https://treaties.un.org/doc/Publication/UNTS/Volume%201520/volume-1520-I-26363-English.pdf>

African Charter on the Rights and Welfare of the Child, adopted in 1990, came into force in 1999

Known as ACRWC or Children's Charter, this comprehensive instrument sets out rights and defines universal principles and norms for the status of children.

https://www.un.org/en/africa/osaa/pdf/au/afr_charter_rights_welfare_child_africa_1990.pdf

African Youth Charter, 2006

Provides a framework for youth empowerment in the African continent, addressing key issues including health, skill development, employment and education.

https://www.un.org/en/africa/osaa/pdf/au/african_youth_charter_2006.pdf

Committee on the Elimination of All Forms of Discrimination against Women (CEDAW), General Recommendation 21, Equality in Marriage and Family Relations, 1994

CEDAW is the body of independent experts that monitors implementation of the Convention on the Elimination of All Forms of Discrimination against Women. In Recommendation 21, CEDAW stresses the significance of compliance with women's basic rights within the family.

<https://www.refworld.org/docid/48abd52c0.html>

Convention on the Elimination of All forms of Discrimination against Women (CEDAW), adopted in 1979, came into force in 1981

This defines what constitutes discrimination against women and sets up an agenda for national action to address such discrimination.

<https://www.un.org/womenwatch/daw/cedaw/cedaw.htm>

Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, approved in 1949, came into force in 1951

Provides procedures to combat international human trafficking, punish offenders and prohibit brothels and other venues of prostitution.

<https://www.ohchr.org/EN/ProfessionalInterest/Pages/TrafficInPersons.aspx>

Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, 1964

The Convention reaffirms that marriages should be consensual, by requiring the establishment and enforcement of a minimum marriage age and marriage registration.

https://treaties.un.org/doc/Treaties/1964/12/19641223%2002-15%20AM/Ch_XVI_3p.pdf

Convention on the Rights of the Child, adopted in 1989, came into force in 1990

An international human rights treaty that protects children’s rights by explaining who children are, their rights, and government responsibilities.

<https://www.unicef.org/sites/default/files/2019-04/UN-Convention-Rights-Child-text.pdf>

International Covenant on Economic, Social and Cultural Rights, adopted in 1966, came into force in 1976

The Covenant provides the legal framework to protect and preserve the most basic economic, social and cultural rights.

<https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>

International Covenant on Civil and Political Rights, adopted in 1966, came into force in 1976

A human rights treaty providing protections for civil and political rights, enforcing countries that have ratified the treaty to protect and preserve basic human rights.

<https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa, 2003

Known as the Maputo Protocol, this instrument declares comprehensive rights for women, including the right to equality, to take part in politics, to autonomy in reproductive health, and to end female circumcision.

https://www.un.org/en/africa/osaa/pdf/au/protocol_rights_women_africa_2003.pdf

SADC Protocol on Gender and Development, 2008, revised 2018

The revised protocol from the Southern African Development Community (SADC) sets gender-responsive legislation, policies, programmes and projects to promote gender equality, empower women and eliminate discrimination.

<https://www.tralac.org/documents/resources/sadc/1186-sadc-protocol-on-gender-and-development-17-august-2008/file.html>

<https://www.tralac.org/documents/resources/sadc/1187-agreement-amending-the-sadc-protocol-on-gender-and-development-31-august-2016/file.html>

Universal Declaration of Human Rights, 1948

This declaration was the first document to set out fundamental human rights that are to be universally protected.

https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf

Vienna Declaration and Programme of Action, 1993

This human rights declaration was adopted at the World Conference on Human Rights and confirms the universality of human rights.

<https://www.ohchr.org/Documents/ProfessionalInterest/vienna.pdf>

HIGHLIGHTED IMPLEMENTER RESOURCES

9.1 Promote Legal, Policy and Regulatory Environments that Create Girl- and Woman-friendly Opportunity Structures

HIV and the Law: Risks, rights & health

Global Commission on HIV and the Law; 2012; English

[http://www.undp.org/content/dam/undp/library/HIV-](http://www.undp.org/content/dam/undp/library/HIV-AIDS/Governance%20of%20HIV%20Responses/Commissions%20report%20final-EN.pdf)

[AIDS/Governance%20of%20HIV%20Responses/Commissions%20report%20final-EN.pdf](http://www.undp.org/content/dam/undp/library/HIV-AIDS/Governance%20of%20HIV%20Responses/Commissions%20report%20final-EN.pdf)

The Global Commission on HIV and the Law called on countries to outlaw discrimination, repeal punitive laws and enact protective laws to promote public health and human rights for effective HIV responses. The report presents public health, human rights and legal analysis and makes recommendations for lawmakers and policymakers, civil society, development partners and private sector actors involved in crafting a sustainable global response to HIV. These recommendations remain relevant today, including recommendations that affect adolescent girls and young women, with a specific focus on children and youth and on gender.

