Sensitization Seminar on the Promotion and Protection of the Rights of Women in Africa

17-19 December 2019
Dakar, Senegal

Final Communiqué.

1. The African Commission on Human and Peoples' Rights (the Commission) organized in Dakar, Senegal, from 17 to 19 December 2019, an awareness-raising seminar on the promotion and protection of women's rights in Africa, through four of its special mechanisms (the Special Rapporteur on the Rights of Women in Africa), The Committee on the Protection of the Rights of People Living with HIV (PLWHA), People at Risk, Vulnerable and Affected by HIV, the Working Group on Economic, Social and Cultural Rights in Africa and the Working Group on the Death Penalty, Extrajudicial, Summary or Arbitrary Executions and Enforced Disappearances in Africa).

2. The overall objective of the seminar was to disseminate and raise awareness among the various stakeholders of the Commission's work on the promotion and protection of women's rights in Africa. Its specific objectives were to: raise awareness among stakeholders of the Commission's various legal instruments relating to the promotion and protection of women's rights in Africa and to disseminate them; exchange with stakeholders on the Commission's successes in promoting and protecting women's rights in Africa; discuss the main human rights violations affecting women living with HIV as they relate to access to health care; defend women's rights in economic, social and cultural development as stated in Article 22 of the African Charter and Articles 12 to 17 of the Maputo Protocol; raise public awareness of the problem of domestic violence, including femicide in Africa and the Commission's contribution in this regard; identify strategies to strengthen cooperation between the Commission
and other stakeholders; identify challenges related to the transposition of the Maputo Protocol into domestic law; and build the capacity of stakeholders in reporting techniques under Article 26 of the Maputo Protocol.

3. The seminar was attended by about ninety (90) people, including:

   - Representatives of the Ministry of Women, Family, Gender and Child Protection; Ministry of Justice, Ministry of Health and Social Action of the Republic of Senegal;
   - The Honourable Commissioners Lucy Asuagbor, Soyata Maïga, Zainabo Sylvie Kayitesi and Jamesina E. L. King;
   - Expert members of the Commission's special mechanisms and resource persons;
   - Representatives of UN agencies based in Dakar (Office of the United Nations High Commissioner for Human Rights, UN Women and UNAIDS);
   - Representatives of national institutions of the Republic of Senegal (the Senegalese Committee for Human Rights and the National AIDS Control Council);
   - Representatives of NGOs and women's rights networks operating in Senegal; representatives of women's NGOs from Cameroon, The Gambia, Gabon, Mauritania, Mali, Sierra Leone;
   - Journalists; and
   - Members of the Commission and its Secretariat staff.

4. The Honourable Commissioner Lucy Asuagbor, Special Rapporteur of the Commission on Women's Rights in Africa welcomed the participants and the Minister of Women, Family, Gender and Child Protection of the Republic of Senegal, represented by her Director of Cabinet, Mr. Ciré LO, officially opened the proceedings of the Seminar.

5. Presentations were made on several themes, including:

   - The presentation of the Commission and its Special Mechanisms;
   - The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol);
   - The Guidelines for the submission of State Party Reports under the Maputo Protocol;
   - Women and economic, social and cultural rights in Africa;
   - The African human rights system: a source of motivation for young women seeking success;
- The use of regional mechanisms to exercise the right to sexual and reproductive health;
- Sexual violence and its consequences in Africa;
- Women and HIV/AIDS in Africa: the right of women to protect themselves and be protected against HIV/AIDS;
- HIV, the law and human rights in the African human rights system;
- The African Union's intervention in the context of the eradication of child marriage in Africa;
- Matrimonial regimes and women's inheritance rights in the event of separation, divorce or nullity of marriage;
- Women and Children: Invisible victims of the death penalty in Africa;
- Violence against women: a threat to women's right to life - ACHPR's contribution to the protection of the right to life in Africa; and
- The African Union Saleema initiative for the eradication of female genital mutilation.

