

**CONCEPT NOTE: PANEL ON CHALLENGES ON THE IMPLEMENTATION OF
ARTICLE 5(B) OF THE MAPUTO PROTOCOL AND LAUNCH OF THE
SECOND EDITION OF THE MAPUTO@20 NEWSLETTER DEDICATED TO
VICTIMS OF FEMALE GENITAL MUTILATION**

Date: Friday, 17 May 2024 (9:00 to 10:30 GMT)

Venue: Virtual

Introduction:

1. The Protocol to the African Charter on the Rights of Women in Africa (the Maputo Protocol) is a ground-breaking document that specifically addresses women's rights and gender equality on the African continent. The Protocol reaffirms and builds upon the commitments outlined in the African Charter on Human and Peoples' Rights (the African Charter), providing comprehensive protection and promoting women's rights.
2. Female Genital Mutilation (FGM) refers to all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons. It has no health benefits but instead harms girls and women in many ways. Immediate complications can include severe pain, shock, haemorrhage (bleeding), infections, and damage to genital tissue, sometimes even leading to death. Long-term effects include recurrent bladder and urinary tract infections, cysts, painful scar tissue, the need for subsequent surgery, sexual health problems, and mental health issues. FGM can also cause infertility and an increased risk of complications during childbirth, such as excessive bleeding and obstetric tearing, which can lead to maternal and infant death. Article 5(b) of the Maputo Protocol holds significant importance in the context of women's rights. This Article explicitly addresses the issue of FGM. By targeting this practice, Article 5(b) aims to eliminate FGM and protect women and girls from this harmful violation. The inclusion of Article 5(b) in the Maputo Protocol reflects the recognition by African Union (AU) Member States of the urgent need to address and eradicate FGM. It demonstrates their commitment to promoting gender equality, protecting women's rights, and ensuring the well-being and dignity of African women and girls. By focusing on FGM as a specific issue, the Maputo Protocol acknowledges the severity of the problem and provides a framework for action to tackle this deeply rooted practice.
3. Implementing Article 5(b) is crucial to achieving the broader objectives of the Maputo Protocol. It requires concerted efforts from governments, Civil Society Organizations (CSOs), community leaders, and individuals to raise awareness, change attitudes, and enact legislation to combat FGM effectively. The successful implementation of Article 5(b) will contribute to the overall advancement of women's rights, gender equality, and the overall well-being of communities across Africa.

The rationale for the Panel

4. In recognition of the significance of Article 5(b) and the challenges it presents, the Special Rapporteur on the Rights of Women in Africa (SRRWA), in collaboration with Equality Now,



is organizing a panel discussion on the challenges of implementing Article 5(b) of the Maputo Protocol on the margins of the 79th Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR). This panel aims to address the obstacles faced and explore strategies to overcome them, ultimately working towards the eradication of FGM and the fulfillment of women's rights as enshrined in the Maputo Protocol. Additionally, the launch of the second edition of the Maputo@20 Newsletter during the Panel dedicated to victims of FGM will further amplify the voices of survivors, raise awareness, and advocate for stronger actions against this harmful practice. This Panel will also create a platform for sharing experiences and strategies to combat FGM effectively.

5. By focusing on Article 5(b) and its implementation, this Panel seeks to promote dialogue, knowledge sharing, and collaboration among stakeholders to ensure a safer, more equitable, and empowering environment for women and girls throughout Africa.

Specific Objectives:

- i. Increase awareness and understanding of the challenges faced in implementing Article 5(b) of the Maputo Protocol, specifically regarding the eradication of FGM;
- ii. Facilitate the sharing of experiences, best practices, and lessons learned among stakeholders, including policymakers, CSOs, and religious leaders, with a focus on successful strategies for combating FGM;
- iii. Strengthen advocacy efforts to accelerate the elimination of FGM through the dissemination of the second edition of the Maputo@20 Newsletter, which is dedicated to raising awareness about the experiences and needs of victims of FGM;
- iv. Foster collaboration and partnerships among various stakeholders, including government agencies, international organizations, NGOs, and grassroots movements, to enhance coordination and collective action in combating FGM.

Expected Outcomes:

- i. Participants will gain a deeper understanding of the challenges and complexities associated with implementing Article 5(b) of the Maputo Protocol, including cultural, social, and legal barriers;
- ii. Stakeholders will share experiences, successful strategies, and innovative approaches for addressing FGM, leading to enhanced capacity and improved practices in combating this harmful practice.
- iii. The launch of the second edition of the Maputo@20 Newsletter will contribute to raising awareness about the experiences and needs of FGM victims, amplifying their voices, and advocating for stronger measures to end the practice;
- iv. The panel discussion and newsletter launch will promote networking and collaboration among stakeholders, fostering partnerships and joint initiatives to accelerate progress in eradicating FGM.



