

# **Press Kit**

fidh International Federation for Human Rights











### «Ratify and Respect»

The year 2009 marks the 30th anniversary of the adoption of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) by the United Nations General Assembly. Whilst the majority of African states



« My constant struggle for justice brings me today to lend my full support to this important initiative. I stand beside all those calling for equality and an end to violence and discrimination against women in Africa ».

### Shirin Ebadi, Nobel Peace Prize Laureate 2003, Campaign Patron

**O 8 March 2009**, over 100 human rights and women's rights organisations across the African Continent launched a campaign to end discrimination and violence against women in Africa.

The Campaign was initiated by FIDH in collaboration with the African Centre for Democracy and Human Rights Studies (ACDHRS), Femmes Africa Solidarité (FAS), Women in Law and Development in Africa (WILDAF) and Women and Law in South Africa (WLSA) and Women's Aid Collective (WACOL).

The campaign has the support of Archbishop **Desmond Tutu**, Nobel Peace Prize Laureate 1984, **Youssou N'Dour**, artist, **Shirin Ebadi**, Nobel Peace Prize Laureate 2003, **Nadine Gordimer**, Nobel Literature Prize Laureate 1991, **Wolé Soyinka**, Nobel Literature Prize Laureate 1986, **Rachid Taha**, Artist, **Angélique Kidjo**, Artist, **Maryse Condé**, Writer, **Jane Birkin**, Artist, and **Bafing Kul**, Artist.

The campaign also has the support of **Yakin Ertürk**, UN Special Rapporteur on violence against women, **Soyata Maiga**, Special Rapporteur on women's rights at the ACHPR, **Angela de Melo**, Vice President of the ACHPR and **Pramila Patten**, UN expert, member of the CEDAW Committee.



### The Campaign Blog: www.africa4womensrights.org a key tool in the Campaign

The blog, with information in English and French, is animated by the organisations participating in the campaign across Africa.

You will find the Campaign Declaration, to be signed online, regularly updated information on women's rights in Africa and details of the Campaign actions undertaken across Africa and elsewhere:

**An interactive map** – which shows at a glance which states have committed themselves at the international level to respecting women's human rights (by ratifying CEDAW, its Optional Protocol and the Protocol to the African Charter on the Rights of Women in Africa). **The Campaign tools** – can be accessed and downloaded. **The Campaign agenda** – is regularly updated.

### «Ratify and Respect»

have ratified this Convention, violations of women's human rights persist across the continent. Despitesome positive reforms of law and practice in several African countries, there is still a long way to go to combat violence and discrimination against women.

### $\Lambda /hy$ this Campaign?

▶ ▶ In the majority of African countries, discrimination remains rooted in law and in practice: women are denied equal rights to inheritance, property, custody and guardianship of children, and are subjugated to their husbands. Women have unequal and limited access to education, health, justice and public affairs.



Increasing numbers of women come together to call for more access to health care and preventive treatment.

Violence continues to be perpetrated against women in both the public and private spheres. Across the continent women continue to suffer domestic and sexual violence, harmful traditional practices female such as genital mutilation, widowhood rites, wife inheritance, forced and early marriage.

In a number of countries, recent escalation of political violence has particularly targeted women.

Adak, a Sudanese woman, explains that following the death of her husband during the conflict, all property of the couple was taken: "Here, when the husband dies, the brother-in-law inherits everything, including the wife. This family law was designed to benefit men and treats women as their property...These laws are recognised even before the Supreme Court...I think that changes must be made to laws and not only to the way people think. It's for parliament to vote laws specifying that women have rights and are not the property of men. Everyone should be treated equally before the law.»

### Testimony collected by Titouan Lamazou for the association Lysistrata, 2006

#### Key moments of the campaign in 2009

- 8 March 2009: international women's day - launch of the campaign.

- **11 July 2009:** anniversary of the adoption of the Protocol to the African Charter - appeal for ratification.

- 3 September 2009: anniversary of the entry into force of the CEDAW Convention - publication of the "Dossier of Claims and Concerns".

This document is the fruit of investigations conducted by national NGOs in their countries. It brings together the principal violations and the main recommendations to improve respect for women's human rights in 40 African countries. It will be a major advocacy tool to call on governments to implement reforms.

-25 November -10 December 2009: «16 days of activism against gender violence» - actions will be organised across the continent to raise awareness, mobilise civil society and put pressure on governments: demonstrations, concerts, petitions etc.