6. The presentations were followed by fruitful exchanges in which participants expressed their concerns, shared experiences and good practices and made recommendations to all stakeholders to enhance the protection of women's rights in Africa, including:

➢ To States Parties

- Promote a human rights-based approach in the implementation of all policies relating to the fight against HIV/AIDS;
- Develop programmes to promote legal, economic and social conditions that enable women, especially those living with HIV, to enjoy their sexual and reproductive health rights;
- Strengthen advocacy for mandatory testing of pregnant women to prevent mother-to-child HIV transmission;
- Involve NHRI and civil society in the development of plans and policies on women's rights, including the establishment of monitoring mechanisms;
- Ensure prompt and impartial investigation and prosecution of perpetrators of acts of torture, in particular in cases involving children;
- Review their legal frameworks on sexual violence and provide training on this legal framework to law enforcement officials;
- Establish help desks in relevant government institutions responsible for assisting victims of sexual violence;
- Integrate comprehensive abortion care including contraceptives in reproductive health services;
- Ensure implementation of the laws on access to abortion health care services;
- Implement ACHPR Resolutions calling on States to observe a moratorium on the Death Penalty;
- Abolish the death penalty and commute the death sentences to life imprisonment;
- The judiciary should take into account the Best Interests Principles in making decisions on the death penalty;
- Provide psycho-social and material support to the families of victims and perpetrators;
- Members of the judiciary should invoke the Maputo Protocol in the courts of their respective countries that have ratified the Maputo Protocol;
- Collaboration between Ministries to exchange good practices and statistics; and
- Take legislative and other measures to eradicate socio-cultural practices that undermine women's rights in accordance with regional and international standards.

➢ To the African Commission on Human and Peoples' Rights

- Increase joint initiatives of this type to raise awareness of women's rights among the various actors and facilitate access to information by public actors and civil society organizations;
- Monitor the effectiveness of the implementation of States' international obligations with regard to women's rights;
- Maintain a permanent dialogue with States and take into account the recommendations of civil society organizations on how best to ensure respect for women's rights;
- Sensitize various stakeholders on issues of sexual violence and its consequences; including its soft laws;
- Ensure University students are sensitized on the mandate and work of the Commission;
- Explore the possibility for the African human rights system to be included in academic curricula;
- Focus on training legal practitioners in regional legal instruments;
- Research on the status of States' Laws to ensure they comply with the Maputo Protocol;
- Address women's rights violations through innovative approaches; and
- Develop, in collaboration with stakeholders, a General Comment on the concepts of "dignified life", "violence against women" and "security of the person" in order to ensure a better understanding of the indivisibility and interdependence of human rights.

➢ To UN Agencies and other Development Partners

- Continue to support States' efforts to promote and protect women's rights; and
- Support NHRIs and NGOs in their awareness-raising activities on human rights in general and women's rights in particular, at the national level.

➢ To National Human Rights Institutions and Civil Society Organizations

- Promote and disseminate key texts relating to the protection of the rights of women and people living with HIV: in particular laws promoting and protecting the rights of people living with HIV and laws on the repression of violence against women;
- Strengthen data collection on cases of sexual violence;
- Advocate for an effective and sustainable response to crimes and offences, including the punishment of perpetrators and reparations to the families of victims and perpetrators;
- Bridging the gap between families and advocating for substitute judgements in order to resolve the issue of the presumption of minority status; and
- Educate women about their rights and the instruments protecting those rights.

➢ To Women

- Believe in themselves and take their destiny into their own hands;
- Be financially self-reliant; and
- Take ownership of the legal instruments to promote and protect their rights.

The Seminar concluded with an address by the Honourable Commissioner Lucy Asuagbor, Special Rapporteur of the Commission on the Rights of Women in Africa, and a statement by Mr. Babacar Ba, Director of Cabinet at the Ministry of African Integration, NRPAD and the Promotion of Good Governance of the Republic of Senegal, who declared the Seminar closed.

Done in Dakar, Senegal, on 19 December 2019.