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Update on the campaign on the Popularization, Ratification, Domestication and Implementation of the Protocol on the Rights of Women in Africa By Equality Now, April to June 2007

Below is the quarterly update (April to June 2007) that Equality Now received from SOAWR members who are campaigning for popularization, ratification, domestication and implementation of the Protocol on the Rights of Women in Africa; and also from other organizations that are doing work around the Protocol. Also included is information on the status of ratification, meetings and events attended by the SOAWR members and upcoming events.

Country Level Updates

Eritrea

On 8th-10th May 2007, **The East African Sub-Regional Initiative (EASSI)** organized a field trip to Eritrea to support the government's ban on female genital mutilation (FGM). Eritrea is one of the countries that EASSI covers. Together with the National Union of Eritrean Women (NUEW), which acts as the focal point for EASSI in Eritrea, they visited a village 20 km from Asmara to discuss the recent ban on female genital mutilation. At the village they held a meeting with the villagers and informed them of the new ban against FGM. They further highlighted international and regional initiatives that had been undertaken to stop the practice. In particular they highlighted the United Nations campaign against FGM as well as educated them on the Protocol and in particular article 5 of the Protocol that calls on African states to eradicate FGM. The villagers were not aware of these initiatives and even not aware of the ban against FGM in Eritrea. They were adamant not to abandon the practice and insisted that it was necessary for girls to undergo the cut. During the meeting EASSI and its partner used role play as a medium to convey the dangers of FGM. EASSI noted from the field trip to Eritrea that the government has adopted many initiatives to promote and protect the rights of women and girls including the recent ban against FGM but that there was a lack of awareness among civil society and government officials of the AU Protocol on the Rights of Women; and the government has not initiated action to ratify the Protocol. There was a gap between the law and the reality on the ground, the villagers continue to practise FGM and were unaware of the laws and policies in place against FGM. EASSI sees an opportunity for SOAWR to direct attention to Eritrea and recruit the CSOs into the campaign.

Ghana

Caroline Osero-Agengo' (**Equality Now**) attended the NGO Forum preceding the 41st session of the African Commission on Human and Peoples' Rights. She co-facilitated the session on the Protocol on the Rights of Women with Commissioner Angela Melo, the Special Rapporteur on the Rights of Women in Africa. Commissioner Melo gave a report on the activities that she has

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carried out on the Protocol and these are contained in the report that she circulated (more details on pages 15-16). Caroline highlighted the progress that has been made in the SOAWR campaign and noted that the campaign's focus is on attaining universal ratification and domestication and implementation of the protocol in all countries. She highlighted the activities that were undertaken since the last Forum including the lawyers meeting that Equality Now convened in December 2006, and the activities at the World Social Forum including the launch of the book '*Grace, Tenacity and Eloquence*'. She also talked about the meeting in Tunis and Algiers as ways that SOAWR was creating inroads into the North Africa region with a view to attaining the objective of universal ratification. Caroline encouraged the participants to support and join SOAWR's campaign and shared the membership criteria with them.

On 15th May 2007, Caroline participated as a panelist in a Round Table Discussion on "Women, Land and Health Rights in Africa". This was organized by Commissioner Melo in collaboration with the Centre for Reproductive Rights and the Centre on Housing rights and Evictions. Caroline made a short presentation on health and reproductive rights based on the Protocol highlighting Article 14 while making reference to several other Articles including Article 5, 4, 3 and 2. She also gave examples from the campaigns that Equality Now has undertaken on issues such as FGM, Trokosi and abduction and rape in Ethiopia.

Kenya

The Federation of Women Lawyers (FIDA) Kenya has continued to be engaged as a member of the advisory Committee on International Human Rights Obligations which was constituted by the Kenyan Government under gazette notice no. 489 of 2005. On 13th-15th April 2007, a workshop was held for the Committee by the Ministry of Justice and Constitutional Affairs at the Lake Naivasha Club. The objective of the meeting was for the Committee members to have an in-depth review of the committee's terms of reference, training on international human rights mechanisms as well as to discuss Kenya's obligations under regional and international human rights instruments. The expected outcomes of the workshop were for members to fully understand the international mechanisms and draft an action plan that would enable the committee to discharge its duties in a systematic manner and form an advocacy plan to be put in place for both ratification of outstanding human rights instruments and domestication for those already ratified. FIDA-K took advantage of the forum to raise concerns on the challenges they had faced in trying to gain information on the status of the AU Women's Rights Protocol and subsequently held a consultation on the same with the Ministry of Justice and Constitutional Affairs culminating in Hon. Martha Karua's announcement during Kenya's reporting to the African Commission on Human and Peoples' Rights 41st Session that was held in Accra (May 2007) that the ratification of the Protocol will be finalized by June 2007.

