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INTERSESSION REPORT

BY

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Commissioner, Special Rapporteur on the Rights of Women in Africa.

1- This report is submitted in accordance with paragraph 3 of rule 87 of the Rules of Procedure of the African Charter on Human and Peoples' Rights covers the promotional activities conducted between the 42nd Ordinary Session of the African Commission on Human and Peoples' Rights, held in Brazzaville, Republic of Congo, from 15-28 November, 2007 and this session.

2- The report covers two types of activities conducted, firstly, in my capacity as Member of the African Commission on Human and Peoples Rights and secondly as the Special Rapporteur on the Rights of Women in Africa.

I – Activities carried out in my capacity as Member of the African Commission on Human and Peoples' Rights (ACHPR).

3- On Tuesday 5th December, 2007, and Thursday 6th December, I was received respectively by the Honourable Minister of Justice and Attorney General and the Honourable Minister of Foreign Affairs and International Cooperation of Mali. During both audiences I gave a brief report on the proceedings of the 42nd Ordinary Session of the ACHPR. I also requested the Government to support us in the dissemination of information on the missions of the African Commission, an organ for the promotion and protection of human rights, among Institutions, Ministerial departments and Civil Society Organisations.

4 – During the audiences, I underscored the urgency of establishing a Permanent Committee for the drafting of periodic reports to be presented by Mali in accordance with article 6 of the Charter.

I also requested the Government of Mali to host a session of the Commission in the near future.

5 – On 9 February, 2008, with the support of the Ministry of Justice of Mali, I organised and facilitated a Conference on:

« **ACHPR: Realities and Prospects.** » for NGOs.

This activity was chaired by the National Civil Society Council of Mali and attended by organisations and associations for the protection of human rights, the Bar, representatives of the Bench Unions, Ministries of Justice and Foreign Affairs, the National Commission for Human Rights, as well as Parliament members of the National Assembly Network for Human Rights.

6 – After my communication I distributed the African Charter to the participants to enable them better understand the Commission as regards its composition, functioning, procedures and relevant regulations.

7 – For a whole day, participants discussed not only the strengths and weaknesses but also the challenges and prospects of the Commission. The organisers seized the opportunity to present a report on the proceedings of the 42nd ordinary session of the ACHPR and the recommendations from the NGO Forum.

8 – This exercise, a first in the history of Mali, was welcomed by the NGOs who expressed interest in the set criteria to have observer status with the Commission.

At the end of the conference, the participants made a number of recommendations including the establishment of a permanent framework for information and consultations between the NGOs and the Commissioner.

9 – On 13 February, 2008, I organised a press conference in collaboration with the Minister of Justice and the Union of West African Journalists. Representatives of the national and international press participated in this activity held at the Maison de la Presse on the theme « The role of the press in the promotion and protection of human rights. »

10 –The objective was to make the African Commission more visible through a presentation on the missions and special mechanisms especially that of the Special Rapporteur for Human Rights Defenders, and to solicit the support of the press to ensure greater respect for citizen's rights.

11 – On 26, 27, and 28, February, I attended a seminar jointly organised by the Interparliamentary Union (IPU) and the United Nations High Commission for Human Rights (HCHR) in collaboration with the National Assembly of Mali.

The participants hailed from the United Nations agencies, the House Committee on Human Rights and Civil Society. Several important topics were discussed namely: Parliament action for the abolition of the death penalty; Parliament and human rights: mechanisms and strategies; the drafting of shadow reports by the NGOs; collaboration with Parliamentarians and the National Human Rights Commission.

12 – Participants questioned the effectiveness of Parliament’s oversight role in monitoring the ratification of international treaties and conventions, and in the drafting and submission of State reports to the relevant organs of the UN and the African Union.

