INTER-SESSION ACTIVITY REPORT

(October 2016 - May 2017)

OF

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I. INTRODUCTION

1. In accordance with Rules 23.3 and 72 of the Rules of Procedure of the African Commission on Human and Peoples’ Rights (the Commission) and in line with its Resolution ACHPR/res.38 (XXV) 99 of 5 May 1999, I present this Report in my capacities as a Member of the Commission; the Special Rapporteur on the Rights of Women in Africa; a Member of the Committee for the Prevention of Torture in Africa (CPTA); a Member of the Committee on the Protection of the Rights of People Living with HIV and Those at Risk, Vulnerable to and Affected by HIV; and the Chairperson of the Working Group on Communications (WGC).

2. The Report, which is presented in six parts, covers activities carried out in the period between the 59th Ordinary Session and this 60th Ordinary Session: Part one covers my activities as Commissioner; Part two, as Special Rapporteur on the Rights of Women in Africa; Part three will discuss my activities as a Member of the CPTA, Part four, my activities as a Member of the CPLWHIV; Part five my activities as the Chairperson of the WGC, and finally Part six of the Report highlights conclusions with recommendations related to the rights of women in Africa.

II. INTER-SESSIONAL ACTIVITIES

PART ONE: ACTIVITIES AS COMMISSIONER

A. Promotion Mission to the Federal Republic of Nigeria

3. From 21 to 30 November 2016, in my capacity as the Commissioner Rapporteur for the Federal Republic of Nigeria, together with the Chairperson of the Working Group on Extractive Industries, Environment and Human Rights Violation in Africa, Commissioner Solomon Ayele Dersso, we undertook a promotion mission to Nigeria. During the mission, the delegation held meetings with various stakeholders to assess the human rights situation in Nigeria. At the end of the mission, we issued a Press Release which highlighted amongst others; the conflict in North East Nigeria and ensuring access to justice for victims of human rights violations in that region; the administration of justice and maintenance of law and order; the need to expedite the adoption of laws including the Bill on Torture, the Disability Bill, the Petroleum Industry Bill, and other pending bills which have a bearing on the promotion and protection of human rights; and the efforts to locate the remaining Chibok girls and all other abducted civilians in addition to ensuring the necessary support for their reintegration. The Press Release can be access on link http://www.achpr.org/press/2016/11/d325/.
B. 21st Extra-Ordinary Session

4. I participated in the 21st Extra-Ordinary Session of the Commission which took place in Banjul, The Gambia, from 23 February to 4 March 2017, organised to consider outstanding and urgent issues such as Communications and urgent human rights issues of concern on the continent.

PART TWO: ACTIITIES AS SPECIAL RAPPORTEUR ON THE RIGHTS OF WOMEN IN AFRICA

A. Commemoration of the International Day for Rural Women

5. On 15 October 2016, I issued a Statement in commemoration of the International Day for Rural Women. I called upon States to take special measures towards rural women and highlighted the Commission’s Resolution on Women’s Right to Land and Productive Resources, where the Commission expressed its concern that rural women are disproportionately affected by marginalisation and exclusion. I urged States to take special measures with regards to the recognition and involvement of rural women in rural development, land distribution and social housing projects. States were also urged to prioritise the equal treatment of rural women and ensure their equal access to control and use land resources, towards promoting gender equality and improving women’s social, political and economic status. The full content of the Statement can be found on link http://www.achpr.org/news/2016/10/d261.

B. Child Marriage Dialogue

6. On 5 November 2016, in Banjul, The Gambia, I participated together with Commissioner Soyata Maiga in a Child Marriage Dialogue organized by the Commission in collaboration with the Centre for Human Rights, University of Pretoria and Think Young Women, a local Organization in The Gambia. The meeting discussed amongst others, the situation of Child Marriage in Africa particularly the issue of Child Marriage in The Gambia and the applicable law; the regional and political commitments to end child marriage in Africa; and the role of the State, CSOs and traditional leaders in eradicating child marriage in Africa. During the Dialogue, I gave the Opening Remarks.
C. Regional Conference on Preventing and Countering Violent Extremism and Gender

7. From 15 to 16 November 2016, in Algiers, Algeria, I attended a Regional Conference on Preventing and Countering Violent Extremism and Gender (PVE) organized by the African Union’s African Centre for Study and Research on Terrorism (ACSRT) and the Office of the United Nations High Commissioner for Human Rights (OHCHR). During the Conference, I made a presentation on Gender Dimensions to Countering and Preventing Violent Extremism. The objectives of the meeting was to build on previous research undertaken by OHCHR and reports on the issue of PVE as well as the OHCHR’s general work on how protecting and promoting human rights contributes to PVE. The meeting was designed to contribute to strengthening the gender dimension of responses to address violent extremism in Africa and identify promising practices and areas in need for further research and guidance. The meeting also built on AU’s efforts to integrate women’s experience and concerns in PVE.