FIDA-K also conducted a workshop on a tool named the Health Rights of Women Assessment Instrument (HeRWAI) in Nairobi, Kenya. The workshop attracted about 20 participants drawn

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from local NGOs in Nairobi especially those dealing with health. HeRWAI is an instrument that can be used by women and human rights organizations to assess health policies affecting women's health rights. The reproductive health rights as provided for by the Protocol were discussed in depth during the workshop. The objective was to acquaint the participants with the instrument with the expected outcome that they would use it in their advocacy activities. The participants found it to be a useful tool which they hoped to use in the course of their activities

FIDA-K in conjunction with the New York based Centre for Reproductive Rights (CRR) prepared a shadow report to the African Commission on Human and Peoples' Rights in response to the Kenyan government's report. The government report presented by Hon. Martha Karua, the Minister for Justice and Constitutional Affairs on 18th May 2007, erroneously stated that Kenya had ratified the Protocol. The Shadow report pointed to the contrary. The Minister then responded that she was confident that the ratification process would be completed by the end of June 2007. The shadow report was largely based on the provisions of the Protocol as it related to the reproductive health rights of women, maternal mortality and morbidity, abortion, access to contraceptives and HIV/AIDS issues.

The Coalition on Violence Against Women (COVAW) in collaboration with SOAWR members in Kenya namely, **Women Direct/ECWD** and FIDA Kenya, have continued to engage key stakeholders namely the Ministers in the Ministry of Justice and Constitutional Affairs, Ministry of Gender, and the Ministry of Foreign Affairs for Kenya's ratification of the Protocol.

After further researching on where the process of ratification was stuck, COVAW learned that nine months after the President publicly stated that the ratification process was underway, the Ministry of Gender had not yet redrafted a cabinet memo for Cabinet approval. COVAW then, along with FIDA-Kenya and Women Direct/ECWD, sought audience with the Minister for Gender after several unsuccessful attempts to reach the officers concerned at the Ministry. They have now secured an appointment to meet with the Minister on 4th July 2007.

The three organizations are working intensively on targeted advocacy aimed at the three key ministries: Gender, Foreign Affairs and Justice. They have also secured an appointment with the Minister for Justice and Constitutional Affairs on 10th July and the Protocol is the key issue for discussion.

Liberia

The Women in Liberia Peace Network (WOLPNET) has been following up on the deposit of the instrument of ratification with the Ministry of Gender. So far, the Liberian Government has not deposited its instrument of ratification to the African Union. In addition, WOLPNET has been conducting various awareness-raising campaigns and sensitizing various groups in the region. On 25th March 2007, WOLPNET held a workshop in Bong County on women's rights making

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linkages between violence against women and the AU Protocol on the Rights of Women. During the workshop two sessions were held; one for women and the other for men in leadership. Women were educated on their rights and on the Women's Rights Protocol while the men were educated on the effects of gender based violence. The workshop attracted about 25 participants in total. As a practice, WOLPNET follows up with the women who have been trained at these workshops and has encouraged these women to form non-violent and peace education groups in their communities which meet every Sunday. The women use this forum as a tool to give feedback on the situation in their communities and progress made on information dissemination and how it is being used. WOLPNET also has key focal persons in the communities they have trained to keep track on developments in that particular community and report back to them. WOLPNET is also planning to have another workshop on 15th June 2007. The theme of the workshop will be '*Looking at peace and reconciliation and violence against women*'. The workshop seeks to educate women on their human rights and the existing instruments on women's rights. The target group is women living in the rural outskirts on Monrovia and the workshop will also target some men.

Mali

Association des Juristes Maliennes (AJM) has been conducting popularization exercises. On 13th June, AJM conducted training for magistrates and women advocates on CEDAW, the protocol and the Law on reproductive health. The training was attended by 30 participants, the majority of whom were magistrates from the 9 courts, Court of Appeal and Supreme Court in Bamako. Due to the success of the training, more magistrates have asked to be trained. The magistrates receive many cases on abortion and there are usually complexities involved. Therefore the objective of the training was to create awareness on the provisions of CEDAW, the Protocol and how these are linked with Mali's law on reproductive rights. After the training the magistrates would be able to apply the Protocol and the CEDAW especially where these particular instruments are more progressive than the national laws. AJM plans to continue popularizing the Protocol and translating it into the national language for wider dissemination to grassroots women.

Sierra Leone

In June 2006, the Sierra Leone Parliament passed three 'gender bills' which provide for¹:

- Registration of customary marriage and divorce – minimum age for marriage is now 18 and both the boy and girl have to give their consent to the marriage.
- Women will be able to keep and dispose of their own earnings and property in the same way as men. Dowries need not be returned if the marriage ends.

¹ DFID Office in Sierra Leone

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- Domestic violence – new criminal offence of ‘domestic violence’: cases can be mediated out of court or prosecuted. Measures for protection orders and safe houses to protect victims.
- Devolution of estates – husbands and wives to be able to inherit property from each other equally, male and female children to be treated equally in inheritance.

These bills have gone through following major efforts by women’s groups (including groups upcountry) and the Sierra Leone Court Monitoring Program over a long period. However, these bills still have some weaknesses, particularly the estates bill (to which over 100 amendments were made to strengthen the gazette version which was weak). Nonetheless this is a significant achievement and an important step towards achieving gender equality. This also represents considerable progress towards domesticating CEDAW (the Convention on the Elimination of All Forms of Discrimination Against Women), which Sierra Leone ratified in 1988; and brings Sierra Leone closer to ratifying the Protocol on the Rights of Women.