13 – Working groups delved into the recommendations made recently to Mali by the Experts Committee on the Rights of the Child and by the CEDAW Committee of the United Nations. Parliamentarians were informed of these recommendations, the level of implementation of the latter was assessed and where necessary, the Government, associations, Human Rights NGOs were informed of the means proposed by Parliament to redress the situation. And finally the organ of Parliament whose primary responsibility would be to implement recommendations in the area of human rights was identified. At the end of the seminar, a plan of action was drafted and an experts’ committee set up to review the results of the deliberations. Incidentally, I am a member of the said committee.

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

A - Seminars and meetings with Civil Society Organisations

14 – From the 10 to 12 December, I attended the second African Gender Forum jointly organised in Dakar by an international NGO, Femmes Africa Solidarité (F A S) and the Panafrican Gender, Peace and Development Centre based in Dakar. The aim of the African Gender Forum is to establish a forum for dialogue and exchange between Women’s networks on the continent, to harmonise and reinforce their actions. African women are availed the opportunity to assess their situation and propose strategies and measures for the full implementation of international instruments including the Solemn Declaration on Gender Equality in Africa (SDGEA) adopted by the Assembly of Heads of State and Government, in 2004.

15 – Government officials and representatives of international organisations, NGOs and members of the private sector were in attendance.

The main topic was : « Gender, Migration and their socio-economic implications in Africa. » Sub-themes such as women and migration, the economic dimensions of migration, risks, advantages, and value-added of migration for the African Continent were tabled with the International Migration Organisation (IMO). I presented a communication on the Special Rapporteur Mechanism, its role, and contribution to the promotion of the Rights of Women in Africa.

16 – At the invitation of the Canadian Centre for Law and Democracy, I fielded a joint mission from 20-24 January, 2004, to Montreal and Ottawa with the Special Rapporteur of the United Nations on the Causes and Consequences of violence against women, Mrs Yahin Erturk.

17 – In Canada we reviewed the findings of a mission on gender violence in DRC conducted by the United Nation’s Special Rapporteur, in July 2007, and participated in the launching of the Congolese women’s campaign against gender violence in the DRC. During the mission, I presented several papers on the role of the African Commission on Human and Peoples’ Rights in the protection of the rights of women to students, the press, CIDA and Foreign Affairs officials.

18 – On 9th January, 2008, I met NGOs and women’s associations in Mali, during a grand ceremony organised by the latter to display the commitment of Malian women to help the Special Rapporteur Mechanism on the Rights of Women in Africa succeed in Mali.

19 – I made a presentation on the special mechanism, its mandate, competence and contribution, to the drafting process, ratification and implementation of the Protocol on Rights of Women in Africa.

20 – On the 30th and 31st of January, 2008, I participated in a workshop held in Bamako, in preparation for the Congress of the Panafrican Women’s Organisation (PWO) organised by the PWO Regional Bureau in Mali, in collaboration with the Ministry for Women, Children and Family Affairs. The mandate of the workshop was to work with civil society organisations on Mali’s proposed amendments to the PWO core documents in order to help restructure and revitalise PWO organs.

21 – On 29 February, 2008, I organised a lunch-debate sponsored by the Ambassador of Denmark in Mali on the quota of administrative and elected posts allocated to women. Women’s leaders from Government Institutions, international organisations and civil society participated.

22 – On the 1st March, 2008, I had a meeting in Bamako with an NGO, Equality Now, about an on-going study on female genital mutilation in the countries that had ratified the Protocol to the African Charter on the Rights of Women in Africa.

23 – There were exchanges on the Malian experience and the obstacles to the adoption of a specific law on excision as well as a review of the activities carried out by African Governments to combat female genital mutilation.

24 – On 4th March 2008, I participated in a meeting with the Danish Human Rights Institute and the National Human Rights Commission of Mali on prospects for collaboration and consolidation of ties.

