

INTERSESSION REPORT

By

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Africa**

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1- The present Report gives an account, in conformity with the requirement outlined in paragraph 3 of Article 87 of the African Commission's Rules of Procedure, of the promotional activities engaged in since the 43rd Ordinary Session of the African Commission held in Swaziland in May 2008.

2- The Report comprises three types of activities which were carried out in my capacity as Member of the African Commission, as a Member of the Working Group on Indigenous Populations/Communities and in my capacity as Special Rapporteur on the Rights of Women in Africa.

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

1 – From 21 - 29 July 2008: participation in the Extraordinary Session of the African Commission in Banjul on the Rules of Procedure and the consideration of the revised Rules of Procedure.

2 – From 27 - 29 August 2008: At the invitation of the Austrian Federal Ministry of European and International Affairs, I participated in an international conference on the theme « **15 years after the international conference on Human Rights: successes and challenges** ».

3- The conference had registered the participation of several personalities and representatives of States, United Nations Human Rights Institutions, International Organizations, National Human Rights Institutions, regional human rights promotional mechanisms, University lecturers, Researchers and human rights activists.

4 – The deliberations had been organized to focus on several major themes, notably, the challenges relative to the implementation, at the national level, of international human rights standards and practices; human rights for all: how can the message be extended; human rights education for all.

5 – The exercise required a review of the national systems for the promotion and protection of human rights, an evaluation of their effectiveness and efficiency by means of comparative advantage and the highlighting of the contribution and impact of the work of the human rights defender NGOs.

6- The international perspective of human rights education by means of practices and methods had been discussed at length as well as the best manner of strengthening the global programme beyond 2009 and the means of stimulating the national action plans on human rights education.

7 - My communication focused on « **the role of the regional human rights promotion and protection mechanisms and their collaboration with the United Nations system** ».

8 – I highlighted the strengths, the challenges and the perspectives of the African Commission by focusing on the successes registered as well as the high expectations of the Commission in terms of cooperation with the other regional bodies that have similar mandates and in particular with the United Nations Institutions, in order to bring into effect the application of the recommendations made to the State Parties, at the time of presentation of their Periodic Reports.

9 – From 2nd to 4th September 2008, at the invitation of the Embassy of Mali in Germany, I organized days of sensitization on the African Human Rights system for the benefit of Malian and African nationals.

10 – On the 26th and 27th September 2008, I participated in a workshop in Ouagadougou organized by the African Commission on the examination of its working methods.

The deliberations culminated in the adoption of several recommendations the implementation of which should improve the visibility and effectiveness of the Secretariat and should stimulate better understanding of the tasks and issues faced by the Commissioners.

11 – On the 28, 29 and 30 September 2008, I participated in Ouagadougou, in a brainstorming/consultative meeting of the Institutions of the African Union on their relations.

12 – The overall objective of the Consultative meeting was to set up a permanent framework for exchanges between the principal bodies of the African Union which have a role to play in the area of promotion of human rights in Africa. This was with the objective of achieving better synergy of their activities, in the sharing of information, experience and good practices and with the aim of precluding all duplication of activities, dissipation of energy and financial resources.

II – Activities carried out in my capacity as Member of the Working Group on Indigenous Populations / Communities

13 - From 11 to 13 August 2008, I participated in Banjul in the deliberations of the Steering Committee set up within the Working Group to prepare for the sensitization Seminar organized for the States and the African Union on issues relating to the problem of the rights of Indigenous Populations in Africa.

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

A- Seminars and meetings with the Organizations of Civil Society

14 – On the 23rd May 2008, I organized in Swaziland, a Conference on the Protocol on the Rights of Women in Africa, on the initiative of the network of Women Parliamentarians. The Conference registered the participation of the senior officers of several Departments as well as the members of the Association of young Girl Leaders.

15 – The discussions and the exchanges culminated in the drawing up of strategies to accelerate the implementation by the Government and Civil Society of this important instrument that is to transform the lives of women in Africa.

16 – On the **5th June 2008**: I participated in Bamako in the deliberations of the extraordinary Congress of the Coordination of Women's Associations and NGOs in Mali.

17 – On the **9th June 2008**: I participated in Bamako in the Days of Launching of the National Equality Policy between Men and Women, organized by the Ministry for Women's Affairs, the Child and the Family.

18 – The objective was to formulate areas of genuine national policy of equality between women and men which should serve as a reference and orientation development framework in all the sectors. One of the expected results was the drawing up of a Three Year Action Plan 2009 – 2011 and of a monitoring and evaluation mechanism of the National Policy on Gender.