South Africa

The Centre for Human Rights at the University of Pretoria with support from the United Nations Fund for Women (UNIFEM) organized a training of trainers workshop during 24 to 26th April 2007 at the Burgerspark Hotel in Pretoria, South Africa. The objectives of the training workshop were:

1. To provide an overview of the human rights development frameworks relevant to women in the Southern Africa Development Cooperation (SADC) region;
2. To consider the gender dimensions of the HIV/AIDS pandemic at SADC level
3. To explore how the provisions of CEDAW and the AU Protocol may assist in developing and/or enhancing a strategic approach to dealing with the HIV/AIDS pandemic at SADC level
4. To create a platform that will encourage continuous exchange of information and best practices with regard to the links between CEDAW, the AU Protocol and HIV/AIDS at the SADC level
5. To introduce participants to the model of a multi-sectoral and integrated approach for the effective implementation and monitoring CEDAW
6. To build capacity to participate in the CEDAW reporting processes

During the workshop broad issues were raised with regard to the Millennium Development Goals and NEPAD. The main focus fell on CEDAW and the opportunities presented by the AU Protocol on the Rights of Women and the Solemn Declaration on the Promotion of Gender Equality. The challenges identified were how to draw on these instruments and develop synergies in order to develop a powerful and coherent strategy for combating HIV/AIDS pandemic. The workshop was attended by 25 participants from nine countries within the SADC region (Botswana, Democratic Republic of Congo, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, and Zimbabwe).

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Elize Delpont has been co-coordinating a UNESCO project to consider the root cause of Human Trafficking in women and girls in Southern African countries. The project has focused on South Africa, Lesotho and Mozambique. Policy papers have been developed regarding trafficking in women in these countries. The basis for the policy paper has been a combination of qualitative analysis of interviews with stakeholders in 2004-2005 completed with a critical review and analysis of the available literature on human trafficking especially in women and children in sub-Saharan Africa. The first version of the policy paper was presented to a variety of stakeholders during a regional workshop on 'Human trafficking in Southern Africa (Lesotho, Mozambique and South Africa): Root causes and policy recommendation' organized by UNESCO in Pretoria, South Africa on 22-23 November 2005. Based on the comments gathered during the workshop, the paper further improved through complementary research and analysis in May 2006-March 2007. The paper is intended to serve as a tool for advocacy and awareness-raising to fight human trafficking in South Africa, Lesotho and Mozambique with concrete recommendations to be implemented by a wide range of actors working to fight human trafficking in Southern Africa (including the government, international and local organizations). A further workshop will be held in Maputo, Mozambique in order to raise awareness regarding this matter amongst parliamentarians of Lesotho, Mozambique and South Africa.

The Centre for Human Rights at the University of Pretoria has secured two tuition and accommodation scholarships for SOAWR members to attend its course on Gender Equality in Africa on 3rd-7th September 2007. The preparations have commenced for this annual course which draws together gender activists from Africa and beyond. The course will address the following topics:

1. The UN framework for the promotion of gender equality – History, structures, CEDAW, Beijing Platform For Action, UN Security Council Resolution 1325
2. The African Regional System - The African Charter on Human and Peoples' Rights, The AU Protocol on the Rights of Women in Africa, The Solemn Declaration, the SADC Declaration and Addendum
3. The SADC draft Protocol
4. International, regional and national machinery - who does what? Mandates, activities and best practices
5. Law, policy, practice, reality - mind the gap - custom/culture, HIV/AIDS, GBV, feminization of poverty
6. Developing synergy- strategic planning, lobbying and advocacy

Tunisia

On behalf of SOAWR, the **African Center for Democracy and Human Rights Studies (ACDHRS)**, in collaboration with the AU Women, Gender and Development Directorate, hosted in Tunis (during 2 to 4 April 2007) a North Africa Consultation on Strategies for Accelerating the

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Ratification of the AU Protocol on the Rights of Women in Africa. The objectives of the consultation were:

1. To create a common understanding of the African Union Protocol, its benefits and opportunities in fighting for gender equality in Africa
2. To share perspectives around strategies for ratification
3. To create agreements on national level campaigning on ratification and domestication

There were 44 participants representing government in various capacities (Algeria, Chad, Djibouti, Gambia, Niger, Libya and Tunisia), and the remaining 70 participants were drawn from civil society organizations (Algeria, Ethiopia, Gambia, Libya, Mali, Niger, Nigeria, Sahrawi Arab Democratic Republic, Senegal and Tunisia), the African Union, journalists and SOAWR members (ACDHRS, Baobab for Women's Human Rights, Equality Now and WRAPA). Some of the remarks made by government representatives were:

