

# CONSULTATIVE WORKSHOP FOR NATIONAL HUMAN RIGHTS COMMISSIONS IN EASTERN AND SOUTHERN AFRICA

27-28<sup>TH</sup> APRIL 2022 | AUC INTERNATIONAL CONFERENCE CENTER | ADDIS ABABA, ETHIOPIA

# MEETING REPORT













#### <u>Overview</u>

The African Union Commission (AUC), Health Humanitarian Affairs and Social Development Division through its Ending Harmful Practices Unit from April 26<sup>th</sup> -27<sup>th</sup> organised and hosted a consultantive workshop meeting for National Human Rights Commissions in Eastern and Southern African countries at the AU International Conference Center in Addis Ababa.

This workshop aimed at strengthening the capacity of the National Human Rights Institutions to effectively contribute towards achieving the SDG target 5.3 to eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation by 2030 in Africa.

#### Specific Objectives of the Consultative Meetings

- a) To orient National Human Rights Commissions on the AU campaign to End Child Marriage and the Saleema Initiative to End FGM (particularly the strategies) seeking their commitment towards achieving the Africa that We Want under Agenda 2063 – Aspiration 6: 'An Africa whose development is people-driven, relying on the potential of African people, especially its women and youth, and caring for children' and SDG target 5.3 to eliminate child marriage by 2030;
- b) To share experiences on the structure and work of National Human Rights Commissions in selected countries specifically related to the rights and protection of children including the work of NHRCs with Government Ministries and CSOs at national level;
- c) To assess the capacity of the National Human Rights Commissions to regularly collect disaggregated child marriage data in line with AU organs such as the ACERWC and other institutions.
- d) To discuss and come up with solid way forward on enhancing the capacity of National Human Rights Commissions to effectively investigate, follow-up and track child marriage cases and issues;
- e) To present the reporting mechanism AU harmful practices progress while using the accountability framework to monitor progress towards harmful practices;

Modality of the Consultative Meeting of the National Human Rights Commissions in East and Southern African region

1. Opening Ceremony : The meeting entailed an official opening ceremony during which high level opening remarks were delivered by the AU Director of Culture, Sports and Social Affairs, Madame Mariama, Cisse The AU special Rapporteur on Ending Child Marriage and other Harmful Practices Hon Hermaine Kembo, the USAID Head of Delegation to the African Union Mr Patrick



Brady, a representative on the UNICEF representative to the AU and UNECA- Mr







Jephthe Mve Mondo and a representative of UNFPA representative to the AU and UNECA Ms Paolo Pileri.

#### 1.1 Key Opening Statements:

• In her opening remarks, Madame Cisse Mariama, the AU Director of Sports, Culture and Social Affairs reiterated the responsibility of National Human Rights Institutions (NHRIs) in broadly protecting, monitoring and promoting human rights as

described in the Paris **Principles** further. and their role in addressing child marriage and FGM in а given country. She emphasised that NHRI's are a voice to the voiceless and therefore tasked them to use the



workshop to effectively share existing country strategies and actions being used to track, investigate and litigate harmful practices and areas that AU through its key campaigns on Ending Child Marriage and Eliminating Female Genital Mutilation can provide technical assistance.

 Hon Hermaine Kembo Gatsing, the AU Special Rapporteur on Ending Child Marriage and other Harmful Practices, reaffirmed her support in working closely with the National Human Rights Commissions represented to advocate and enforce member state level legislation of the age of 18 years as the minimum legal age of marriage.