19 – At the invitation of the Secretary for Legal Affairs and Human Rights of the General Peoples' Congress of the Libyan Arab Jamahiriya, I participated, from the 13th to 14th June in a symposium on human rights organized in Albeïda, Libya.

20 – On the **21st and 22nd June 2008**, I participated in the 12th Consultative Meeting on the Integration of the Gender Perspective in the African Union at Charm el Cheikh in Egypt, organized by the Organizations of African Women and Civil Society as a prelude to the summit of Heads of State and Government.

21 – The issue was to finalize the implementation by the States of the Solemn Declaration on Gender and the Protocol on the Rights of Women and to evaluate the contribution of the NGOs by means of alternative Reports presented by the networks and the focal points of the campaign « **Gender is my Agenda** ».

22 – At the end of the deliberations recommendations had been formulated for the benefit of the African Heads of State on the thematic principles which continue to constitute issues of concern on the Continent, in particular on the situation of the women in Zimbabwe and in Darfur.

23 – The 12th Consultative Meeting also called for the organization of a second Heads of State summit on Gender in July 2009.

24 – On the **7th and 8th July 2008**, I participated in the 2nd Meeting in Paris on the Women's Campaign « To ratify and to respect » conducted by the International Federation of Human Rights (FIDH). The objective of this meeting was to validate the reference documents of the Campaign in collaboration with the Member Organizations of the Steering Committee, to agree on the modalities for organizing the launching of the Campaign and to draw up a communication strategy for the realization of the required objectives for the benefit of African Women.

25 – On the **31st July in Bamako**, I participated in the celebration of the Pan African Women's Day organized by the regional bureau of the PWO in Mali, the Civil Society Organizations and the Ministry for Women's Affairs, the Child and the Family on the theme: « **Globalization: challenges and responsibilities of Malian Women in the face of the high costs of living** ».

26 – The exercise involved, by means of several activities including the organization of round tables in the national languages, helping women and other actors of civil society to better grasp the concept and stakes linked to globalization and to develop a citizen's attitude in order to diminish the negative effects on our economies. It was also a question of improving the communication links between the Authorities and the populations in relation to the high costs of basic necessities and to institute measures to assist women who constitute the majority of the vulnerable classes.

27 – On the **8th August 2008**, I presided over a Day organized by FEMNET Mali in collaboration with the Civil Society Institutions on the topic « **Solemn Declaration of the African Union on Gender** ». The objective was to popularize the Solemn Declaration, to support and assist the advocacy by Civil Society with the highest Malian Authorities for the implementation of the commitments made for the benefit of women.

28 – On the **13th and 14th August 2008**, I participated in the symposium organized by the African Commission in collaboration with the Women's Bureau of The Gambia, in celebration of the Pan African Women's Day.

29- The symposium which registered a large participation of Gambian women from all parts of the country had been marked by several activities under the distinguished chairmanship of Madam the Vice President of the Republic of The Gambia, Minister for Women's Affairs, Her Excellency Mrs. Isatou Njie Saidy.

30 – I also moderated a Conference on the rights of women in The Gambia, with, as themes: human rights, reproductive health, participation in the decision making process and local development.

31 – Recommendations had been formulated for the attention of the Authorities for better consideration of the Gender issue in the formulation and implementation of the policies, plans and national development programmes.

32 – On the **16th and 18th September 2008**, I participated in the Consultative Meeting on the Protocol and Solemn Declaration of the African Union jointly organized by the Solidarity Movement for the Rights of African Women (SOAWR) in collaboration with the African Centre for Democracy and Human Rights Studies.

33 – The Consultative Meeting had registered the participation of Women from Liberia, Sierra Leone, The Gambia and Guinea Conakry. The overall objective was to formulate recommendations and strategies for accelerating the ratification and domestication of the Protocol for the Mano River countries.

34 – I presented a topic on the Rights of Women in Africa, the mandate of the Special Rapporteur and the Solemn Declaration of the African Union on Gender.

B – Collaboration with the States

35 – From the **15 to 19 June 2008**, I went on a joint promotion mission to Libya with the Special Rapporteur on the rights of Human Rights Defenders.

36 – On this occasion I discussed the general situation of women's rights with several personalities responsible for legal and judicial matters and the promotion of the rights of women.

37 – I also visited the institutions responsible for the implementation of socio-economic rights for certain vulnerable classes, in particular the orphans and the elderly.

38 – During the mission we underscored the need to strengthen the existing programmes in the area of protection of women's rights, specifically their participation in the decision making process. I also urged the Secretary responsible for Women's Affairs to ensure the regular submission by Libya of its Report on the Solemn Declaration of the African Union on Gender in order to give greater visibility of the progress made in favour of women but also of the challenges which still remain.