- Dr. Hussni S. Alouhashi, Secretary of the Legal Affairs and Human Rights of Libya, stated that women's rights were the priority of the Libyan government and urged other states to proceed to ratify the Protocol. He said that in Libya there was no justification for discrimination and that its national laws were reflective of this principle of non-discrimination.
- The Keynote speaker Mrs. Saloua Ayachi Labbene, Minister of Affairs of Women, Family, Childhood and the Elderly, Tunisia, stated that despite countries ratifying human rights treaties, women continued to face discrimination in Africa. She pointed out that Tunisia had adopted the Personal Status Code which provided a list of rights for women, such as access to education, health, political arena etc. She added that Tunisia had already started the process of ratification of the Protocol and the consultation would therefore assist the government with this process.
- The Minister of Women and Children Affairs for Niger, Mrs. Ousman Zeinabou Moulaye, stated that after the National Assembly rejected the Protocol on the ground that it was incompatible with Islam, her ministry together with the NGOs in Niger created a program to sensitize the population on the content of the Protocol. They also collected data and interpreted laws in simple language. Thereafter they shared all the information gathered with various stakeholders and explained that the Protocol was not incompatible with Islam. They also came up with a communication strategy to discuss the Protocol. She was hopeful that due to the numerous popularization campaigns and collaboration between the Ministry and CSOs, the Protocol would be re-introduced at the National Assembly at the next session and approved.
- Ms. Amina Abdi Said (Deputy Director Ministry of Women in Djibouti) remarked that it was important to have the political will by member states to ratify the Protocol. In Djibouti the Protocol was ratified in 2005 because the

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government was keen on advancing the rights of women. Currently the Protocol has been translated to the local languages and is being disseminated among the communities.

Presentations were given by Hon. Justice Samia Doula from the Office of the Minister for Justice and Human Rights, Tunisia, on the *Legal, Political and Economic Status of Women in Northern Africa, Trends and Prospects: A case study of Tunisia*. Ms. Khadouja Mellouli of the Centre of Arab Women for Training and Research (CATWAR) gave a presentation on the role of the centre; Mrs. Hannah Forster (ACDHRS) spoke about the Protocol on the Rights of Women elaborating on its provisions; Ms. Constanca Gaspar from the office of the AU Legal Counsel gave a presentation on aspects of ratification of AU treaties with a focus on the Women's Rights Protocol. Mrs. Yetunde Teriba, AU Gender Directorate concluded the session with a presentation on African women's rights with a focus on the AU Solemn Declaration on Gender Equality in Africa.

The Second day (3rd April), The Gambia, Niger and Libya gave their experiences on the process of ratification and domestication of the Protocol. Prof Ladan of Ahmadu Bello University (Nigeria) gave a presentation on the compatibility of the Women's Rights Protocol with law, religion and culture in Nigeria while Mrs. Saida Agrebi, Tunisian MP, presented the Tunisian experience in reconciling laws with the tenets of Islam; Caroline Muthoni Muriithi (Equality Now) spoke about SOAWR's campaign with emphasis on the strategies undertaken to push for the ratification and implementation of the Protocol.

During group discussions participants discussed challenges, lessons learned and the way forward for ratification and implementation of the Protocol. Some of the insights shared were:

Challenges

- there was a general lack of awareness on the content of the Protocol by decision makers
- lack of CSO involvement (in some countries) in drafting national legislation affecting women and human rights in general
- lack of financial and human resources to undertake law audits and draft legislation
- in many of the countries there was a lack of harmonization of the laws that led to conflict
- religious and cultural practices also hindered the ratification process as the Protocol was viewed by some to be in contradiction to strongly rooted cultural and religious values

Lessons learned

- creating public space for dialogue and debate as well as dissemination of the Protocol as was done in the Gambia
- simplifying the content of the Protocol and translating into the local languages as was the case in Djibouti

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- the value of empowering women to participate in decision-making processes and be involved in drafting of laws and policies that affect them
- the value of sensitizing parliamentarians
- strategically using the media to popularize the Protocol

Recommended strategies

- undertake studies on the status of women in respective countries and prioritize areas of implementation
- conduct law reviews/audits to establish what laws exist and what gaps exist
- target lawyers and judges for training on the use of international instruments in particular the Women's Rights Protocol
- learn lessons from those countries that have ratified the Protocol and have started the implementation processes
- strategically engage religious and cultural leaders in the campaign and sensitize them on the Protocol
- increase networking and share experiences between the different countries
- carry out research and document good practices

Towards the end of the meeting each country generated a plan of action for ratification and implementation of the Protocol.

Status of ratifications

One additional ratification was deposited during this quarter. Tanzania deposited its instrument of ratification on 7th May 2007 bringing the total ratifications to 21.

Status of signatures and ratification	At June 2006	At June 2007
Total signatures	40	43
Total ratifications	17	21

During the 11th Session of the AU Executive Council held in Accra (Ghana) during 27-28 June, SOAWR members engaged in dialogue with delegates enquiring about the status of ratifications, any challenges and about dates for domestication. Several countries have given good indications that their instruments of ratification would be deposited before the end of the year. A summary is provided below of responses from countries:

Algeria – Members of the delegation informed SOAWR members that they have commenced the process of ratification. However, they have new members of parliament and so they could not confirm if there is a good chance of them depositing their instrument of ratification before the

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year ends. They mentioned that SOAWR ought to give credit to countries on the basis of the progress they are making on women's rights advancement and not judge them merely by whether they have ratified the Protocol. They were of the opinion that their situation was much more progressive compared to some of the countries that have ratified the Protocol. They were not happy with the Yellow rating.

