

AFRICAN
HUMAN RIGHTS
MOOT COURT COMPETITION

30

CONCURSO AFRICANO
DE JULGAMENTO FICTÍCIO
SOBRE DIREITOS HUMANOS

INTERNATIONAL HYBRID CONFERENCE

Call for Papers

The Centre for Human Rights, University of Pretoria, and the University of Stellenbosch, South Africa are pleased to announce a one-day conference on the responsiveness of the African human rights system to sexual and gender-based violence and hereby invite proposals for papers.

Responsiveness of the African human rights system to sexual and gender-based violence

29 July 2021

University of Stellenbosch, South Africa

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CALL FOR PAPERS

The responsiveness of the African human rights system to sexual and gender-based violence

The Centre for Human Rights, University of Pretoria, and the University of Stellenbosch, South Africa are pleased to announce a one-day conference on the responsiveness of the African human rights system to sexual and gender-based violence and hereby invite proposals for papers.

The conference will be held as part of the 30th African Human Rights Moot Court Competition. There will be an opportunity to present the papers either in-person or online, as the Conference will be held as a hybrid event.

BACKGROUND AND AIM OF THE CONFERENCE

The African Charter on Human and Peoples' Rights (African Charter) spells out the rights to non-discrimination, equality and dignity as lodestars of the protection of human rights on the continent. Forty years after the adoption of the Charter, sexual and gender-based violence (SGBV) of both a physical and psychological nature remains one of the critical impediments to the realisation of the rights to life, integrity, security, peace, justice, socio-economic and political development for a majority of Africans.

Referred to by United Nations (UN) Women as the "shadow pandemic", one in three women experience SGBV in their lifetime. Furthermore, persons who do not conform to stereotypical expressions of masculinity or femininity, that is, living with gender diverse identities (for example, transgender persons), are also at a much heightened risk of being victims of SGBV. Although much less researched, studies indicate that at least half of all transgender persons have been sexually assaulted at some point in their lifetime. SGBV against women and persons with gender diverse identities is a human rights violation.

The prohibition of all forms of violence against women is deeply ingrained in the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol). Currently, 42 African Union (AU) member states have ratified the Maputo Protocol and are obligated "to eliminate all forms of discrimination and gender based violence against women". Despite ratifying the Maputo Protocol, violence against women is still rife in most of the state parties to the Protocol. The reasons for the enduring gap between the norms and their implementation need to be better understood and should be urgently addressed. At the same time, a process towards the adoption of an AU Convention on Ending Violence against Women and Girls has also been embarked upon.

The Maputo Protocol defines "women" according to "gender" and not "sex". Moreover, the right to non-discrimination, integrity, security, life and dignity are protected for all under the African Charter, regardless of sex, regardless of sex, gender identity or gender expression. This implies that all the rights in the Maputo Protocol are applicable to everyone who considers themselves as a woman. In 2014, the African Commission further provided important normative guidance on gender-based violence in its Resolution 275 ('Resolution on Protection against Violence and other Human Rights Violations against Persons on the basis of their real or imputed Sexual Orientation or Gender Identity'.) This Resolution expresses grave concern about increasing violence and other human rights violations, including murder, rape, assault, in respect of persons based on their real or perceived sexual orientation or *gender identity*. It calls upon states to take action to stop such violence by both the state and private actors, and to ensure that adequate remedies are ensured to victims of such violence.

To critically reflect on the foregoing, this Conference seeks papers that address issues such as the following:

Violence against women

- Access to justice for SGBV against women and persons with gender diverse identities,
- The (un)responsiveness of the African human rights system to SGBV including critique of the African Commission's Niamey Guidelines on combating sexual violence and its consequences,

- The slow progress towards implementation of Maputo Protocol to prevent SGBV,
- The possible need for the development of an AU Convention on Ending Violence against Women and Girls,
- Reparations models (or lack thereof) for survivors of SGBV, and
- The (in)adequacy of state responses to SGBV, including laws and practices that exacerbate SGBV.

Violence against transgender persons

- The protection of persons with gender diverse identities under AU human rights treaties, and
- Challenges and prospects for the implementation of Resolution 275 in respect of SGBV.

SUBMISSION GUIDELINES

- The organisers invite abstracts by anyone interested in presenting a paper at the hybrid conference on the African human rights system and violence against women.
- Abstracts should be between a minimum of 250 and a maximum of 350 words, and should:
 - a) Have a clear and descriptive title;
 - b) Indicate the main question(s) to be addressed;
 - c) Identify the proposed methodology; and
 - d) Set out the anticipated findings (and their implications).

In addition, the name, educational and professional qualifications of the author(s) should be stated in a sentence or two (in the same document; not included in the word count). The author(s) should also indicate if they foresee participation in person or virtually, and the extent to which funding is available to secure in-person participation.

Abstracts must be submitted, on or before **14 May 2021**, to

- Prof Annika Rudman: arudman@sun.ac.za and
- Susan Mutambasere: susan.mutambasere@up.ac.za

IMPORTANT DATES

- Abstracts should reach the organisers by **14 May 2021**.
- The most suitable abstracts will be selected for full development and presentation.

The aim is to publish the papers (in 2022), reworked after their presentation, in a collection of essays.

- Abstracts selected for development of a full paper and presentation will be made known by **21 May 2021**.
- Fully developed papers should be submitted, for distribution among Conference participants, by **16 July 2021**.



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