HIV and the Law: Risks, rights & health — 2018 supplement

Global Commission on HIV and the Law; 2018; English, French, Spanish, Russian

<https://hivlawcommission.org/supplement>

More than 89 countries have taken action to repeal or reform laws. This supplement, supported by the United Nations Development Programme (UNDP), highlights developments since 2012 in science, technology, law, geopolitics and funding that affect people living with or at risk from HIV and its co-infections. The recommendations add to and amplify those of the Commission's 2012 report, Risks, Rights & Health.

Practical Manual: Legal environment assessment for HIV: An operational guide to conducting national legal, regulatory and policy assessments for HIV

UNDP; 2014; English

<http://www.undp.org/content/undp/en/home/librarypage/hiv-aids/practical-manual--legal-environment-assessment-for-hiv--an-opera.html>

The manual offers step-by-step guidance on how to undertake a national legal environment assessment, with concrete case studies, tools and resources. It is intended to assist governments, civil society and other key stakeholders to develop evidence-informed policy and strategy, to review and reform laws and policies based on human rights considerations and to support increased capacity to achieve enabling legal environments for effective HIV responses.

Zero Discrimination in Health Care Settings: Background note

Joint United Nations Programme on HIV/AIDS (UNAIDS); 2017; English

http://www.unaids.org/sites/default/files/media_asset/20171117_UNAIDS_PCB41_Zero_discrimination-health-care-settings_17.27_EN.PDF

This guidance, focuses on how to reduce discrimination in health-care settings for diverse groups, including adolescent girls. It emphasizes the need to gather evidence on discrimination occurring in health-care settings and to take multi-dimensional measures to prevent intersecting forms of discrimination. This is illustrated through numerous case examples from around the world. Health-worker capacity to provide non-discriminatory services must be built through pre-service and in-service training on human rights, non-discrimination, free and informed consent, confidentiality and privacy. Other duty bearers such as law-enforcement officers also need related training and to share good practices. Likewise, adolescent girls (and other vulnerable populations) need the knowledge, capacity and agency to claim their right to non-discriminatory health services. Repressive laws must be addressed, for instance around the age of consent for services, non-disclosure, mandatory testing, and criminalization of key populations. The guidance elaborates how to achieve these and provides numerous country case examples from which policymakers, programmers and others can learn.

SADC Model Law on Eradicating Child Marriage and Protecting Children Already in Marriage

SADC Parliamentary Forum supported by Girls Not Brides; 2016; English, French, Portuguese

<https://www.girlsnotbrides.org/resource-centre/sadc-model-law-child-marriage>



The Model Law is intended to trigger policy reforms and development or revision of substantive laws in member states of the Southern African Development Community. It assists policymakers and those who draft legislation to address all the relevant areas in need of legislative reform regarding child marriage, without usurping the authority of national legislatures. It is also intended for use by law-makers, judicial officers, researchers and administrators.

A Check-list for National Strategies to End Child Marriage

Girls not Brides; 2016; English, French

https://www.girlsnotbrides.org/wp-content/uploads/2016/03/2016_03-GNB-Check-list-for-National-Strategies.pdf

The Girls Not Brides checklist for national strategies is widely used by governments and their partners to develop a comprehensive response to end child marriage. For example, it has been used by the End Violence Partnership to support governments' national strategy development to end violence against children. Implementing countries include Nigeria, Ghana, Kenya and Niger. The checklist focuses on adolescent girls aged 10–19 years, and would require some content change to include HIV, but the overall approach is designed to support adolescent girls.

9.2 Support Safe Environments for Young Women and Adolescent Girls

School-related Gender-based Violence: Global guidance

UNESCO, UN Women; 2016; English, Arabic, French, Spanish

<http://www.unwomen.org/en/digital-library/publications/2016/12/global-guidance-on-addressing-school-related-gender-based-violence>

The global guidance provides key information for governments, policymakers, teachers, practitioners and those in civil society who wish to take concrete action against SRGBV. It introduces approaches, methodologies, tools and resources that have shown positive results in preventing and responding to SRGBV. The guidance contributes to the generation of knowledge, evidence and standards of response.