Angola – Ambassador Guerreiro Alves Primo mentioned that his country had ratified several pending AU protocols but was not sure if the Women's Rights Protocol was among them. He promised to check and suggested that we write to him as a reminder.

Benin – Imourana Seidou, an official from the Ministry of Foreign Affairs, was not aware of the stage of domestication and said he will find out on return to Cotonou and will let us know. Victoria (**Voix de Femme**) committed to follow-up with him.

Botswana – The Foreign Minister seemed to be surprised that his country had not ratified the Protocol and upon receiving confirmation from members of his delegation that they did not ratify it, he then asked them to remind him as soon as they returned to their country. He informed SOAWR that his country will ratify.

Cameroon – The delegation mentioned that the Protocol is currently being discussed by the Cabinet; and that since they have not entered any reservations on CEDAW they did not anticipate any reservations being placed on the Protocol either. They indicated that they will deposit it with the African Union before year end.

Congo – The delegation indicated that they are currently in elections and there was no point working on ratification until the new MPs take their seats in parliament.

Eritrea – The Foreign Minister (Osman Saleh Mohammed) is new. He committed to work on his country's ratification after he returned to Asmara. He requested that SOAWR sends him a reminder after the Summit ended. Faiza Mohamed (Equality Now) committed to follow-up with him.

Ethiopia – The Acting Director General of the Ministry of Foreign Affairs, Mr. Minelik Alemu, explained that they had already initiated the ratification process. The instrument was tabled at cabinet towards the end of last year but there were some questions on certain articles vis-à-vis the country's existing laws and it was returned to the legal department of the Ministry of Foreign Affairs for clarification. The questions have been addressed and it is being tabled again at the cabinet and thereafter will be presented to the parliament. He was confident they will deposit it to the African Union in the next 2-3 months.

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Gabon – Minister Charles Essonghe explained that the process of ratification in his country is a long one and he was not sure where they were at; but stated his country's commitment to ratifying the Protocol. He felt that it will probably happen next year.

Gambia – The delegation was headed by their Ambassador to the US who did not seem to be familiar with the Protocol. SOAWR members wanted to know why Gambia has not, one year later, officially informed the African Union about lifting its reservations on four articles of the Protocol.

Ghana – Mr. Jude Kwane Osei, Foreign Service Officer at the Ministry of Foreign Affairs, confirmed that his country has ratified and was not happy to see that they were rated “Yellow”. He mentioned that they will be depositing their instrument of ratification by end of week 27 (6th July). It was suggested that ACDHRS follows up with the government.

Guinea – The Minister is new. He committed to follow-up on finalization of his country's ratification. He requested that SOAWR sends him a reminder after the Summit ended. Victoria (Voix de Femme) committed to follow-up with him.

Kenya – Ambassador Espila reiterated his government's commitment to ratify the Protocol and mentioned that the Minister of Justice and Constitutional Affairs had officially committed to the speedy ratification and so he is waiting to receive news from Nairobi.

Liberia – The Minister of Foreign Affairs shared that they have ratified and were in the process of publishing it (i.e. being gazzatted) after which they will deposit it to the African Commission. He was hopeful that this will be concluded in the next month.

Mauritius – Ambassador Premdut Doongoor informed SOWAR that his country was in the process of ratifying the Protocol. However, he was not able to say at what stage the ratification process was.

Niger – The delegate confirmed that there was still resistance over the ratification of the Protocol but did not see this as a big deal. She mentioned it has been the same with CEDAW and it was eventually ratified. She felt that it will be the same for the Protocol – the resistance will eventually subside.

Senegal – Jean Antoine Diouf, Consular of Foreign Affairs, said they have not done any move towards domestication. They emphasized the need for public sensitization prior to domestication and that the Senegalese CSOs needed to initiate advocacy activities directed at the relevant government departments.

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Sierra Leone – Ambassador Ibrahim M'baba Kamara stated his country's commitment to ratify the Protocol but did not give any further information.

Somalia – The Ambassador indicated that he will follow-up on ratification with his Minister although at the moment they are faced with security and political challenges which obviously are priorities for his government.

Sudan – SOAWR members met with both the Ambassador and the Minister at different times. Both of them were not familiar with the Protocol and encouraged SOAWR to send a communication soon reminding them about it. They said in principle their country will ratify the Protocol. Samia Ahmed, **Strategic Initiative for the Horn of Africa (SIHA)**, will follow-up on this.

Tunisia – The Cabinet has already approved it and it is currently being presented to parliament.

Uganda – A senior official from the Ministry of Foreign Affairs shared that the motion to ratify the Protocol was tabled at the cabinet last year; but has been deferred until the elections were concluded. EASSI is going to follow up with him on return to Uganda with a view to activating the process.

Zimbabwe – Members of the delegation said they have already commenced the process of ratification and were going to deposit it before the year ended.

The score card on ratifications (provided here as an attachment) was distributed to the Foreign Ministers along with a policy brief containing a set of demands, and relevant articles from the special issue of Pambazuka that was prepared for the Summit.

SOAWR members (FIDA-Kenya, Women Direct/ECWD and EASSI) met with Graca Machel and briefed her on the status of ratification, giving her the score card. She was not happy with the status of countries in the SADC region and said she will be following up on some of these countries.