- Mr Jephthe Mve Mondo, who represented the UNICEF representative to the African Union and UNECA reminded the participants that for child marriage to end in Africa by 2030, evidence suggests that the rate of progress would need to be 15 times faster than the pace recorded over the last decade.
- During this session, the AUC Ending Harmful Practices Unit also made presentations on key strategic documents that are providing technical and policy direction to the continental and member state level campaign activities including: The AUC Ending Child Marriage Strategy 2019-2023, The AUC Eliminating Female Genital Mutilation Strategy/Saleema Initiative, The AUC Accountability Framework on Ending all forms of Harmful Practices







#### 2. <u>Country Experience sharing and discussion on the work of National Human</u> <u>Rights Commissions and how they are contributing to ending child marriage and</u> <u>FGM Opening Ceremony</u>

Six countries (Madagscar, Malawi, Mozambique, Uganda, Ethiopia and Tanzania) presented the current level of NHRI Implementation of the AU campaigns to End Child Marriage and Eliminate Female Genital Mutilation. Presentations covered the country statistics of harmful practices to children, ongoing activities to track, investigate, report and litigate these violent crimes; as well as programmatic and policy barriers that NHRIs are currently faced with in fully exercising their authority to penalise perpetrators and hold stakeholders accountable for the prevention and protection of girls from these harmful practices. Country actions led by NHRIs are summarised in the pictorial



below:

















Commission for Human Rights and Good Governance of the Republic of Tanzania (CHRGG)



- The Government of Tanzania has established a Child desk in line with UN General Comments No. 2/2002 to promote and protect child rights.
- O CHRGG is conducting Public Enquiries on child abuse, teenage pregnancy and child marriages in three regions of Tanzania Mainland and two regions of Zanzibar.
- CHRGG also holds Public meetings with teachers, community leaders and the community at large on effects of FGM and Early marriages, together with public Enquiries on child abuse, teenage pregnancy and child marriages in three regions of Tanzania Mainland and two regions of Zanzibar.
- CHRGG also conducts public meetings with teachers, community leaders and the community at large on effects of FGM and Early marriages.

#### Actions being led by the Commission on Ending Child Marriage and FGM









3. Breakout Group discussions on the assessment of existing data collection and reporting mechanisms at the country level and country recommendations on adoption of the accountability framework checklist.

On the second day of the meeting, country teams were split into break out groups where they provided information and response to the key questions highlighted below on their existing monitoring and reporting mechanisms and their key recommendations on the Reporting checklist of the AU Accountability Framework can be adopted at national level to enhance monitoring, evaluation and reporting on harmful practices.

# Questions that country teams responded to and presented on during a specific plenary on Reporting on Harmful practices by NHRIs:

- o What are the current country data collection and reporting mechanisms on Harmful Practices for children (*1. Data sources, 2. Frequency of reporting and reach, 3. Dissemination (which stakeholders access this data) 4. How is the Data Used for advocacy*)?
- o What are existing challenges in country data collection and reporting.
- o Accountability Framework Monitoring Checklist for improving Harmful Practices Reporting within your country



Recommendations for the National Human Rights Commissions Consultative Workshop Held in Addis Ababa on April 26<sup>th</sup>- 27<sup>th</sup>, 2022

- National Human Rights Commission should adapt the AU accountability framework on eliminating harmful practices to improve reporting and monitor progress towards ending child marriage and FGM. The AUC will develop a roadmap for engaging the NHRI in the adaptation process of the accountability framework.
- 2. Improve the capacity of NHRI to effectively investigate, follow-up and respond to child marriage cases and complaints
- 3. Invest in research to understand the deeply rooted factors perpetuating Child marriage and FGM despite the so far made







- 4. National Human Rights Commission should consider working closely with young people in their programmes in bringing their voices as solutions to addressing the problems of child marriage and FGM in Africa.
- 5. Enhance the capacity building for NHRC responders and investigators to address complex child marriage and FGM cases
- 6. Strengthen data collection focusing on child marriage and FGM cases for prosecution and reporting in National annual Human rights status reports
- 7. Strengthen law enforcement and legislations on child marriage and FGM
- 8. Establish strong collaboration with traditional and religious authorities in promoting and protection children from child marriage and FGM
- 9. Support documentation of court cases related to child marriage and FGM that have been prosecuted and disposed off to learn from
- 10. Strengthen identification, reporting and referral pathways to manage cases related to child marriage and FGM
- 11. Support harmonization of laws and legislation on the age of child marriage and sexual consent in countries where there are contradictions.
- 12. Strengthen NHRI structures and units that focus on children to ensure adequate protection and promotion of their rights.
- 13. National Human Rights Institutions should support the promotion of child friendly courts so as to effectively prosecute children's case in a private manner.
- 14. Increase partnerships between NHRI and the civil society organization on issues related to promotion and protection of girls rights against harmful practices
- 15. Advice governments and parliament about child marriage and FGM country situations in a regular and timely manner to take appropriate actions
- 16. Support formulation and delivery of education initiatives, publicizing the human rights abuses related to child marriage and FGM