39 – From **25 to 30 June 2008**, I jointly embarked on a promotion mission to Tunisia with the SRHRDs. We had discussions relating to the Charter, to the Protocol on the rights of Women and on the Declaration of the African Union on Gender, with the representatives of the Government, with Institutions like the Public Service Ombudsman, with the Magistrates and Bar Associations, the National Human Rights Commission and the Organizations of Civil Society.

40- The recommendations formulated are waiting to be adopted by the African Commission prior to their distribution; nonetheless it is important to underline that thanks to the existence of a genuine policy promoting the status of women since independence, a policy which has been constantly revised and consolidated through programmes, reforms and positive measures of action developed by the Authorities and supported by all the components of society, Tunisian women today enjoy some irreversible rights in several domains.

IV – Some Observations on the situation of the Rights of Women in Africa and Recommendations

41 – From the evaluation of the state of implementation of the commitments made by the States Parties in the field of promotion and protection of the rights of women, at the local, national and regional levels, it appears that notwithstanding the existence of the relevant legal texts, the situation on the rights of women in Africa still remains a source of permanent concern.

42 – In the field of peace and security, despite the commitments outlined in the United Nations Resolution 1325, the representation of women

within the Armed and Security Forces and in peace keeping operations is still very low.

43 – The States Parties should put in place programmes for the sensitization of the African troops on gender issues and to embark on the appointment of women as mediators and/or special envoys to participate in the current peace negotiations in Darfur, in Somalia and in Zimbabwe.

44 – Pertaining to the issue of abuse against women, in particular in relation to the countries in conflict, the prevention and the protection of women against abuse and sexual exploitation is not really guaranteed and the NGOs which fight for the re-establishment of women's dignity and against the impunity enjoyed by the perpetrators, carry out their work without adequate resources and often at the risk of their physical integrity.

45 – The States Parties need to take the necessary measures to reinforce the judicial apparatus, the effective application of the legal texts and the setting up of programmes of psychological support, legal and judicial assistance and socio-economic reintegration for women victims of abuse.

46 – On Human Rights, the ratification of the Protocol on the rights of women by all the African countries has not yet been achieved, in spite of the commitments made by the Heads of State in the Solemn Declaration of the African Union on Gender.

47 – There is urgent need for the process of ratification to be accelerated to give way for the domestication and implementation of the Protocol, which requires greater political will on the part of the State Parties, and a greater synergy between the various actors, thus the need to continue forming alliances and coalitions in the various regions of Africa.

48 – In the Health domain, despite the Commitments made by the State Parties contained in the plans, policies, programmes and Declarations on malaria, HIV/AIDS, Tuberculosis and other infectious diseases, negative social, cultural, economic and legal factors continue to threaten the life and health of a large number of women and young girls in our countries.

49 – This situation which is still more serious in the rural areas, requires greater mobilization of resources by the International Community and the State Parties, the adoption of laws protecting the women infected by HIV/AIDS from any kind of discrimination and the creation of

mechanisms guaranteeing their full participation in the process of access to health care and to the distribution of anti-retroviral drugs.

50 – In the area of Education, despite some progress made in certain countries, the problem of education and the maintaining of girls in school beyond the primary cycle has not been solved and in the perspective of attaining the MDGs and the objectives of the campaign, education for all, there is need for more commitment and financial resources from the State Parties, as well as greater involvement of the Communities, the Teachers and the Parents.

51 – In the area of access to land and to productive resources, due to the customary management of land and the persistence of cultural stereotypes, the access, the control and exploitation by women of land and productive resources remain insignificant and are not adequately regulated hence the major recommendation formulated by the African Women gathered together in the Campaign « **Gender is my Agenda** » and conveyed to the 11th Assembly of Heads of State and Government to organize a round table at the continental level on the guidelines of African Land Policy.

52 – Pertaining to the reinforcement of Women's economic power, the States Parties need to accelerate the setting up and launching of the Economic Empowerment Fund for African Women provided for in their commitments specified in the Solemn Declaration of the African Union on Gender.

CONCLUSION

The collaboration between the Civil Society Organizations and the Special Rapporteur which has already been embarked upon, needs to be strengthened on the joint programmes and Agendas at the national and regional levels, and in which programmes the African Commission needs to enhance its role of promoter and protector of human rights. The objective aimed at being to raise the awareness of the States Parties on the urgent need for them to keep their promises by drafting policies, by developing structures for implementation and by providing sufficient budgetary resources to make the rights of women effective.

The issue of the promotion and protection of women's rights is not simply a question of equity and justice, it is and remains one of the essential conditions for sustainable development and social progress in Africa./.