MEETINGS AND EVENTS

1. Third Ordinary Session of the AU Conference of Ministers of Health, 9th-13th April 2007, Johannesburg South Africa

Eve Odette (**OXFAM GB**) attended the meeting which brought together African Health Minister in Johannesburg South Africa to discuss ways to eradicate and manage diseases like malaria, tuberculosis and HIV/AIDS in Africa. During the conference, the Commissioner for Social Affairs of the African Union Adv. Bience Gawanas announced in plenary that the AU

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Commission had received a petition from 1000 strong civil society organizations that called on African governments to move fast and implement the Abuja Declaration on HIV/AIDS, TB and Malaria. Commissioner Gawanas therefore urged the ministers to take into consideration the CSOs' concerns.

During the meeting the ministers adopted the African Health Strategy 2007-2015. The CSOs welcomed it but voiced their concern that the strategy was silent on the urgent need of Anti-retroviral Therapies to all who needed them as well as the right of survivors of sexual violence to post exposure prophylaxis and the right for all pregnant women who are HIV positive to prevention of mother to child transmission therapies.²

2. 41st Session of the African Commission on Human and Peoples' Rights

During the Commission session, Commissioner Angela Melo (Special Rapporteur on the Rights of Women in Africa) presented her activity report for the period between the 40th and 41st Ordinary Session of the African Commission on Human and Peoples' Rights. She gave the status of ratification of the AU Protocol on the Rights of Women. She noted that South Africa has had ratified the Protocol with reservations on articles 4 (j) on the death penalty as the death penalty had been abolished and article 6 (d) on registration of marriages since marriages had to be registered in conformity with national laws and article 6 (h) on gender equality the rationale being that the laws were more progressive than the Protocol. The government of South Africa indicated that the rights of women should always be given the most favorable interpretation whether in application of the Protocol or the national laws. Commissioner Melo noted that the reservations were not appropriate in light of article 31 of the Protocol which stated that no provision of the Protocol can affect more favorable national legislation and for this reason the reservations should be lifted or converted to interpretive declarations. She stated the government of Egypt would effect ratification in the near future. She noted that Liberia and Angola were already in the process of ratification and in Kenya the ratification procedure had been initiated a long time ago. Tunisia had submitted a draft ratification of the Protocol to the National Assembly while Ethiopia had submitted a draft to Cabinet which had thereafter been sent it to the Minister responsible for gender issues. The Government of Ghana had during the Session publicly expressed its commitments towards carrying the ratification forward.

The Commissioner also reported on the numerous promotional activities she had undertaken in the past year in various member states and communications (letters) sent to different government officials and civil society partners.

² Adopted from Eve Odete's report on the AU Conference of African Health Ministers viewed at http://www.pambazuka.org/aumonitor/index.php/AUMONITOR/comments/cso_welcome_african_health_strategy/.

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She noted that following a request made by the Special Rapporteur, a working group from the Centre for Human Rights Studies of the University of Pretoria had completed a study of the constitutions of the member states of the African Union for the purpose of analyzing the provisions relative to principles of gender equality and non-discrimination. A matrix on the principle of gender equality and non-discrimination emanated from this study and had been submitted to the Commissioner and would be soon available on-line. She pointed out that only 10 countries had spoken out categorically in favor of gender equality and pointed to Chad and Congo as examples. Another on-going project was collaboration with the University of Alberta, Canada which had compiled a study on the legislation relative to sexual offences for all the member states of the African Union. In April 2007, the group submitted a matrix relating to the penalties of rape and the legal pleas in cases of marital rape. The report highlighted that at least 9 African countries excluded the possibility of rape in the marriage context by making provisions for an exemption in the law which clears husbands from the charge of rape. The Commissioner also collaborated with other institutions in the course of her work and conducted a number of fact finding missions. The Commissioner mentioned in her report that she attended the meeting for lawyers organized by the Solidarity for African Women's Rights coalition among other meetings.

3. **1st Annual Planning meeting on Media Women's Rights (MEWOR) on 23rd-25th May 2007 in Nairobi, Kenya**

The African Women's Development and Communication Network (FEMNET) and **FAHAMU** (network for Social Justice) held the first regional planning meeting for the Media for Africa Women's Rights Project (MEWOR), a project of SOAWR, on 23rd to 25th May 2007 in Nairobi, Kenya. The three-day meeting aimed at forging a partnership with key media professionals, particularly community radios which would be involved in the implementation of the MEWOR project. The three year MEWOR project seeks to use communication as a key strategy to develop two types of radio programs to create widespread awareness of the AU Protocol on the Rights of Women in Africa. The radio programs to be developed under the MEWOR project will be implemented in two pilot regions in Africa- Eastern Africa (Kenya) and Western Africa (Senegal) - and will firstly include a series of radio drama programs, which will target local communities through community radio stations as well as cartoon strips targeting a younger audience. Secondly a series of current affairs radio programs will be produced and will target a separate audience of policy makers and opinion leaders and would be available for download from the internet and broadcast on radio stations. The meeting informed the participants of the MEWOR project, summarizing the proposed activities and priorities. The participants, who were drawn from Eastern and Western Africa, were put together in groups and discussed and identified ongoing activities in their organizations/countries in relation to the role of media in promoting issues related to African women, equality, development and empowerment. The meeting also reviewed MEWOR's work plan and priority themes, and identified key gaps and opportunities. The meeting was a unique platform for all stakeholders to share their professional expertise and personal experiences and address ways they could

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contribute to SOAWR's campaign using the media to expedite realization of its popularization objective. A key outcome was the identification of a vibrant team of media experts and actors who will work closely with FAHAMU and FEMNET to implement the project goals. These include professionals in development and production of radio dramas, current affairs programs and cartoon strips. They also formulated a monthly work plan for implementing the project with specific responsibilities for each partner.