A Whole School Approach to Prevent School-related Gender-based Violence: Minimum standards and monitoring framework

UN Girls' Education Initiative (UNGEI); 2018; English

<http://www.coachescorner.org/tools>

This guide presents a set of minimum standards for a whole-school approach to prevent and respond to SRGBV and a monitoring framework to measure the effectiveness of the approach. A whole-school approach is a strategy that takes into account the interconnectedness of schools, communities and families in order to improve the school environment for students, staff and community members. Evidence suggests that a whole-school approach has the potential to address all forms and drivers of SRGBV.

Free to Be

Plan International 2016–ongoing; English

<http://planfreetobe.org>

Free to Be is a crowd-mapping tool enabling young women to identify and share public spaces that make them feel at risk or safe. It has empowered young women to challenge unsafe experiences and geographically identify spaces where change needs to occur.

Unsafe in the City: The everyday experiences of girls and young women

Plan International, Monash University; 2018; English

<https://www.plan.org.au//media/plan/documents/reports/unsafeinthecityen.pdf?la=en&hash=1E3E32544F4183B291DC4080EB4D2E924F11B729>

Girls and young women in Delhi, Kampala, Lima, Madrid and Sydney contributed over 21,000 testimonials, as part of the Free to Be project, analysed in this report. In all five cities, boys and men verbally insult, grope, stalk and flash girls and young women. Free to Be advocates and campaigns for change. Both the Free to Be mapping tool (see 'Free to Be') and the report should assist policymakers and programmers everywhere to address the issue of unsafe spaces for adolescent girls and young women. This 2018 report on cities is the first of an annual series that will examine behaviours, attitudes and beliefs that limit girls' freedom and opportunities in specific environments or sectors.

9.3 Engender Institutions to Work for Young Women and Girls

Women & Girls Safe Spaces: A guidance note based on lessons learned from the Syrian crisis

United Nations Population Fund (UNFPA) Regional Syria Response Hub; 2015; English, Arabic

Website: <https://www.unfpa.org/resources/women-girls-safe-spaces-guidance-note-based-lessons-learned-syrian-crisis>



This document provides an overview of what safe spaces are and what key principles should be followed when establishing such spaces in humanitarian and post-crisis contexts. This guidance is based on the experiences of UNFPA and its partners in Jordan, Lebanon, Iraq, Syria and Turkey. It also refers to experiences documented by the Gender-Based Violence coordination mechanisms in Jordan and Lebanon. Lessons learned from other regions are also referenced. Guidance has also been taken from the child protection and adolescent girl sectors in establishing child-friendly spaces and girls' safe spaces.

Stand Up, Speak Out!

Girls not Brides; 2016; English, French (pending)

<https://www.girlsnotbrides.org/youth-activism-training-programme>

This youth activism training tool was launched by members of Girls Not Brides in Zimbabwe in early 2018. It is also being used by Girls Not Brides members in Malawi. The tool includes a trainer manual and a participant guide and addresses the age range 15–24 years. The effectiveness of the tool needs to be assessed in time, but the tool appears a promising approach to training youth for activism. The tool would need modification to be relevant to HIV prevention among adolescent girls and young women, as the training focus is on child marriage. Consideration is needed on how to use the tool in contexts with little open civic space.

The Global State of Evidence on Interventions to Prevent Child Marriage: GIRL Center research brief no. 1

Chae, Sophia and Thoai D. Ngo, The Girl Innovation, Research and Learning (GIRL) Center, Population Council; 2017; English

https://www.popcouncil.org/uploads/pdfs/2017PGY_GIRLCenterResearchBrief_01.pdf

This review of 22 rigorously evaluated interventions (part of a randomized controlled trial, quasi-experimental study, or a natural experiment), incorporates results across 13 low- and middle-income countries up to 2017. The study documented the types of child-marriage interventions and approaches used, assessed what works best and what does not work to reduce child marriage, and investigated the impact of interventions on other aspects of girls' well-being. The findings suggest that an empowerment approach is key to success, and that economic approaches were the least successful in preventing child marriage. Most studies also found improved girls' schooling outcomes and reduced risk of pregnancy/childbearing. A few studies reported the costs of implementation. The study makes recommendations for policymakers, planners and implementers on how to improve the effectiveness of child-marriage interventions, including a focus on documentation and on evaluating interventions.