D. Commemoration of the International Day for the Elimination of Violence against Women

1. On 25 November 2016, in commemoration of the International Day for the Elimination of Violence against Women, I issued a Joint Press Statement with the United Nations Special Rapporteur on Violence against Women its Causes and Consequences; the Committee on the Elimination of Discrimination against Women (CEDAW); the Inter-American Special Rapporteur on Violence against Women; the United Nations Working Group on the Issue of Discrimination against Women in Law and in Practice; the Committee of Experts of the Follow-up Mechanism to the Belém do Pará Convention (MESECVI); and the Group of Experts on Action against Violence against Women and Domestic Violence of the Council of Europe (GREVIO). As key global and regional women’s rights expert mechanisms, we called for intensification of international, regional and national efforts for the prevention of femicides and gender based violence. We also called on all States to as a matter of urgency and in collaboration with civil society and other stakeholders, step up their efforts to prevent and eradicate femicides, rapes and other forms of gender based violence against women and girls. The full content of the Statement can be found on link http://www.achpr.org/press/2016/11/d326/.

E. Statement on the Campaign in Support of Women of South Sudan

2. On 10 December 2016, in Banjul, The Gambia, I issued a Press Statement to support the Campaign launched by the AU Special Envoy on Women Peace and Security, on the AU Campaign to “Restore the Dignity of Women and for
Accountability in South Sudan”. The statement highlighted concern over the serious human rights violations in South Sudan since the outbreak of the conflict in 2013, especially the scale of sexual violence perpetrated against women and girls; and condemned the recurrence of these violations and lack of accountability and reparation to victims. The full content of the Statement can be found on link http://www.achpr.org/news/2016/12/d264/.

F. Meeting on Shelters and Protection Orders

3. On 13 January 2017, in London, United Kingdom, I attended a meeting on Shelters and Protection Orders organized by the UN Special Rapporteur on Violence against Women and its Consequences in collaboration with the Centre for Women, Peace and Security of the London School of Economics, to discuss the issues relating to shelters and protection orders. The meeting discussed the international legal standards, including “soft law” standards on Shelters and protection orders and State obligations with respect to shelters; the practicalities of how shelters and protection orders work in practice; and how these practicalities are seen in light of national contexts, such as, how low and middle income countries may have different kinds of solutions compared to higher income countries.

G. GIMAC Pre-Summit Activities

Africa Leaders’ Summit on Safe Abortion -From Commitment to Action

4. On 18 January 2017, in Addis Ababa, Ethiopia, I attended an event marking the 1st Year Anniversary of the Commission’s Campaign to Decriminalize Abortion in Africa and gave a keynote address.

5. From 19 to 20 January 2017, in Addis Ababa, Ethiopia, I participated in the African Leaders Summit on Safe Abortion under the theme “from Commitment to Action” organized by IPAS Africa Alliance. The Summit committed to decriminalizing abortion in Africa and ensuring that every African woman or girl has the right to make decisions about her body, her health and her future. The Summit also pledged to strengthen the capacity of government and inter-governmental institutions’ capacity to promote and protect the rights of women and girls to safe legal abortion. During the summit I made the keynote address.
6. From 22 to 23 January 2017, in Addis Ababa, Ethiopia, I participated in the 29th Session of the Gender is my Agenda Campaign (GIMAC), held under the theme “Gender Inclusive Youth Empowerment and Development for Peaceful and Prosperous Africa”. The Session recognized that harnessing the demographic dividend and achieving full economic empowerment of young people obligates governments to ensure every youth, female and male can access learning opportunities to acquire the knowledge and skills they need to fulfill their aspirations and contribute to their societies. This also includes addressing young people’s access to youth friendly comprehensive sexual and reproductive health information and services including access to safe legal abortion.

Round table discussion on “African Human Rights Year with a particular focus on the Rights of Women and Challenges and Opportunities for CSOs

7. On 22 January 2017, I participated and made Introductory Remarks at a Round Table Discussion on “African Human rights Year with a particular focus on the Rights of Women and Challenges and Opportunities for CSOs.

