

African Union, African Regional Bodies

Resolutions on the promotion of Articles 15, 19 and 21 of the Maputo Protocol on women's access to land

Legislation as at 18 October 2016

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PDF created on 4 October 2024 at 09:56.

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FRBR URI: /akn/aa-au/statement/resolution/pap/2016/4-3-1/eng@2016-10-18

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African Union

Resolutions on the promotion of Articles 15, 19 and 21 of the Maputo Protocol on women's access to land

Published on 18 October 2016

Commenced

[This is the version of this document from 18 October 2016.]

CONSIDERING Article 3 of the Constitutive Act of the African Union whose objectives are inter alia, to promote the participation of the African people in the decision-making process that affect their daily life; good governance and the protection of human rights;

CONSIDERING Article 3 of the Protocol to the Treaty establishing the African Economic Community relating to the Pan-African Parliament (PAP) that stipulates, inter alia, that the objectives of the PAP are to facilitate the effective implementation of the policies and objectives of the African Union; contribute to a more prosperous future for the peoples of Africa;

APPRECIATING the will of African Heads of State to promote women's rights by the adoption of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa in Maputo in 2003, known as the Maputo Protocol;

RECALLING that all the Member States of the African Union have ratified the Constitutive Act of the AU thus making the ratification, domestication and implementation of the standards and norms of the AU compulsory;

HAVING undertaken consultative meetings on the promotion and domestication of the Maputo Protocol on the Rights of Women in Africa, particularly the rights to land in Dakar, Senegal, from 23 to 27 May 2016;

NOTING that Senegal has ratified the Maputo Protocol and carried out actions for its effective implementation through various the laws adopted by the country, particularly the law on parity, a development and human rights issue;

COMMENDING the commitment of the Senegalese women to their fight for their rights and the strategies implemented to assert them while adhering to Senegalese socio-cultural values as well as the involvement of all stakeholders who work for the promotion of the socio-economic welfare of women by acknowledging their rights, particularly those related to land;

AWARE that land as a means of production and shared out equally, could increase the economic power of African women who mainly provide for food security in our households;

MINDFUL that the participation of women in decision-making and their rights to land is not a question of assertion but rather a question of the socio-economic and political development of our society;

FURTHER COMMENDING the Republic of Senegal for all the actions undertaken that have raised the country to 6th in the world and 3rd in Africa, after Rwanda and Seychelles, with regard to women's representation in national parliaments with the implementation of the law on parity and the efforts to integrate women in the decision-making structures of the State;

THE PAN AFRICAN PARLIAMENT RESOLVES TO:

CONTINUE engaging with the Civil Society Organisations that deal particularly with human rights issues to carry on their actions of education, awareness-building and training programmes on the provisions of existing laws and Protocols in favour of gender equality;

ENCOURAGE African Union Member States to strengthen national human rights Institutions with a view to empowering them to become autonomous to act as whistle blowers and to be able to organize regular national debates on the implementation of the provisions of the various laws in favour of gender parity;

URGE National and Regional Parliaments to increase women participation in legislative bodies through the implementation of the AU gender policy that promotes gender equality, gender justice, non-discrimination and fundamental human rights in Africa, and apply positive discrimination of women with a view to encouraging their participation whenever necessary;

SENSITIZE National and Regional Parliaments to take into account the gender aspect in budgetary policies to institutionalize capacity-building programmes in collaboration with the civil society, in favour of women's organisations to enable them analyse their own situation;

FURTHER ENCOURAGE Member States to adopt a culture of participative approach involving all groups of the population in the drafting of legislations on land. This will put women at the centre of debate and will overcome socio-cultural barriers on the right of women to land access;

FURTHER SENSITIZE governmental structures that deal with issues of women's access to land to ensure their empowerment and to be inspired by countries that have already done so such as Senegal which is a textbook example, to facilitate the effective implementation and domestication of the Maputo Protocol and the gender parity law;

FACILITATE the development of a land policy to harmonize various African legislations and adopt land rights in a view to protecting vulnerable groups in their rights to acquire those rights.

Adopted in Sharm El Sheikh on 18 October 2016