

# **INTER SESSION REPORT**

**By**

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the Rights of Women in Africa**

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Human and Peoples Rights**

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1- In conformity with the provisions of the Rules of Procedure of the African Commission, the present Report gives an account of the promotional activities engaged in since the 48<sup>th</sup> Ordinary Session of the African Commission held in Banjul (The Gambia) in November 2010.

2- The Report comprises two types of activities carried out in my capacity as Member of the African Commission and as Special Rapporteur on the Rights of Women in Africa.

## **I – Activities carried out in my capacity as Member of the African Commission**

**3-From 29 November to 1<sup>st</sup> December 2010:** I participated in the retreat organized by IPAS in Nairobi for the Commissioners and Members of the Secretariat on various aspects of maternal mortality relating to the problem of abortion from the human rights perspective. This meeting brought together Jurists, human rights Activists, Medical Practitioners, Academics and NGO representatives to discuss several topics: in particular the laws governing abortion in Africa and their implications for health; the reality of abortions at risk; the vulnerable abortions and violations of women's rights; the ratification and implementation of the Maputo Protocol; the collaboration between the National Human Rights Commissions and the African Commission.

4. On this occasion I made a presentation on the work of the African Commission through the use of its special mechanisms and the Communications procedure with a view to enhancing the understanding of the participants regarding the role played by our Institution in the protection of the right to good health in general, and about the right of access to safe abortion-related health care in particular. The essential objective sought by IPAS in organizing a retreat for the Commissioners was to share with them the concerns and needs of women in the field of Reproductive Health on the one hand and to pinpoint the low political will on the part of the African decision makers in the enactment of laws and policies promoting safe abortion on the other.

**5. From 21 to 22 January 2011:** I participated in my capacity as foreign member in the deliberations of the Rights and Democracy Governing Council. This is a Canadian Institution which works in Africa and in several regions of the world for the democratic development and promotion of Human Rights.

**6. From 14 to 15 February 2011 in Dakar:** I participated in a working session organized by OSIWA on the preparation of the activities marking the 30<sup>th</sup> Anniversary of the African Charter on Human and Peoples' Rights and the 25<sup>th</sup> Anniversary of the African Commission.

**7. From 23 February to 03 March 2011 in Banjul:** I participated in the Extraordinary Session of the African Commission. On this occasion major decisions were made on the human rights situation in the North African countries, in Côte d'Ivoire and in Benin.

## **II – Activities carried out in my capacity as Special Rapporteur on the Rights of Women in Africa**

### **A- Collaboration with the African Union and the States Parties**

**8- From 4 to 6 December 2010:** I participated in Addis Ababa in the « **African Union's Women's Forum on Shared Values** » organized by the Department of Political Affairs of the African Union. The Forum registered the participation of the Ministers of Gender, of Women Parliamentarians, and representatives of African NGOs and the United Nations Agencies working on Gender Issues. This meeting had the objective of including the woman component in the brainstorming engaged sequel to a recommendation of the Executive Council of the African Union in December 2009, relative to the content of shared values and the programme for their implementation on the Continent. It also sought to guarantee the effective contribution of women in the content and results of the Summit of Heads of State and Government on shared values.

**9- On the 12 December 2010:** I took part in Algiers in the International Conference celebrating the 50<sup>th</sup> Anniversary of Resolution 1514 of the United Nations General Assembly on the right of Peoples to self-determination. This event was enhanced by the participation of important African and foreign personalities among whom figured several former Heads of State and former Secretaries General of the African Union. The commitment of the African Leaders and the responsibility of the populations in the decolonization process were discussed at length as well as the role of women in raising the awareness of the African masses on the brink of the independence period.

**10. From 13 to 21 December 2010:** I participated in a joint human rights promotion mission to Algeria under the terms of our mechanism on the Rights of Women.

The recommendations formulated at the end of our visit are currently awaiting adoption by the African Commission before being publicised. Nonetheless their basic content was presented to the Algerian Authorities at the end of our visit. On this occasion we lauded the progress which had been made in the promotion of women's rights while highlighting the numerous constraints which still persist and which are of a nature to reduce the potential of Algerian Women as well as their contribution to the development of their country.