Children's Consent Framework: Policy and practice for maturity-aligned engagement of children in decisions about HIV-related medical and social services and management of confidential information

Health Policy Plus; 2018; English

<http://www.healthpolicyplus.com/pubs.cfm?get=10250>

This framework is useful for national and subnational programmers to assist in the effective implementation of supportive policies. It proposes standardized policies and practices to help providers, caregivers and children navigate the individual- and situation-specific decisions about who provides consent for HIV medical and social services or sharing confidential HIV data. Practical support tools to assess individual capacity and policy language are included, with links on partnerships and transparency.

Children's Consent for HIV Services: A policy analysis of the health, social welfare, and education sectors in Kenya

Health Policy Plus; 2018; English

<http://www.healthpolicyplus.com/pubs.cfm?get=10249-10449>

In Kenya, Health Policy Plus worked with government and donor stakeholders, organizations implementing medical and social welfare HIV services for children, and youth representatives to conduct a consultation to gain insight into the country context of children's consent for HIV services. Key findings are that there are multiple inconsistencies between and within the sectors of health, welfare and education regarding consent, and also regarding putting the interests of the child first. The findings led to recommendations to improve the overall policy situation and to make it more coherent. National policymakers and programmers could utilize or adapt the approach elsewhere to assess the related policy environment to identify barriers, gaps, inconsistencies and other challenges that impede effective programming.

Architecture for Gender Transformative Programming and Measurement: A primer

Plan International; 2018; English

<https://www.ohchr.org/Documents/Issues/Women/WRGS/MainstreamingGenderPerspective/EmrulHasan.pdf>

Achieving gender equality, promoting gender justice, realizing girls' rights and fostering an inclusive society are core objectives of Plan Canada's programming as an organization dedicated to child rights and equality for girls. The guide includes three specific tools: a rights-based theory of change, a women and girls' empowerment index, and gender equality project scoring. These three



tools provide an interconnected and mutually reinforcing architecture to guide interventions at the project design stage, throughout implementation, and in the demonstration of impact during the evaluation stage.

Movement Capacity Assessment Tool

Chen, PeiYao, Kelly Gannon and Lucy McDonald Stewart, Global Fund for Women's Learning and Evaluation Team; 2018; English

<https://www.globalfundforwomen.org/our-new-movement-capacity-assessment-tool/#.XB8sYM1RWMP>

This is an online tool to assist movements working for change to assess the strengths, needs and priorities of their movement and to use the results to develop action plans to strengthen the movement's capacity. At the pilot stage, the tool included a series of questions that capture respondents' perceptions of their movements along seven key dimensions: 1) a strong grassroots base, 2) a strong leadership pipeline, 3) strong alliances, 4) a collective political agenda, 5) the use of multiple strategies, 6) a support infrastructure, and 7) a strong collective capacity to ensure the safety and security of human rights defenders. It also captures a movement's stages of development as it evolves, and highlights the different capacity and support needs of emerging compared with mature movements. Understanding these can help planners and programmers to assist movements more effectively.

Youth Changing the River's Flow: A facilitator's guide

Southern Africa AIDS Dissemination Center (SafAIDS); 2016; English

<https://genderjustice.org.za/publication/youth-changing-rivers-flow-facilitators-guide>

The content of this facilitator's guide is derived from existing programmes and campaigns, among them the SAfAIDS Changing the River's Flow (CTRF) programme, implemented across nine southern African countries, and Sonke Gender Justice's One Man Can campaign. The materials were tested with and reviewed by a cadre of community transformation facilitators from each of the partner organizations in December 2015.

9.4 Advance the Implementation of Legal, Policy and Regulatory Instruments for Communities

Community-based Paralegals: A practitioner's guide

Open Society Justice Initiative; 2010; English, Thai

<https://www.justiceinitiative.org/publications/community-based-paralegals-practitioners-guide>

This resource provides guidance on how to design or improve community-based paralegal programmes. It draws lessons from both grassroots experience and research. Community paralegals are trained and conduct mediation, community organizing, education, and advocacy with formal and customary authorities. Paralegals are linked to lawyers who provide guidance and can take a case to litigation if frontline methods are not successful.

Legal Aid Service Programming: A guide on programming in Africa

UNDP; 2014; English

<https://www.undp.org/content/dam/undp/library/Democratic%20Governance/Legal%20Aid%20Service%20Provision%20-%20A%20Guide%20on%20Programming%20in%20Africa.pdf>

This guide provides practical guidance on how to support legal aid service provision and advice on how to overcome some of the common challenges faced when programming in this area. The guide covers criminal and civil legal aid and recognizes the critical role that legal aid can play in promoting development, especially when the legal aid services target poor and marginalized communities.