#### Annex 1: Agenda

Consultative Workshop for National Human Rights Commissions in Eastern & Southern Africa

26 – 27<sup>th</sup> April 2022

Day 1: Tuesday 20	5 <sup>th</sup> April 2022	
Time		Facilitator/Moderator
09:00- 09:30	<ul> <li>01. Opening remarks and official opening:</li> <li>Opening statement by AU Statement by AU Director of Social Development, Sports and Culture : <u>Mme. Cisse Mariama Mohamed</u></li> <li>Brief remarks by UNICEF Rep: <u>Dr. Edward Addai</u></li> <li>Brief remarks by UNFPA Rep</li> <li>Brief remarks by USAID Head of Delegation: <u>Mr. Patrick Brady</u></li> <li>Statement by AU Special Rapporteur on Ending Child Marriage and other Harmful Practices: <u>Hon. Hermine Gatsing Kembo</u></li> </ul>	AUC
09:30 - 10:00	02. Brief presentations of the AU campaign to End Child Marriage and the Saleema Initiative to end FGM	AUC
10:00 – 10:30	Tea Break	
10:30 – 11:00	04 Overview of AU accountability framework to monitor progress towards ending harmful practices ( Child Marriage and FGM)	AUC
11:00 - 12:30	Group discussions on how the accountability framework can be adopted and operationalised – what needs to be done, challenges and concrete actions	NHRCs
22 : 00- 3: 00pm	Plenary discussion	
3:00- 4:30pm	<ul> <li>05. Country Experience sharing and discussion on the work of National Human Rights Commissions and how they are contributing to ending child marriage and FGM ( Selected countries)</li> <li>Presentations (10 minutes each) <ul> <li>Study on Mapping National Human Rights Institutions ( NHRIs) on Child Protection</li> <li>Country 1</li> <li>Country 2</li> <li>Country 3</li> <li>Country 4</li> <li>Country 5</li> </ul> </li> </ul>	NHRCs and ACERWC
4:30	Closing of Day 1	

Day 2: Wednesday 27, 2022		
Time		Facilitator/Moderator
09:00 - 09:30	05. Recap of day 1	AUC







09:30 – 11:15	<ul> <li>Presentations (10 minutes each)         <ul> <li>Country 6</li> <li>Country 7</li> <li>Country 8</li> <li>Country 9</li> <li>Country 10</li> </ul> </li> <li>Plenary Discussion</li> </ul>	NHRCs
12:15 – 1:00	<ul> <li>06. Investigating, follow-up and tracking child marriage and FGM cases and issues <ul> <li>What is working?</li> <li>What are the gaps?</li> <li>What can be done?</li> </ul> </li> </ul>	NHRC - Network
1:00– 2:00pm	10 Minute Break	
2:00 – 3:00pm	07. Discussion on the role and priority actions by the NHRCs to support Member States to accelerate elimination of child marriage and FGM: The importance of data collection and reporting mechanisms on Ending child marriage and FGM guided by the AU Accountability framework	AU
3:00– 4:00pm	08. Discussions of recommendations and developing a road map on improving NHRC work in ending child marriage and FGM	AU and NHRCs
4: 00- 5:00pm	Closing Ceremony Brief remarks by AU Goodwill Ambassador on Ending Child Marriage (Dr. Nyaradzayi Gumbonzvanda) Brief remarks by Representative Network of African National Human Rights Institutions Brief remarks by World Vision International Rep Vote of thanks by Director Social Development, culture and sports (Mme. Cisse Mariama Mohamed)	AUC
End of the Consult	tation	







#### ANNEX 2 : LIST OF PARTICIPANTS TO THE NHRCs CONSULTATIVE WORKSHOP FOR EASTERN AND SOUTHERN AFRICA REGIONS 26-27 April 2022, ADDIS ABABA, ETHIOPIA.