**11. On the 13 January 2011:** I participated in the Multi-Actors Forum on Governance in Mali which devoted its session to the discussion on the theme: « **The Civil Society Organizations and the Strengthening of Democracy in Mali: To promote substitutes or anti-establishment?** ». The Multi-Actors Forum on Governance in Mali is a space for dialogue initiated in 2008 pursuant to a dynamic brainstorming on governance and which brings together numerous partners of the State Actors responsible for institutional reform in Mali.

**12.** The sought after objectives were two: To engage the debate between the various actors to mutualise experiences on the contribution of the CSOs in the social and political dialogue; to

prepare proposals and strategies capable of making CSO activities more effective and efficient in terms of defending citizens' interests.

**13. From 27 to 28 January 2011 in Addis Ababa:** participation in the meetings of the Executive Council of the African Union.

**14. From 29 to 31 January 2011:** Participation in the Summit of Heads of State and Government of the African Union. On this occasion I led a delegation of African Women Leaders in my capacity as Special Rapporteur on the Rights of Women in Africa and we were received by the Heads of State of Senegal, of Rwanda and of Liberia within the framework of the advocacy for the recognition of the recommendations emanating from the Pre-Summit on Gender in the Agenda and Decisions of the Summit.

**15. From 24 to 26 March 2011 in Bamako:** I participated in the workshop on the drafting of Mali's National Action Plan for the implementation of UN Security Council Resolution 1325 on « **Women, Peace and Security** ». The workshop, on the initiative of the Ministry for the Promotion of Women, the Child and the Family, brought together representatives of the Associations and NGOs working for the protection of women's rights, Peace and Security, representatives of the Ministries of Justice, Social Development, Security and the Armed Forces. By means of several presentations on the reform of the security sector, on the participation of women in the peace negotiation process and in the mechanisms of conflict prevention and management, the participants were meant to draft the constitutive elements of a national action plan allowing women to contribute to the strengthening of peace and security in Mali.

**16.** I also made a presentation on « **Resolution 1325 and the Human Rights of Women in Africa** » focussing on the relevant provisions of the Maputo Protocol relative to the situation of women in conflict and post conflict countries.

**17. From 1 to 9 April 2011 in Kinshasa (DRC):** I participated in a joint human rights promotion mission in DRC within the framework

of the mechanism on Women's Rights. One of the objectives of the said mission was, among others, to exchange with the highest Authorities of the land, the Women's Organizations and the United Nations Agencies involved in Gender programmes and issues; to assess the progress made in the protection of women in DRC and to identify the shortcomings of the current laws, policies and strategies. In the light of what was derived from the meetings with the various actors, appropriate recommendations will be formulated in the mission Report for the benefit of all the stake holders with the objective of enhancing the protection of the rights of Women and Girls in DRC.

## **B- Seminars and Meetings with Civil Society Organizations, Organs and Institutions and Other Partners involved in the promotion of Women's Rights**

**18. From 24 to 26 January 2011:** I participated in Addis Ababa in the 17<sup>th</sup> Consultative Meeting of African Civil Society Organizations on the Integration of Gender in the Member States of the African Union. The meeting had been organized by the network: « Gender: My Agenda » (GIMAC) and coordinated by Africa Women's Solidarity (FAS). It had registered the participation of Ministers of Gender from several countries and the contribution of African and International NGO networks under the chairmanship of the Honourable Mary Robinson former President of the Republic of Ireland. A delegation of Ivorian women had been received to hear the wounded voices of the women living in that part of Africa racked with serious violations of women's rights.

**19.** The GIMAC is a CSO framework of debate and monitoring for the evaluation of the progress realized by the African Union in the implementation of the Solemn Declaration on Gender Equality in Africa (2004) and the Maputo Protocol (2003). The deliberations of the meeting of the 17<sup>th</sup> moreover focused on specific issues, in particular: the degradation of the political situation in Côte d'Ivoire and the massive human rights violations; elections in Africa, the security and representation of Women; Gender perspectives in the area of climatic justice etc... The participants formulated several

recommendations for the attention of the African Union Commission and the Member States, with a view to influencing the policies and decisions emanating from the Summit of Heads of State and Government.

**20. GIMAC 2011** had been marked by three major events:

**1** – The launching of the 2<sup>nd</sup> Report on the state of progress of the implementation of the African Union Declaration on Gender;

**2** – The meeting of the Gender Award Selection Committee chaired by Mrs. Gertrude Mongella, former Chairperson of the Pan-African Parliament;

**3** – The meeting of African Women with Mrs. Michelle Bachelet, former President of Chile, appointed at the head of the new United Nations Agency called UN-Women, the creation of which had been unanimously adopted by the General Assembly on the 2<sup>nd</sup> July 2010. This meeting had provided Mrs. Bachelet with the opportunity of outlining the objectives of the new Agency dedicated to the empowerment of women and to gender equality. It moreover enabled the participants to take ownership of the principles on which the future work of the Agency was to be based with the objective of making empowered women the agents of change and progress in our societies.