25 – From 13th to 16th March, I participated in the 4th National Campaign for the promotion of Family Planning in Mali on the theme : « **Promotion of Family Planning : greater commitment of men.** » Here I moderated over a debate on « **Women’s Reproductive Health Rights and the Law in Mali.** »

26 – On 2nd April, 2008 I participated in Bamako in a workshop on « **mediation and leadership** » jointly organised by the French Association, « Partenariat Femme France-Afrique » and the Malian Association for Progress and the Protection of Women’s Rights. Representatives of NGOs in Mali, Benin, Burkina Faso, Cameroon, and France presented reports extolling the role and contribution of women in the area of family and community mediation and in conflict resolution in Africa.

27 - From 21st to 23rd April, I participated in the 3rd General Congress of the Association of Tunisian Mothers (ATM), a national non governmental women’s association for the public benefit, striving for the promotion of the rights of women and handicaps in Tunisia.

28 –The theme of the meeting was the role and contribution of Civil Society Organisations to the implementation of the Millennium Development Goals (MDG). The Congress was co-chaired by the Minister for Women, Family Children and the Elderly Affairs, and the Secretary of State for Foreign Affairs. Present at the Congress were International, Maghrebian and African Women’s NGOs. A number of recommendations were tabled for States to enhance interaction with the NGOs so as to build the latter’s capacity hence reducing their dependence.

29- From 3rd to 5th May 2008, I participated in the NGO Forum sessions held here in Ezulwimi, Swaziland. I moderated over the working group on the

situation of women's and girls' rights in Africa and the Solemn Declaration of the Heads of State and Government on Gender Equality in Africa.

30- Recommendations were made for States, the African Commission on Human and Peoples' Rights and Non Governmental Organisations to strengthen cooperation and harmonise their strategies and activities in the area of Promotion and Protection of Human Rights in Africa.

B –Collaboration with the States:

31 – From December 2007 to January 2008, I sent information letters and requests for audiences to all the African Embassies accredited to Mali and based in Bamako, as well as to their financial and technical partners who have a stake in Gender issues.

32–The aim was to establish a link between the Rapporteur Mechanism and the departments and institutions responsible for the promotion of Women's Rights in their respective countries, through their Embassies.

To date, I have been received by several dignitaries and talked about the Commission and the Women's Rights situation in Africa.

33 – I am often invited by Embassies to moderate over debates or to meet delegations of parliamentarians or senior civil servants on mission in Mali, to talk about the mission of the Commission and the mandate of the Rapporteur. I also receive documentation from some Embassies such as Burkina Faso and Tunisia on Women's Rights related issues in their countries.

34 – On 7th December, 2007, I met the Minister for Women, Children and Family Affairs in Mali to inform him of my appointment as Special Rapporteur on the Rights of Women at the 42nd Session. I discussed the terms of reference of the special mechanism and the need to create a synergy between the activities of the Government as regards Gender policies and the mandate of the Special Rapporteur.

35 – From 19 to 20 March, I participated and moderated, at the request of the Ministry for Children and Family Affairs in Mali, over a two-day meeting of Heads of Women's Associations and NGOs and the Chairperson of the Council on the Status of Women in Quebec. The objective was to take cue from the Canadian experience on Gender policies for the articulation of draft government guidelines and identification of areas of intervention for Mali's Gender policy.

C – Collaboration with the African Union:

36 – On 4th and 5th April, 2008, I attended an international seminar in Addis organised by the Commission of the African Union in collaboration with the ECA, UNIFEM, UNECA, the Institute for Security Studies and the Swedish Embassy on « **Eradicating violence against women in a conflict situation : lessons learnt from the Rwanda Genocide.** »

Present at the seminar were representatives of United Nations organisations and agencies, organs of the AU, Government, Parliament, Civil Society, academic institutions, as well as independent experts.

37 – The exchanges revolved around case studies done in Liberia and Sudan as well as two other themes: Gender and Security policies; the implementation at the national level of the United Nations Security Council resolution 1325.