#### 1. NHRCs and CSOs

No	Name	Position	Email Address
3	Ms. Lovamalala Randriatavy	Commissionner, Madagascar, Commission nationale Independante des Droits de I'Homme	lovarandriatavy@g mail.com
4	Ms. Chikondi Chijozi	Commissioner, Malawi Human Rights Commission	cchijozi@gmail.com zionengondo@gmai l.com (Assistant)
5	Ms. Sheila Elsa Azarias Massuque	Head of Department for Planning and Cooperation, National Human Rights of Mozambique	maemassuke@gmail. com
6	Mr. Gift Keketso Kgomosotho	Research Advisor, South African Human Rights Commission	KKgomosotho@sahr c.org.za
7	Hon. Deng Wol Dumo Kiir	Commissioner, South Sudan Human Rights Commission	dkiir093@gmail.com
8	Ms. Wangadya Fauzat Mariam	Chairperson, Uganda Human Rights Commission	mwangadya@yahoo. com celinerose6@yahoo .co.uk (Assistant)
9	Mr. Kebby Malila	Senior Investigations officer, Human Rights Commission Zambia	<u>lucymalila@yahoo.co</u> <u>m</u>
10	Mr. David Barissa Ringa	Senior Programmes Officer, Network of African National Human Rights Institutions	dbarissa@nanhri.or g
11	Lamrot Fikre	Director of Women and Children's Department at the Ethiopian Human Rights Commission	lamrot.fikre@ehrc.o rg







13	Mathew M. Mwaimu	Chairperson, The Commission for Human Rights and Good Governance of Tanzania	mathew.mwaimu@ch ragg.go.tz
14	Ms. Farirai Gumbonzvanda	Rozaria Memorial Trust, Zimbabwe	
15	Ms. Maggie Kathewera-Banda	Executive Director, WOLREC, Malawi	maggiebanda@hotm ail.com
	Oscar M Gaselabone	Ombudsman Botswana	
	Ipeleng J Makaba	Ombudsman Botswana	ijmakaba@gmail.com ; itshetlhane@gov.bw
	Ookame Mokabathebe	Ombudsman Botswana	omokabathebe@gov. bw

## 2. AU Organs/RECs/Special Rapporteur

AU OF	GANS	Position	Contacts
16.	Hon. Hermine Gatsing Kembo	Special Rapporteur on Child Marriage and other Harmful Practices	hkembo@yahoo.com
17.	Ms. Adiam Zemenfes Tsighe	Legal Researcher, ACERWC	AdiamZ@africa-unio n.org
18.	Hon. Lady Justice Stella ISI Anugwolu Anukam	Judge, African Court on People's and Human Rights	stellaanukam@yaho o.com
19.	Mrs Yankey-Ouattara Simone	AU-CIEFFA	yankey-ouattaras@ africa-union.org
REGIC	NAL ECONOMIC COMMUNITIES (	RECs)	
21.	Mr. Morris Tayebwa	East African Community Secretariat	<u>mtayebwa@eachq.or</u> g

#### 3. CSOs and Networks

	CSO Reference Group		
22.	Mr. Richard Kgomotso Montsho	Child Rights Network for Southern Africa (CRNSA)	kgomotsom@crnsa.net
23.	Mr. Benedict Omillo	The Eastern Africa Child Rights Network (EACRN)	benedict@eachrights.or.ke