### «Ratify and Respect»

**Strengthening respect for women's human rights** requires reform of the legal framework. The fulfilment of women's human rights is dependent on the political will of governments to **RATIFY** international and regional instruments for the protection of women's human rights and to **RESPECT** their international obligations, by reforming national laws and taking all necessary steps to ensure their implementation.

### The major women's rights protection instruments

The UN Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), adopted by the UN General Assembly in 1979, is the international instrument of reference on women's rights. The Convention sets out states' obligations to put an end to discrimination against women, in the public and private spheres, and to promote equality, including by eliminating prejudice and stereotypes concerning the roles of women and men in society. A UN Committee monitors the implementation of the Convention.

The **Optional Protocol to CEDAW**, adopted in 1999, enables women victims of violations, who are unable to obtain justice at the national level, to bring their case before an international body.

Whilst almost all African states have ratified the Convention on the elimination of all forms of discrimination against women (CEDAW), 8 states have entered reservations to this Convention, which undermine the very principle of non-discrimination; and 35 states have not ratified its Optional Protocol.

### **CEDAW: a tool for change**

Numerous struggles have already been fought and won on the basis of the CEDAW Convention. In Senegal and Burkina Faso, female genital mutilation has been progressively abandoned. In Benin, laws have been reformed in favour of women's rights. In Mali, a new Family Code, with fewer discriminatory provisions, is about to be adopted. But these are timid signs of progress and, across the continent, laws discriminating against women remain widespread. Only two states, Cape verde and South Africa, can claim to have laws which truly reflect equality between the sexes.



All over the continent, women's rights and human rights organisations draw upon these texts to demand their rights.

**The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa,** (the *Maputo Protocol*) adopted in 2003 following a hard-fought battle led by African women's rights organisations, obliges states to guarantee women's fundamental human rights. Several of the rights and obligations set out in this instrument are particularly relevant to the African context, such as the provision concerning the prohibition against traditional harmful practices and the specific obligation to protect women during situations of armed conflict. The Protocol also contains provisions concerning reproductive rights.

6 years after its adoption, 27 states have still not ratified the Maputo Protocol.

### «Ratify and Respect»

### The Campaign's Objectives: "From advocacy... to law... to reality"

The goals of this Campaign are to obtain concrete commitments at the international level, legal reforms at the national level and the demonstration of political will by all governments to ensure such reforms are respected. All the states of the continent are targeted by this initiative.

### he ultimate goal of this Campaign

I is to put an end to violence and discrimination against women in Africa.

If the mobilisation around this campaign is significant enough to exert real pressure on governments, leading them to ratify international and regional instruments protecting women's human rights, to abolish discriminatory laws and customs, to adopt legislation protecting women from violence and discrimination and to take all the necessary steps to ensure their effective implementation, the life of women in Africa will change.



InNiger,womentakeactiontoputpressureonthegovernment to respect international obligations, in accordance with the commitments made by the state when it ratified CEDAW.

This Campaign is not going to prevent rapes from being committed, female circumcision being practised or immediately change entrenched stereotypes about the role of the women in societies. However, if laws are adopted and implemented to sanction violence and to guarantee women equal status to men, these practices will be punished, perpetrators prosecuted and women will no longer be treated as inferior to their brothers or husbands, or marginalised in the public domain.

It is only by achieving equality before the law, that practices will change and mindsets will evolve towards respect for women's human rights.

#### The Campaign's Appeals

**WE CALL UPON** African states to ratify international and regional women's right protection instruments without reservation.

**WE CALL UPON** African states to bring national legislation in conformity with the provisions of these instruments, to abolish discriminatory laws and adopt laws for the protection of women's human rights.

**WE CALL UPON** African states to put in place all necessary measures to ensure the effective application of these laws.

**WE CALL UPON** all national, regional and international actors to join the Campaign so that, together, we can achieve gender equality and full respect of women's human rights.

### «Ratify and Respect»

This year, particular attention will be paid to the situation of women in four countries: Botswana (Southern Africa), le Burundi (Eastern Africa), Democratic Republic of Congo (Central Africa) and Togo (Western Africa).