8. On 23 January 2017, I participated at a panel discussion on “Sexual Reproductive Health Contributing towards the Demographic Dividend-Safeguarding Sexual Health and Reproductive Rights of Youths in Africa: the Role of Civil Society”. The panel discussion was organized by Femmes Africa Solidarité and YWCA.

H. Commemoration of International Women’s Day 2017

9. On 8 March 2017, I issued a Press Statement in commemoration of International Women’s Day, on the international theme for 2017; ‘Women in the Changing World of Work: Planet 50-50 by 2030’. This year’s theme focused on women in the changing world of work, accelerating gender parity and a more gendered inclusive world that promotes the greatest change for women. I reiterated my continued campaign for gender equality and women’s empowerment in Africa and beyond, and called on all women irrespective of their nationality, race, traditional belief and cultural values, to be “#BOLD FOR CHANGE” and embrace the evolving world of work and a changing development landscape. I also called on all women to take their rightful place in the world of work and join the men to make a difference. The full content of the Statement can be found on link http://www.achpr.org/news/2017/03/d279/.
I. Judicial Colloquium on Women and Girls Right to Good Health

10. From 30 to 31 March 2017, in Kigali, Rwanda, I participated at a Judicial Colloquium on Women and Girls Right to Good Health – a South–to South Judicial Dialogue jointly organized by the Supreme Court of Rwanda and Women’s Link International. I made two (2) presentations on Fighting Gender-based Violence as a means of protecting Women’s Reproductive Health Rights; and the Role of the Judiciary in guaranteeing Women’s Right to Health.

J. Validation Meeting of the Draft Guidelines On Combatting Sexual Violence and its Consequences

11. From 10 to 11 April 2017 in Paris, France, I participated at a Validation Meeting of the Draft Guidelines on Combatting Sexual Violence and its Consequences organized by FIDH in collaboration with the Commission. The Guidelines recommend the adoption of a range of concrete measures aiming at fighting against the consequences of sexual violence, in particular with regards to women and girls’ sexual and reproductive rights; punishing perpetrators and protecting and supporting the survivors, in compliance with States’ regional and international obligations.

K. Panel Discussions during the 60th Ordinary Session

12. During the public session of the 60th Ordinary Session, I participated in the following panel discussions: Panel on the Status of Ratification of the Maputo Protocol and Panel and Event on Niger’s National Women’s Day: Women for the Africa we want.

PART THREE: ACTIVITIES AS A MEMBER OF THE CPTA

13. On 1 December 2016, in Abuja, Nigeria, I participated in a meeting organized by REDRESS to consider the role of key stakeholders in the development and implementation of Nigeria’s Draft Anti-Torture Bill, in line with Nigeria’s obligations under the African Charter and the UN Convention against Torture.
PART FOUR: ACTIVITIES AS A MEMBER OF THE COMMITTEE ON PLWHIV

A. Country Visit to the Republic of Namibia

14. From 24 to 29 April 2017 in Windhoek, Namibia, together with the Chairperson of the Committee on the Protection of the Rights of People Living with HIV and Those at Risk, Vulnerable to and Affected by HIV (CPLWHIV), Commissioner Soyata Maiga and Expert Members of the PLHIV, I participated in a country visit of the CPLWHIV to the Republic of Namibia. The objectives of the visit amongst others; was to promote the African Charter, the Maputo Protocol and other regional and international human rights instruments on the protection of the rights of people living with HIV and those at risk, vulnerable to and affected by HIV; identify progress made and the challenges faced in full enjoyment of their rights; assess the impact of HIV/AIDS in the country and discuss with the authorities and relevant stakeholders about the legislative, political and other measures taken regarding prevention, treatment, care and assistance to people living with HIV and those at risk, vulnerable to and affected by HIV in Namibia.

15. At the end of the mission, the delegation issued a Press Release which noted amongst others; the positive developments characterized by a clear political will and real commitment to the treatment, management and prevention of HIV in Namibia; the existence of various programs dedicated to the management of the HIV pandemic, including information and prevention programs, testing, access to ARVs, monitoring and patient’s welfare through nutrition programs; the State's clear commitment to gender issues and eradication of poverty identified as causes of high HIV prevalence, measures to address gender based violence; and the inclusion of the representative of key populations and vulnerable groups in the elaboration of the new National Strategic Framework. The Delegation welcomed the willingness of technical and financial partners and civil society organizations to support the Government's efforts in implementing programs and policies on HIV treatment, management and prevention; and the willingness of technical and financial partners and civil society organizations to support the Government's efforts in implementing programs and policies on HIV treatment, management and prevention. The full content of the Statement can be found on link http://www.achpr.org/press/2017/05/d354/.

