



## **Africa: Violence against women in Africa: From discrimination to impunity**

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Press Release  
African Women's Day

Violence against women in Africa: from discrimination to impunity

A call for ratification and implementation of the Maputo Protocol

Antananarivo-Brazzaville-Bujumbura-Geneva-Khartoum-Kinshasa-London-Lusaka-Nairobi-N'jamena, 31 July 2008. African Women's Day gives us the opportunity to remember that gender-based violence is one of the most serious and widespread violations of the basic rights of women, particularly on the African continent. Gender discrimination is both one of the causes and an aggravating factor of the consequences of violence against women, thus contributing to the perpetuation of impunity of such cases.

The signatory organisations call on African States to ratify the Protocol to the African Charter on Human and Peoples' Rights on women's rights (the "Maputo Protocol"), harmonise national laws with international standards and take all necessary measures to fight against violence against women by tackling the general context of discrimination which encourages such violations and which perpetuates the marginalisation of women, particularly as regards their access to justice.

In this context, the signatory organisations want to draw the African States' attention to the need to tackle the general environment of discrimination, which leads to such violence against women, generally of a sexual nature, perpetrated by the State but also within the community or in the private sphere. This general discriminatory environment,

which affects women from a very young age, is reflected in positive and national customary law rules that must be brought into compliance with international law and national constitutions. These rules legitimate and perpetuate the subordination of women in all areas. State obligations in this field include the adoption of specific measures to increase public awareness of this issue, training of state officials, as well as positive measures concerning access for girls to education and for women to employment and to positions of responsibility and decision making. States must guarantee women's legal capacity, which is needed to empower them. Women's empowerment also entails unhindered access to reproductive and sexual health services and protection of girls from forced marriage and other harmful practices.

Further, we should note that, in addition to being a vehicle for violence, this general context of discrimination against women also has a direct effect on women's access to justice and their right to an effective remedy. Thus, in many African States, there is still impunity for cases of violence against women, not because there is no legal framework, but because of the lack of political will to implement the law. This reality is highlighted by the all too many cases of women who, due to pressure or even threats by family or law enforcement agents, withdraw proceedings against their aggressors. In the same way, the financial dependence of a woman on her husband constitutes an insurmountable hurdle to her starting legal proceedings against him for domestic violence. States must, therefore, put an end to this culture of impunity which serves only to re-victimise female victims of violence, a situation made only worse by armed conflict in certain African countries.

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