4. Consultation on Continental Government and Public Forum, Nairobi on June 8th 2007

SOAWR joined Action Aid, OSIEA, The UN Millennium Campaign and Oxfam GB in convening a consultation meeting on the proposed continental government which was the sole subject for discussion at the 9th AU Summit (1-3 July 2007). SOAWR's contribution to the debate was to ensure that women's concerns are placed at the heart of the debate. The recommendations from the consultation and the press release issued will be circulated soon.

5. GBV Workshop on Strengthening Skills on Research on Gender-Based Violence, in Nairobi, Kenya on June 18th-22nd 2007

The Gender-Based Violence Prevention Network hosted the above training course. The aim of the training was to strengthen the capacity among the GBV Network members to participate in research activities on GBV, particularly monitoring and evaluation techniques for those involved in advocacy programs on GBV. The training course was a collaborative activity between Liverpool VCT, Medical Research Council, PATH and the GBV Prevention Network. Several SOAWR members (COVAW, FIDA-Kenya, Equality Now) attended.

6. SOAWR Public Forum on 26th June 2007, Accra Ghana

The public forum was held on 26th June 2006 at the British Council Hall, Accra, Ghana. Its objective was to provide space for public discussion on the relevance of the Protocol within the grand debate on African Union Government or Regional Integration which is the theme for the African Union Summit. The participants were welcomed by Charity Binka, Women Media and Change (WOMECE), and the two sessions were moderated by Adama Cooper (ACDHRS) and Roselyn Musa (FEMNET). Several SOAWR members - Equality Now, Oxfam GB and Strategic Initiative for the Horn of Africa (SIHA), Sahra Mukasa (African Women's Development Fund) and the Keynote speaker, Dr. Dodzie Tsikata (Senior Research Fellow, Institute of Statistical, Social and Economic Research – ISSER), - made presentations bringing out the women's concerns into the continental debate. For example, in her keynote address, Ms. Tsikata said 'It is not just the Regional Economic Communities that are the building blocks of the African Union. The Protocol on the Rights of African Women is one of the essential building blocks of a future Continental Government. Without it, continental integration will be meaningless for half of

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Africa's population." FEMNET will distribute a full report on the advocacy week that SAOWR members engaged in Accra.

7. The 10th Pre-summit Consultative Meeting on Gender Mainstreaming in the African Union, Accra Ghana 23rd-25th June 2007

Several SOAWR members (AJM, FEMNET and Equality Now) attended the 10th Pre-Summit consultation meeting in Accra Ghana on 23rd-25th June 2007. The meeting was organized by the Women, Gender and Development Directorate of the AU Commission and the members of "Gender is my Agenda" under Femme Solidarité Africaine (FAS), with the aim of reviewing strategies for the accelerated implementation of the Solemn Declaration on Gender Equality in Africa adopted by the AU Heads of State and Government in 2004. The meeting was an extension of the progress made at the 9th Consultative meeting on Gender Mainstreaming in the African Union held in January 2007 in Addis Ababa. The pre-summit discussed the implementation of the Solemn Declaration within the framework of the Union Government. The meeting brought women from across Africa representing organizations actively engaged in the 'gender is my agenda campaign'. The objectives of the meeting were:

- To raise awareness among women of the gender issues and the Union government
- To ensure follow-up by civil society of the focal and thematic issues related to regional integration
- To link the African Union Commission on the gender agenda and the gender priorities of the Union Government
- To discuss and evaluate and follow up on the progress made since the 9th consultative meeting in Addis
- To reinforce commitment of civil society members of the campaign to participate in the implementation, monitoring and evaluation of the Solemn Declaration on Gender Equality in Africa and the AU Protocol on the Rights of Women in Africa

Key thematic areas were reviewed in relation to the SDGEA such as Governance, Peace and Security, Human Rights, Health, Education, economic empowerment. Presentations were made by members of the Gender is my Agenda Campaign working in the thematic areas. Thereafter the debate on the Union government was discussed with representatives from the African Union Commission giving a briefing on the issues that were to be discussed by the AU Heads of State and Government during the African Union Summit. The participants expressed concerns about the inability of member states to support base line reports on the Solemn Declaration and the lack of political will of member states to honor their commitments to women in Africa.