PART FIVE: ACTIVITIES AS THE CHAIRPERSON OF THE WGC

16. From 4 to 6 May 2017, in my capacity as Chairperson of the Working Group on Communications, I attended the WGC Meeting convened to consider Communications on Seizure, Admissibility and other Communication-related matters.
PART SIX: CONCLUSION AND RECOMMENDATIONS

17. My conclusion and recommendations in this Report will focus on matters related to my mandate as the Special Rapporteur on the Rights of Women in Africa.

18. During the inter-session, the Commission has registered a number of advances in the promotion and protection of women’s rights on the continent. Despite these achievements however, a lot of challenges remain. We therefore have to take stock of the achievements and challenges, and collectively seek solutions in ensuring that women’s rights are promoted, protected and above all respected.

19. The African Charter and the Maputo Protocol guarantee the comprehensive rights of women. The Maputo Protocol in its preamble stipulates that women’s rights have been recognized and guaranteed in all international human rights instruments as inalienable, interdependent and indivisible human rights. State Parties are therefore obliged to ensure that violation of women’s rights is prohibited and that women fully enjoy their rights.

20. The Maputo Protocol is binding on States that have ratified it. To date, out of the 54 Member States of the African Union, only 38 Member States have ratified the Maputo Protocol, the Republic of Algeria being the latest country to have ratified. The signing, ratification and implementation of the Maputo Protocol has a significant effect on the rights of women on the continent. However it is unfortunate to note that, there are many State Parties that are yet to ratify the Protocol, denying women the opportunity to enjoy their comprehensive rights as envisaged by the Protocol.

21. I would therefore like to CALL on all States that have not yet ratified the Maputo Protocol to do so, in particular those States that have signed the Protocol and are yet to ratify it. It is imperative that we recognize the need and urgency for the full ratification of the Maputo Protocol by all AU Member States, as well as, lift the reservations made during ratification of the Maputo Protocol to ensure effective implementation of the same.

22. Post ratification, harmonization of the Maputo Protocol with domestic laws in several countries which have ratified the Protocol is yet to be conducted due to the lack of real political will and several other obstacles. Gender strategies and policies have however been developed in many countries which have resulted in the adoption of specific laws and reforms in some areas. Consequently it is important that States that have ratified the Protocol take appropriate measures to ensure that the Protocol is domesticated and
implemented. It is only when this is done, that we could confidently guarantee women’s rights in Africa.

23. Apart from the challenges affecting the full realization of women’s rights, most of which is as a result of the non-ratification and implementation of the Maputo Protocol, another major challenge is lack of compliance by States to honour their obligation under article 26 of the Maputo Protocol which requires State Parties to report on the legislative and other measures undertaken by the State to ensure the full realization of the Protocol, in accordance with article 62 of the African Charter. To date only eight (8) countries (Burkina Faso, Malawi, Mauritania, Namibia, Nigeria, Rwanda, Senegal and South Africa) have submitted Reports in line with article 26 of the Maputo Protocol.

24. States are therefore encouraged to adhere to the submission of State Reports which is a well-articulated legal obligation under both the African Charter and the Maputo Protocol and ensure their Reports are in line with the Commission’s Guidelines for State Reporting under the African Charter and the Maputo Protocol. These Guidelines simplify the reporting endeavor by providing States with a template. Copies of these Guidelines can be obtained from the Secretariat of the Commission or on the Commission’s website on www.achpr.org.

25. From a promotional perspective, there is the need to accelerate the popularization of the existing Commission’s Guidelines on State Reporting under the Maputo Protocol. There exists some positive traction in this regard in that most of the first States to Report under the Maputo Protocol have all reported in line with the Guidelines. It is therefore hoped that many other States will follow suit.

26. Let me conclude my Report by expressing my sincere gratitude to all our Partners in particular the partners of the mechanism of the Special Rapporteur on the Rights of Women in Africa, for their continued support and collaborative efforts over the years. I would also like to call on more stakeholders to support the Commission and its work in making women’s rights a reality in Africa.