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REPORT OF THE REGIONAL SEMINAR FOR CENTRAL AND WEST AFRICAN PARLIAMENTS ON TAKING LEGISLATIVE ACTION TO END VIOLENCE AGAINST WOMEN AND GIRLS: THE ROLE OF PARLIAMENTS

(Ouagadougou, Burkina Faso, 30 March to 1 April 2011)

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Representatives from the Parliaments of Burkina Faso, Burundi, Cameroon, Democratic Republic of the Congo, Equatorial Guinea, Gabon, Gambia, Mali, Rwanda, Senegal, Sierra Leone and Togo, as well as representatives of government agencies and civil society organizations gathered in Ouagadougou, Burkina Faso, from 30 March to 1 April 2011 for a seminar co-organized by the National Assembly of Burkina Faso and the Inter-Parliamentary Union.

Opening addresses were made at the inaugural ceremony by Mrs. C. Compaoré, the First Lady of Burkina Faso; Ms. G. Guigma Diasso, Second Deputy Speaker of the National Assembly, representing the Speaker, Mr. R.M.C. Kaboré; and Mr. M. Chungong, representing the IPU Secretary General. The IPU representative said that violence against women and girls was a human rights violation that jeopardized rights, freedom, health, quality of life and sometimes the life of women and girls, as well as their full participation in political and economic life. The representative of the Parliament of Burkina Faso stated that, as parliamentarians, we must take legislative action to prevent that type of violence, punish perpetrators and provide victims with adequate compensation. The First Lady made an appeal for a global ban on female genital mutilation (FGM).

During the seminar, the participants took stock of the situation in Central and West Africa. They agreed that violence against women - rape, domestic violence, incest, psychological and moral abuse, early or forced marriage, FGM, etc. - was one of the worst forms of gender-based discrimination in addition to being a violation of the fundamental human rights of women. The issue concerned both women and men and should be part and parcel of efforts to promote gender equality.

The participants noted that prejudices, stereotypes and patriarchal attitudes in public and private life only perpetuated acts of violence. Women's vulnerability to violence was exacerbated by poverty, unemployment, a lack of economic empowerment and armed conflict. They underscored the need to pay special attention to the most vulnerable women: widows, elderly women, rural women, disabled women, women refugees and domestic workers.

Ratification of the Convention on the Elimination of All Forms of Discrimination against Women and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa meant that States were bound to take all necessary measures to prevent and combat violence against women and girls. Nevertheless, the participants noted the wide gap between national legislation and the international legal instruments to which they subscribed.

To rectify this situation and respond effectively to violence against women and girls, it was necessary to garner strong political, and to:

- Identify and weed out discriminatory provisions in national laws and bring them in line with international standards;
- Adopt a solid and comprehensive legislative framework centred on prevention, prosecution and sanctions, and protection and assistance for victims;

- Ensure effective law enforcement through appropriate mechanisms (gender budgeting, data collection, research capacity, follow-up mechanisms, etc.);
- Train all actors involved in effective law enforcement - magistrates, security forces, attorneys, health care and social workers, civil society, etc.
- Organize education and awareness activities;
- Mainstream gender equality as a subject in the school curriculum;
- Support the establishment of a regional framework law on violence against women and girls, in particular on FGM and sexual violence in conflict and post-conflict situations.

The parliament must conduct those activities in partnership with the executive, civil society, the media and traditional and religious leaders.

During the seminar, the participants split up into working groups to examine different legislative frameworks to deal with violence in all its manifestations: domestic violence, FGM and sexual violence in conflict and post-conflict situations. For each form of violence, the seminar recommended a series of priority measures with a view to elaborating an appropriate legislative and social response.

DOMESTIC VIOLENCE

In order to address domestic violence, the participants proposed the following measures:

- Set up a committee composed of parliamentarians, representatives of civil society, related ministries and religious and traditional leaders to facilitate research on the issue and assess the magnitude of the problem;
- Draw up a specific draft law to protect victims and oblige perpetrators to be held to account for their actions; provide for civil proceedings (protective measures and sanctions for violations) and guarantee victims access to compensation and assistance (reception centres, telephone hotlines, counselling and legal aid, etc.)
- Create conditions that are conducive to the passage of the draft law (advocacy); and
- Promote enforcement of the law by popularizing it, training the actors involved, finance and monitor implementation and assess its impact.

FEMALE GENITAL MUTILATION

The participants insisted on the need to legislate to put an end to FGM and proposed to include the following elements in the law:

- Prevention
 - Sensitize stakeholders: practitioners, traditional and religious leaders, health care workers and the public at large;
 - Enhance the general level of education;
 - Involve the media and promote collective measures to put an end to the practice; and
 - Mainstream the subject of FGM into the school curriculum.
- Support and assistance for victims
 - Ensure access to medical care and counselling (immediate and long-term);
 - Guarantee funding for assistance to victims;
 - Provide free legal aid to victims in cases of criminal proceedings;
 - Inform victims of mechanisms to provide them with assistance and compensation, and of the telephone hotline; and
 - Adapt services to the demand of victims.
- Sanctions
 - Criminalize FGM and apply the sanctions provided for;
 - Harmonize laws to combat cross-border practices; and
 - Provide compensation for victims.
- Law enforcement and assessment

- Put in place appropriate mechanisms (follow-up committee, human, material and financial resources, legal aid offices, etc.);
- Promote the involvement of opinion leaders and traditional and religious leaders in enforcement of the law; and
- Make available data on the efficiency of the law.

SEXUAL VIOLENCE IN CONFLICT AND POST-CONFLICT SITUATIONS

To tackle the problem of sexual violence in conflict and post-conflict situations, the participants proposed the following measures:

- Legislative action
 - Bring national laws in line with international legal instruments, and in particular strengthen legal provisions on sexual violence in the Criminal Code;
 - Ensure that laws stipulate that there is no statute of limitations for sexual violence during armed conflict; and
 - Set up specialized structures to protect women and children and provide sanctions for sexual violence in peace time and in times of armed conflict.
- Parliamentary oversight
 - Ensure that resources are allocated to provide comprehensive assistance to the victims of sexual violence;
 - Request the establishment of a national multisectoral policy to combat sexual violence and a national action plan to ensure it is effectively implemented;
 - Ensure that the prohibition of acts of sexual violence are incorporated into the codes of conduct of defence and security forces, that senior officers in the chain of command are held to account for acts of sexual violence committed notably during armed conflict; and
 - Demand enhanced training for defence and security forces in the area of human rights, and in particular, the rights of women and children.

The participants congratulated the experts on their presentations, which had struck the right chord, and undertook to take into account the propositions made with a view to taking effective legislative action to end violence against women and girls.

They thanked the National Assembly of Burkina Faso and the Inter-Parliamentary Union for organizing the seminar.

Done in Ouagadougou on 1 April 2011
The Seminar