Panelist:

6. Panelists for the Panel include:

- i. The SRRWA: Plays a central role in providing expertise, insights, and recommendations on the challenges and strategies related to implementing Article 5(b) of the Maputo Protocol.
- ii. Government Representative (**Gambia**): A representative from a relevant Government Ministry, such as the Ministry of Women's Affairs, can share insights on policy frameworks, legislative measures, and governmental efforts to combat FGM and promote the implementation of Article 5(b).
- iii. CSO (**Equality Now**): Representatives from CSOs working on women's rights, gender equality, and advocacy against FGM can provide valuable perspectives on their experiences, challenges faced, and successful strategies employed at the grassroots level.
- iv. National Human Rights Institution (**NHRI-Sierra Leone**): NHRIs are responsible for monitoring the implementation of laws, policies, and programs related to FGM and the Maputo Protocol in general. This includes assessing the effectiveness of measures taken by the government, identifying gaps in implementation, and providing recommendations for improvement. The NHRIs can also collect data and issue reports on the prevalence of FGM, its impact on human rights, and the progress made in eradicating it. Additionally, they could engage in public advocacy campaigns and capacity-building programs to raise awareness about the harmful effects of FGM and the rights of women and girls to be free from this practice. Through education and outreach programs, the NHRI promotes a deeper understanding of the Maputo Protocol, its provisions on FGM, and the importance of its implementation.
- v. Moslem Religious Leader (**From Gambia**): This creates an opportunity for dialogue and understanding between religious perspectives and human rights frameworks. It allows for an open exchange of ideas, where different viewpoints can be shared and discussed, including the Sharia perspective on FGM. This dialogue can contribute to building bridges of understanding and finding common ground between religious teachings and promoting women's rights. It is also an opportunity to address misinformation or misinterpretations that may exist regarding FGM and its relation to Islamic teachings and clarify misconceptions. This can help dispel misunderstandings and contribute to a more informed understanding of FGM within the context of Islam.
- vi. **FGM Survivor (Member of Female Lawyers Association, The Gambia-FLAG)**: The inclusion of survivors of FGM on the panel provides a first-hand account of the physical, emotional, and psychological consequences of the practice. The testimony can create a powerful impact, raise awareness, and shape discussions on the urgent need for action.



AGENDA

Duration: 1 hour

Moderator (Ms. Susan Mutambasere, Centre for Human Rights, University of Pretoria):

1. **Opening Remarks: Hon. Commissioner Janet Ramatoulie, Sallah-Njie (Special Rapporteur on the Rights of Women in Africa):** Provides an overview of the importance of implementing Article 5(b) of the Maputo Protocol. She highlights the Joint General Comment on FGM with the African Committee of Experts on the Rights and Welfare of the Child. **(5 mins)**.
2. **Mr. Kajali Sonko, Deputy Permanent Secretary, Ministry of Gender Children and Social Welfare of The Gambia:** Shares insights on challenges, policy frameworks, legislative measures, and governmental efforts to combat FGM and promote the implementation of Article 5(b). Provide valuable perspectives on the obstacles faced, policy frameworks, legislative measures, and governmental initiatives aimed at addressing FGM and promoting the effective implementation of Article 5(b) **(5 mins)**.
3. **Ms. Faiza Mohamed (Representative of CSOs: Equality Now):** Provides perspectives from CSOs working on women's rights, gender equality, and advocacy against FGM. Share experiences, challenges faced, and successful strategies employed at the grassroots level **(5 mins)**.
4. **Ms. Patricia Narsu Ndanema (Chairperson of the National Human Rights Commission of Sierra Leone):** Presents the NHRI's monitoring and reporting mechanisms related to FGM. Discusses the NHRI's role in investigating complaints, conducting inquiries, and issuing recommendations to address violations of women's rights, particularly regarding FGM **(5 mins)**.
5. **Imam Bashiru Drammeh (Imam of Dippa Kunda Central Mosque, The Gambia):** Engages in a dialogue on the Sharia perspective on FGM, dispels misinformation or misinterpretations, and provides a nuanced understanding of FGM within the context of Islam. Discusses the role of religious leaders in promoting women's rights and combating harmful practices **(5 mins)**.
6. **Ms. Musu Bakoto Sawo (Member of FLAG & FGM Survivor):** Provides a first-hand account of FGM's physical, emotional, and psychological consequences. Shares personal experiences, challenges, and the journey toward healing and empowerment. Emphasizes the urgent need for action to eradicate FGM and protect the rights of women and girls **(5 mins)**.

Q&A Session and Interactive Discussion (20 mins)

SRRWA: Launch of the Second Edition of the Newsletter on Maputo@20 and Closing Remarks (10 mins)