**21. From 28 to 31 March 2011 in Monrovia:** I led a delegation of the Gender Award Selection Committee to Liberia. The Gender Award, an African Prize of Excellence for Gender initiated by the Pan-African Centre for Gender, Peace and Development (Dakar) and Africa Women's Solidarity (FAS) and which compensates the African Heads of State and Government who distinguish themselves through the adoption and the implementation of laws, policies, plans and programmes on Gender integration.

**22.** The delegation had been received by the President of the Republic Mrs. Ellen Johnson Sirleaf who had been duly informed of her election for the said distinction and the award ceremony of which is scheduled for June 2011 in Dakar. The delegation then met with the

Civil Society and Private Sector Organizations to inform them about the second component of the Gender Award which commits them to choosing from within themselves two beneficiaries who have developed initiatives favourable to the promotion of Gender in the economic field and within Civil Society. The Gender Award initiative is sustained and supported by the Republic of Senegal and several development partners among whom figure the Gender Rights and Equality Action Trust (Great Initiative) Association which has its headquarters in London.

**23.** It should be recalled that since its creation, the Gender Award has been successively conferred on Presidents Wade of Senegal and Thabo Mbeki of South Africa in 2005; on President Kagamé of Rwanda in 2007 and on President Guebuza of Mozambique in 2009.

**24. On the 30 March 2011 in Monrovia:** The delegation visited « The Women Democracy Radio Station » and granted interviews on the occasion of the special broadcast on the objectives of the mission to Liberia and the Gender Award conferred on Mrs. Ellen Johnson, President of the Republic. The delegation visited project sites of women's empowerment funded by Oxfam gender projects. Furthermore, it had a meeting with the special security unit of the United Nations Mission to Liberia, the first Unit which is entirely composed of Indian women officers.

**25. On 31 March 2011 in Monrovia:** I participated in a validation workshop of a study on the actions and activities relating to the reform of the Security and Gender sector in Liberia organized by the Centre for the Democratic Control of the Armed Forces (DCAF Geneva).

### **C- Notes Verbale/ Letters of reminder to States Parties**

**26-** Letters of reminder had been sent to the Member States that have not yet ratified the Maputo Protocol urging them to take all the necessary measures to this effect.

**27-** Notes Verbale had again been sent to the Republic of Niger and the Republic of Gabon within the framework of the exchanges



regarding the human rights promotion missions to be carried out in these two countries.

## **D- Press Releases / Declarations / Articles**

**28. January 2011:** I drafted the Preface of the 2<sup>nd</sup> Edition of the Report on the state of progress of the implementation of the Solemn Declaration on Gender Equality in Africa. This Edition presents the table showing the countries which are up to date with their annual Reports to the African Union and gives an account of certain experiences realized in the thematic areas concerned, namely:

- Women's Empowerment;
- Education;
- Health;
- Governance;
- Human Rights;
- Peace and Security.

**29. The 3 March 2011:** I published a Press Release in protest against the violence that took place in Abidjan during a peace march by Ivorian women during which 6 of them were shot down by the Defence and Security Forces loyal to Mr. Laurent Gbagbo. The Release also called on African Women to rise in solidarity with the Women of Côte d'Ivoire. Since then we continue to receive expressions of sympathy and solidarity from Africa and elsewhere, in relation to our sisters of Côte d'Ivoire.

**30. On 8 March 2011:** on the occasion of the 100<sup>th</sup> Anniversary of the International Women's Day, I published a Press Release highlighting the challenges linked to the chosen theme, namely: «**Equal access to Education, Training, Science and Technology: Means of access to decent employment for Women**». The Release reminds the State Parties and all the other actors of their commitments and of the need to address the challenges, to allocate more financial resources to national and regional programmes being implemented to promote the greater access of Women and Girls to Education, Science and Technology.

**31. March 2011:** I published an Article which was disseminated by the Africa Women's Solidarity (FAS) communication network on « the successes and challenges encountered in the field of Women's Rights in Africa, 5 years after the adoption of the Maputo Protocol ».