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8. IPAS Regional Meeting of Ministers and Parliamentarians on Unsafe Abortion and Maternal Mortality in Africa from 26th -29th June 2007

Caroline Osero-Agenko (Equality Now) attended this meeting and made a presentation on the Protocol detailing the history of the Protocol and its context within the African Charter on Human and Peoples' Rights, and discussed the provisions of the Protocol, first highlighting the articles that relate to reproductive health and then gave an overview of the broad themes covered by the Protocol. She followed this with a discussion on the obligations of the States under the Protocol and referred to the commitments of the heads of States and Governments in the Solemn Declaration on Gender Equality in Africa. She then talked about SOAWR, its creation, the strategies that it has used in the past and also spoke of SOAWR's plans after the entry into force of the Protocol. She presented the status of ratifications and this evoked a lot of interest in the room. The representative from Botswana, for example, expressed shock that his country had not even signed the Protocol. There was a light moment when he was red carded from the room by the other participants and he obliged by picking up his things and staging a mock "move off the pitch." Caroline ended the presentation with a discussion on some of the challenges that might be encountered in advocacy for the implementation of the Protocol as well as the opportunities that were open to activists. She mentioned that SOAWR members were in Accra undertaking advocacy activities around the AU summit.

One participant from Tanzania wanted to know how countries can be made to honor their obligations. Since not much time was left, Caroline was requested to respond to her over the breaks. She told her about the reporting framework and also reiterated the fact that organizations could start direct advocacy targeting the policy makers to ensure that the standards contained in the Protocol are integrated into the national laws and policies. Two other participants expressed interest in joining SOAWR. Allen Asimwe of International Human Rights Network and who is a board member of FIDA-Uganda and Maryam Nassali who is the Principal Clerk Assistant in the National Assembly of Uganda. Maryam asked about joining as an individual. Caroline informed her that currently membership is open to organizations only, but promised that SOAWR's Secretariat will be in touch with them.

Ambassador Brookman Ammissah (IPAS Director) lauded SOAWR and noted that organizations including Equality Now worked very hard in the drafting phase to ensure that a Protocol that was acceptable to the political leadership was adopted without compromising the rights of the women in Africa.

UPCOMING EVENTS

1. The 9th Summit of the Africa Union in Accra, Ghana from 1th -3rd July 2007

The theme of the July summit is "*the Grand Debate on the Union Government*". In the last two weeks of June Civil Society organizations organized various forums to consult and debate on the

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issue while giving it public visibility through the media. Many such forums took place in Accra, the venue of the summit. SOAWR members participated in those discussion continuously bringing out issues of concern such as those elaborated in the policy brief that was presented to the Ministers of Foreign Affairs at the opening of the AU Executive Council meeting on 27th June.

2. Third Africa Conference on Sexual Health and Rights: Sexuality, Poverty and Accountability in Africa, February 4-7, 2008 Abuja, Nigeria

Action Health Incorporated, under the auspices of the African Federation for Sexual Health and Rights has announced the third regional conference on Sexual Health and Rights to take place next year in Abuja. The conference seeks to bring together key actors in the field of Sexual Health and Rights to explore how sexuality has affected and can improve development in Africa, especially when working with women and youth. Participants, speakers, and sponsors are expected from the media, academia, civil society organizations, government agencies, development partners, faith-based organizations, regional and sub-regional bodies in Africa and international agencies. The conference will consist of plenary sessions, skills building activities, symposia, roundtables, poster presentations and exhibitions. The following sub themes will be explored: Adolescent and Youth Sexuality, Women's Sexuality, Family Planning and Reproductive Health, HIV/AIDS and Sexuality, Sexuality and Religion, Sexual Abuse and Gender-Based Violence, Culture, Media and Arts, Sexuality and Knowledge Management, Mobility and Sexuality, and Sexuality and the Law. For further information, please visit <http://africalsexuality.org/agenda/announcement.html>

*Prepared by Equality Now
13th July 2007*

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Score Card on Ratification of the AU Protocol on the Rights of Women

RED-CARDED COUNTRIES (7)

01) Botswana	05) Sao Tome & Principe
02) Central Africa Republic	06) Sudan
03) Egypt	07) Tunisia
04) Eritrea	

YELLOW-CARDED COUNTRIES (25)

01) Algeria	14) Guinea-Bissau
02) Angola	15) Kenya
03) Burundi	16) Liberia
04) Cameroon	17) Madagascar
05) Chad	18) Mauritius
06) Congo	19) Niger
07) Cote d'Ivoire	20) Sahrawi Arab Democratic Republic
08) Democratic Rep. of Congo	21) Somalia
09) Equatorial Guinea	22) Sierra Leone
10) Ethiopia	23) Swaziland
11) Gabon	24) Uganda
12) Ghana	25) Zimbabwe
13) Guinea	

GREEN-CARDED COUNTRIES (21)

01) Benin	12) Mozambique
02) Burkina Faso	13) Namibia
03) Cape Verde	14) Nigeria
04) The Comoros	15) Rwanda
05) Djibouti	16) Senegal
06) The Gambia	17) Seychelles
07) Lesotho	18) South Africa
08) Libya	19) Tanzania
09) Malawi	20) Togo
10) Mali	21) Zambia
11) Mauritania	

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Women's Rights Advancement and Protection Alternatives (WRAPA)