The objective of the seminar was to take stock and to review best practices in the fight against gender violence both in conflict and post conflict situations : to identify the difficulties and needs of victims but also to come up with sound and innovative strategies to be implemented by different partners to eradicate this type of violence.

38 – At the end of the seminar, several recommendations were adopted to put an end to impunity, build the capacity of the legal system, improve the protection of the rights of victims and provide the necessary funds to make them autonomous.

39 – I attended a workshop organised on 14th and 16 April, in Banjul, by the Political Affairs Department of the African Union in collaboration with the Economic Commission for Africa (ECA) on Human Rights Education for West Africa.

The main theme was « Enforcing the rights of women through human rights education ».

40 – This workshop brought together representatives of AU Organs, UNESCO, States and Civil Society Organisations in West Africa. The objective was to contribute to the implementation of the World Programme for Human Rights Education, in general, and the African Union Education Programme, in particular.

41 – We presented a communication on the **Role of the African Commission on Human and Peoples’ Rights and Human Rights Education for Women**. There were other presentations linked to the main topic which allowed the participants to share their country experiences, lessons learnt and reviewed obstacles to the realisation of Women’s Rights. Several recommendations were made to strengthen the partnership between the different actors and to ensure that Women Rights take centre stage in the formulation of policies, plans and programmes, and this, on the basis of the Protocol and the Solemn Declaration on gender equality in Africa.

Press Communiqué

42 – A press communiqué was published on the occasion of the International Day for the Economic Rights of Women, on 8th March, I underscored the specific and urgent concerns of women working in the informal sector as well as the needs of rural women, as regards access to land, credit and agricultural inputs.

E- Correspondence with State Parties

a) Correspondence relating to promotion missions

43- Notes verbales were conveyed to the Mauritanian, Ethiopian, Gabonese, and Congo Brazzaville authorities, requesting for permission to conduct visits within the framework of human rights activities promotion in the four countries.

b) Correspondence relating to the Ratification of the Protocol.

44 – In March, 2008, I sent Notes Verbales to State Parties who were yet to ratify the Protocol requesting them to make every effort to redress the situation and to deposit their instruments of ratification with the African Union.

CONCLUSION

45- Despite twenty years of existence, Civil Society Organisations in several countries are still unfamiliar with the African Commission of Human and Peoples Rights. It is therefore imperative that regional and national seminars be held to disseminate the African Charter. African NGOs and National Human Rights Institutions should be encouraged to participate more fully in the sessions of the Commission with the support of States and financial partners. This will help them build their capacity and equip them to use the individual communication system.

46- As regards promotion of Women's Rights, despite the advocacy activities conducted by the African Commission and the civil society organisations in States for the ratification of the Protocol, there has been little or no progress. In the light of the foregoing, we welcome the decision of the International Federation for Human Rights to launch an international campaign for the ratification and implementation of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, in the near future.

47-Regarding protection of the rights of women, the issue of gender violence against women remains alarming, especially in the DRC, and in other countries in a conflict situation. Victims continue to wallow in fear, poverty and abject indifference with serious psychological traumatism. The denunciation campaigns and petitions signed to date have proven inadequate to stem this phenomenon, and meanwhile the perpetrators are enjoying total impunity. The African Commission should look into the lot in life of thousands of helpless women by promoting greater involvement of the International Community in the resolution of conflicts and the empowerment of women.

48- The African Commission on Human and Peoples' Rights should continue to remind African States of their responsibility to implement the ratified international and regional legal instruments and Action Plans geared towards the promotion and protection of Women's Rights in Africa. In conclusion, I would like to congratulate the Community of Non Governmental Organisations for all the efforts exerted by the Associations and NGOs- often under difficult conditions and sometimes at risk to life and limb, thus jeopardising their security, physical well-being, in order to denounce violations against women's rights and to fight against them.

I also thank them for their partnership and support to the Special Rapporteur Mechanism in our common quest to create a just and equitable world.