**32. April 2011:** I was approached by the International Development Research Centre (IDRC; Ottawa, Canada) to chair the Scientific and Political Development Consultative Council on a research project on the political participation of young girls covering 4 countries of the West African region: Mali, Burkina, Senegal and Togo.

The research project seeks to promote understanding of the nature, forms and perspectives of citizenship participation of young women of West francophone Africa, and their contribution to change at the different levels of the decision making institutions. In the long term it will be a matter of identifying and analysing to what extent the implemented public policies can allow young women to fully assume their role as citizens; and to formulate recommendations aimed at enhancing their participation.

### **E- Activities to be carried out within the framework of the 49<sup>th</sup> Ordinary Session of the African Commission.**

**33- From 25 to 27 April 2011:** Participation in the NGO Forum.

**34- From 26 to 27 April 2011:** Participation in the meeting of the Working Group on Indigenous Populations/Communities; discussion of the Items on the Agenda of the meeting and adoption of a number of mission Reports.

**35- On 27 April 2011:** Participation in the launching of the Information Kit on the rights of indigenous women and the African Human and Peoples' Rights System edited by The Forest Peoples Programme.

**36- On 28 April 2011:** Participation in the training session organized for the representatives of States Parties on the Guidelines for the

drafting of the State Report on the implementation of the Maputo Protocol.

## **Conclusion and Recommendations**

**37-** On 8 March 2011 the 100<sup>th</sup> Anniversary of the International Women's Day dedicated to Women by the United Nations. At the time of assessment, it would appear that a century later, notwithstanding the definite progress made in several aspects of women lives, disparities still persist between girls and boys in relation to access to education and inequalities continue to be tolerated and maintained in the Family and in the work place, in particular regarding access to economic or political decision making on women's issues.

**38-** In his message on the occasion of the International Women's Day, the Secretary General of the United Nations deplored the fact that women and girls continue to suffer discrimination and unacceptable abuse, particularly in zones of conflict where «sexual abuse is deliberately and systematically used to intimidate entire Communities ».

**39- On 24 February 2011:** The United Nations celebrated the creation of a new Agency UN-WOMEN dedicated to Women's empowerment and Gender Equality in which African women are placing a lot of hope for support to the Decade of the African Women 2010-2020 in terms of human and financial resources.

**40-** The mechanism on the Rights of Women in Africa is gratified by the vision shared with UN-WOMEN and with the combined actions established with the States Parties, the NGOs and the United Nations Agencies working on Gender Issues.

**41-** Thanks to this interaction between the common interests and challenges, it is to be hoped that new initiatives and resources will be provided to support and strengthen the institutional mechanisms responsible for women's rights at the national and continental levels.

## **Recommendations:**

### **For the African Union**

**42- To urge** the Member States which have not already done so to ratify and/or accelerate the ratification process of the Maputo Protocol.

**43- To encourage** the Member States which have ratified the Protocol to implement it and to submit their Periodic Report, as early as possible, to the African Commission on the basis of the Guidelines adopted towards this end.

**44- To moreover urge** those countries which have not yet done so to submit their Annual Report on the progress they have made in the integration of gender in policies and programmes, in conformity with Point 12 of the African Union's Declaration on Gender.

**45- To guarantee** the funding of the priority areas identified in the African Women's Decade, 2010-2020.

### **For the Member States**

**46- To strengthen** the measures taken to ensure a wide dissemination, at the national level, of the legal instruments relating to women among the populations, in particular the legal practitioners, the members of the public service, the political leaders, the Parliamentarians and the women's and human rights defence organizations.

**47- To adopt** measures of positive action so as to accelerate the greater participation of women in public and political affairs, in conformity with the provisions of Article 4 of CEDAW and Article 19 of the Maputo Protocol.

**48- To launch and intensify** public sensitization campaigns on gender abuse so as to eliminate the abuse phenomenon.

**49- To appoint** women in the mediation teams and in the high level panels as mediators in the current peace processes on the Continent.

**50- To build** the capacities of the NGOs and Women's Institutions to enable them support the initiatives of women developing in the informal sector.

### **For the African Commission**

**51- To embark on** the dissemination of new Guidelines for the presentation of State Reports pursuant to the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

**52- To support** the efforts of the Special Rapporteur mechanism thereby enabling her to support the programmes and strategies of the African Union in the context of the African Woman's Decade./.