

AMNESTY INTERNATIONAL

Public Statement

AI Index: AFR 01/004/2005 (Public)
News Service No: 292
28 October 2005

Africa: Entry into force of Protocol on the Rights of Women in Africa positive step towards ending discrimination

Amnesty International welcomes the entry into force of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Protocol) as an important step in the efforts to ensure the promotion and respect of the human rights of women in Africa.

On 26 October 2005, Togo became the fifteenth state to ratify the Protocol. As a consequence, the Protocol will enter into force on 25 November 2005, 30 days after the deposit of the fifteenth instrument of ratification.

The Protocol fills a major gap in the regional human rights system by providing a comprehensive framework for the promotion and protection of women's human rights.

The Protocol recognizes and guarantees a wide range of women's civil and political rights as well as economic, social and cultural rights. These rights include the right to life, integrity and security of person; protection from harmful traditional practices; prohibition of discrimination; and the protection of women in armed conflict. Furthermore, the Protocol guarantees to every woman the right to respect as a person and to the full development of her personality; prohibition of exploitation or degradation; access to justice and equal protection before the law; participation in the political and decision making process. The Protocol also guarantees the right to health and reproductive rights of women; the right to food security, and the right to adequate housing.

Amnesty International calls on:

African states that have ratified the Protocol to implement it by reviewing all national laws, policies, practices and procedures to ensure that they meet the obligations set out in the Protocol, including by incorporating the rights enshrined in the Protocol into their domestic legislation and take all other necessary measures to implement the instrument in good faith.

all African states that have not yet done so to ratify the Protocol on the Rights of Women in Africa without further delay and without reservations.

Amnesty International also calls on African governments:

Publicly condemn all violations of women's human rights and refrain from engaging in such violations;
Take action to investigate all allegations of violations of women's human rights by members of the police, security and armed forces and others acting with the acquiescence of the state and bring to justice those suspected to be responsible;

Provide constitutional guarantees to prohibit discrimination and ensure equality of men and women and review and amend discriminatory laws and procedures

Background

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa was adopted on 11 July 2003 by the Assembly of the African Union second summit in Maputo Mozambique.

As of 26 October 2005, the following fifteen states are parties to the Protocol: Benin, Cape Verde, Comoros, Djibouti, Gambia, Libya, Lesotho, Mali, Malawi, Namibia, Nigeria, Rwanda, South Africa, Senegal and Togo.

The following states have not yet ratified the Protocol: Algeria, Angola, Botswana, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Congo, Democratic Republic of Congo, Egypt, Equatorial Guinea, Ethiopia, Eritrea, Gabon, Ghana, Guinea-Bissau, Guinea, Kenya, Liberia, Madagascar, Mozambique, Mauritania, Mauritius, Niger, Sahrawi Arab Democratic Republic, Seychelles, Sierra Leone, Somalia, Sao Tome & Principe, Sudan, Swaziland, Tanzania, Tunisia, Uganda, Zambia and Zimbabwe.

The Protocol complements the African Charter on Human and Peoples' Rights in ensuring the promotion and protection of the human rights of women in Africa. The implementation of the Protocol will be supervised by the African Commission on Human and Peoples' Rights, the body established to monitor compliance of states parties to the African Charter, pending the establishment of the African Court on Human and Peoples' Rights. Also, states parties to the Protocol commit themselves to indicate in their periodic reports to the African Commission the legislative and other measures undertaken to ensure the full realization of the rights recognized in the Protocol.