Women's Access to Justice for Gender-Based Violence: A practitioner's guide

International Commission of Jurists; 2016; English and Arabic

<https://www.icj.org/wp-content/uploads/2016/03/Universal-Womens-accesss-to-justice-Publications-Practitioners-Guide-Series-2016-ENG.pdf>

The ICJ's 12th Practitioner's Guide, Women's Access to Justice for Gender-Based Violence, is designed to support legal practitioners and human rights defenders involved, or interested, in pursuing cases of gender-based violence. The Guide provides information about regional and international law and standards relevant to gender-based violence, advice on implementing these standards as part of domestic law reform and examples of existing good practice in seeking protection for women. The Guide also addresses the practical issues that are faced by women who have been subject to gender-based violence and the steps that are necessary to secure their access to justice in practice.

Practitioner Brief – Navigating Complex Pathways to Justice: Engagement with customary and informal justice systems

International Development Law Organization (IDLO); 2019; English

<https://www.idlo.int/sites/default/files/pdfs/publications/IDLO-Practitioner-Brief-Customary-and-Informal-Justice-web-FINAL.pdf>

In a bid to make justice accessible for all, IDLO has launched a series of Consultations on customary and informal justice systems. The global dialogue is informed by a series of publications titled 'Navigating Complex Pathways to Justice: Engagement with customary and informal justice systems' that seeks to advance policy dialogue and distil lessons from programming and research, to help realize Sustainable Development Goal (SDG) 16. This Practitioner Brief offers a set of concrete tools, recommendations and good practices to support engagement with customary and informal justice systems.

Policy and Issue Brief – Navigating Complex Pathways to Justice: Engagement with customary and information justice systems

International Development Law Organization (IDLO); 2019; English

<https://www.idlo.int/publications/policy-and-issue-brief-engagement-customary-and-informal-justice-systems>

In a bid to make justice accessible for all, IDLO has launched a series of Consultations on customary and informal justice systems. The global dialogue is informed by a series of publications titled 'Navigating Complex Pathways to Justice: Engagement with customary and informal justice systems' that seeks to advance policy dialogue and distil lessons from programming and research, to help realize Sustainable Development Goal (SDG) 16. This Policy and Issue Brief presents findings and policy recommendations for engaging with customary and informal justice systems, and providing information on features and challenges related to engagement.

Passport to Success (PTS)

International Youth Foundation; 2019; English

<https://www.passporttosuccess.org> ; <https://www.passporttosuccess.org/pts-traveler>

PTS is a suite of products and services proven to foster in-demand life skills. Refined over more than a decade, PTS responds to the needs of businesses, educational institutions, governments, non-profit organizations, and young people themselves. PTS offers solutions to global challenges which include the skills gap, future of work, student achievement, and other barriers to opportunity.

Promoting Restorative Justice for Children

United Nations, Office of the Special Representative of the Secretary-General on Violence Against Children; 2013; English

https://sustainabledevelopment.un.org/content/documents/2599Promoting_restorative_justice.pdf

This report examines the potential of restorative justice programmes to facilitate conflict resolution and provide appropriate protection to children. This applies to the justice system, whether children are victims, offenders or witnesses, but it also applies in a range of other contexts, including at school, in residential care units, in social welfare settings and in the community.

A Practitioner's Toolkit on Women's Access to Justice Programming

UN Women, UNDP, United Nations Office on Drugs and Crime (UNODC), Office of the United Nations High Commissioner for Human Rights (OHCHR); 2018; English, Spanish

<https://www.unwomen.org/en/digital-library/publications/2018/5/a-practitioners-toolkit-on-womens-access-to-justice-programming>

This toolkit provides practical guidance on: how to address barriers that women face in obtaining justice as claimants, victims, witnesses or offenders within the key context areas of marriage, family and property rights; ending violence against women; and women in conflict with the law, with special reference to country-level programming.

Global Framework on Transferable Skills

UNICEF; 2019; English, French, Spanish, Arabic

<https://www.unicef.org/media/64751/file/Global-framework-on-transferable-skills-2019.pdf>

This Framework, developed to support UNICEF in delivering on the results of its Strategic Plan 2018–2021 and 'Every Child Learns' UNICEF Education Strategy (2019–2030), provides a shared vision of work on the topic of skills development across UNICEF. As a global public good document, it can also be used by governments and other stakeholders working to promote quality education. It is a living document that will be periodically updated. It assumes a vision of quality education and learning for children and adolescents grounded in human rights values that builds and develops skills and knowledge to contribute to holistic individual, social and economic development.



Key Normative and Technical Guidance Documents

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