### 4 target countries in 2009

### **Democratic Republic of Congo (Central Africa)**

#### Population: 52 000 000 habitants

In Democratic Republic of Congo, discrimination against women is enshrined in principal laws including the Family Code, the Labour Code, the Penal Code. These discriminatory laws form the background to the perpetuation of crimes of sexual violence which continue to be committed on a massive scale with complete impunity. Such crimes persist both in areas of conflict and in zones which are now relatively stable. Although two laws were adopted in 2006 on violence against women, the government has failed to take the necessary measures to ensure their implementation. Women are confronted with obstacles at every level in seeking justice. The exercise of this right is limited by the costs associated with bringing a case, absence of information and assistance, endemic corruption of the police and judicial system, as well as other factors including widespread illiteracy. This contributes to creating a context of impunity which in turn favours the commission of such crimes. The DRC government has also thus far largely failed to take into account the problems faced by women in



Status of ratifications: CEDAW: ratified (1986) Optional Protocol to CEDAW: not signed, not ratified Maputo Protocol: ratifed (2009)

elaborating programmes on the reconstruction of the country, in particular concerning access to health services, drinking water, education and decision-making.

#### The Campaign's actors call upon the government of DRC to:

•Take all necessary legal measure to end discrimination against women, fill the gaps in existing laws and reform ambiguous legal provisions which prevent the fulfilment of women's rights

- Guarantee improved access for women to education and health services
- Eliminate obstacles for women to access justice
- Ensure the investigation and prosecution of crimes of sexual violence, in conformity with international standards
- Ratify the Optional Protocol to CEDAW



Status of ratifications: CEDAW: ratified (1996) Optional Protocol to CEDAW: ratified (2007) Maputo Protocol: not signed, not ratified

### **Botswana (Southern Africa)**

#### Population: 1 670 480 habitants

**In Botswana,** discrimination persists in the sphere of the family, in particular concerning marriage: marital power, early marriage and polygamy. Laws sanctionning domestic violence and abolishing provisions which granted authority to the husband over the wife, are insufficiently implemented.

#### The Campaign's actors call upon the government of Botswana to:

- Finalise legal reforms concerning marriage
- Adopt all necessary measures to ensure the application of the laws on domestic violence and abolishing marital power
- Ratify the Maputo Protocol

## «Ratify and Respect»

« Every day women's rights are flouted and violated. This situation will never fundamentally change without strong commitment from women, but also from men. Lets all work together through this Campaign, which has my full support, to build an Africa respectful of women's rights and dignity». **Soyata Maiga, ACHPR Special Rapporteur on Women's Rights, January 2009** 



### **Togo (Western Africa)**

### Population: 5 018 502 habitants

**In Togo,** Family law remains deeply discriminatory. Despite its approval in 2007, the draft Family and Personal Code has never been adopted. This code should introduce equality in matters of inheritance, the possibility of divorce by mutual consent, prohibit polygamy and give women the possibility of refusing to submit to widowhood rites.

### The Campaign's actors call upon the government of Togo to:

• Eliminate all discriminatory laws and adopt family laws which guarantee women equal status with men

• Take all necessary measures to end certain discriminatory customs and traditions, such as forced and early mariage, obstacles to education of girls, female genital mutilation, ritual servitude and repudiation

• Adopt a law to protect women from violence, in particular sanctioning domestic violence, rape (including marital rape), sexual harassment and other forms of sexual abuse

• Incorporate the CEDAW Convention into national law and ratify the Optional Protocol to CEDAW

#### Status of ratifications: CEDAW: ratified (1983) Optional Protocol to CEDAW: not signed, not ratified Maputo Protocol: ratified (2005)

### **Burundi (Eastern Africa)**

### Population : 6 054 714 habitants

**In Burundi,** the Family Code contains numerous discriminatory provisions, in particular concerning inheritance, marriage, the right to property and the transfer of nationality.

### The Campaign's actors call upon the government of Burundi to:

• Accelerate the reform of this text, under discussion for the past 8 years, and submit it for parliamentary approval without further delay

- End harmful traditional practices which instill discrimination against women and girls and threaten their health
- Enforce the new Criminal Code, which penalises sexual violence
- Ratify the Maputo Protocol and the Optional Protocol to CEDAW



Status of ratifications: CEDAW: ratified (1992) Optional Protocol to CEDAW: signed (2001) Maputo Protocol: signed (2003)

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The African Centre for Democracy and Human Rights **Studies (ACDHRS)** www.acdhrs.org

Women's Aid Collective (WACOL) www.wacolnigeria.org





Women and Law in Southern Africa (WLSA) www.wlsa.org.zm

All information on the Campaign is available on the blog: www.africa4womensrights.org



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