24.	Mrs Maggie Kathewera Banda	Women's Legal Resources Centre (WOLREC)	
25,	Dr. Nyaradzayi Gumbonzvanda	AU Good Will Ambassador on Child Marriage	vanyaradzayi@gmail.com

#### 4. Partners

No.		UN AGENCIES	email addresses
26	Mr. Jephthe Mve Mondo	UNICEF	
27	Mr. Kassu Demissie, Associate Advocacy Director,	WV Ethiopia	
28	Ms. Rahel Mesfin	UNICEF	rleikun@unicef.org
29	Paola Pileri	UNFPA	pileri@unfpa.org
30	Mr. Kokou Djagadou	UNFPA	djagadou@unfpa.org
INTERN	ATIONAL ORGANIZATIONS		
31	Mr. Patrick Brady	Representativee, USAID	pbrady@usaid.gov
32	Ms. Bemnet Berhanu	USAID	bberhanu@usaid.gov
33	Ms. Sara Tabit	SOS Children's Village International	Ms. Sara Tabit: Sara.Tabit@sos-kd.org
34	Selamawit Eshetu	International Planned Parenthood Federation (IPPF)	SEshetu@ippf.org
35	Dr. Admark Moyo	African Child Policy Forum (ACPF)	moyo@africanchildforum. org

### 5. AUC STAFF

N O	NAME	TITLE	
1.	Lefhoko Kasamang	Head of Division	
2.	Nena Thundu	Technical Officer-HTTP	
4.	Richard Wamimbi	Harmful Practice Technical Officer-CECM	
5.	Theopista Kanzayire	Spotlight Child Rights Officer-CECM	
6.	Bryan Tumusiime	Knowledge Management Officer-CECM	
7.	Robert Kasenene	Regional Spotlight Initiative Coordination and, FGM Policy and Advocacy Specialist	
8.	Tinsae Teferi	Programme Assistant - CECM	
9.	Stella Sandra Issa	Programme Assistant-CECM	







#### ANNEX 3:

## Proposed Checklist of Questions for Member States Reporting

Page 29 of 32 The African Union Accountability Framework on Eliminating Harmful Practices

The following questions are for consideration to facilitate the AU Organs' reporting and the review of the reports:

i. What are legislative and protective measures in place for girls and women at risk of FGM and child marriage?

ii. Are operational guidelines and policies in place to detect at risk women and girls to prevent harmful practices?

iii. Are there reports on investigations and prosecutions in cases of harmful practices?

iv. Are the reported incidents of FGM or child marriage recorded?

v. Are there safe, child friendly and gender sensitive procedures and systems for victims to report on incidents of harmful practices?

vi. Are the awareness raising and education programmes in place for eliminating harmful practices?

vii. Have the health, education and police professionals been trained to prevent and respond to risk factors of violence?

viii. Are there awareness raising and education programmes in place to eliminate harmful practices?

ix. Are sufficient resources allocated to develop the capacity of professionals to prevent, protect and assist victims of harmful practices?

x. Is there a national monitoring and oversight mechanism that coordinates all the agencies engaging in eliminating harmful practices?

xi. Are there legal and regulatory frameworks that establish accountability mechanisms for law enforcement?

xii. What are the internal accountability mechanisms or frameworks in place to prevent harmful practices?

xiii. Are there collaboration mechanisms with other stakeholders, such as NGOs, partners and local authorities, to fulfil the commitment of eliminating harmful practices?







**ANNEX 4: PICTORIAL** 



















Ms. Theopista Kanzayire Spotlight Initiative, AUC HHSD

















## Contact us today

African Union Ending Harmful Practices Unit

Website: https://au.int/hhs Email: <u>AUHPU@africa-union.org</u> Facebook: <u>https://www.facebook.com/AfricanUnionCommission/</u> Twitter: <u>https://twitter.com/\_AfricanUnion</u> YouTube: <u>https://www.youtube.com/user/AUCommission</u>

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