



Gender Justice Forum III
24-25 November, 2009
Peace Palace, The Hague



Riccardo la Valle

BREAKING THE SILENCE

Commemorating

International Day on the Elimination of Violence against Women

24-25 November 2009

REPORT

Africa Legal Aid

The Hague * Accra * Pretoria



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Introduction

To commemorate International Day on the Elimination of Violence against Women, Africa Legal Aid (AFLA) convened a Gender Forum at the Peace Palace in The Hague, from 24-25 November, 2009. ***Breaking the Silence*** was chosen as the theme for the Forum to highlight marginalized and undertreated forms of Gender Violence, emphasizing the African Perspective.

The Gender Forum, organized as part of AFLA's on-going Gender Justice Campaign, was designed to raise awareness on violence against women and contribute to elimination of Gender Crimes. The Forum attracted a broader public and featured two documentaries of Mariama Khan on Rape and Human Rights and Divorce. The meeting also featured cutting-edge presentations and panel discussions on Gender Justice.

The objective of the Forum, convened as part of AFLA's South/North Dialogue was to raise awareness on Gender Justice in all its spheres, foster cooperation amongst African and Northern groups through the *Africa Gender Network Forum*, and contribute to expanding the list of offenses that constitute gender crimes. Ultimately, the Gender Justice Campaign, addressing and eliminating gender based violence in all its forms will strengthen the role of women in leadership positions at all levels of society and make them equal partners in development.

The Forum attracted active participation of high level officials from the international legal institution in The Hague, including H.E. Judge Sanji Mmasenono of the International Criminal Court (ICC), H.E. Judge Akua Kuenyehia (ICC), Judge Kimberly Prost of the ICTY, and Prof. Louk Box, Rector of the Institute for Social Studies. Significant to mention is the participation of officials of African courts and governments, including Dr. Athalia Molokomme, Attorney General of Botswana who was Keynote Speaker, Mirjam Blaak, Deputy Head of Mission, Embassy of Uganda, among others. Participants include academics, experts and researchers on human rights and gender, members of civil society from The Netherlands and different parts of Africa, legal practitioners and students.

The varied expertise and experiences of the participants enriched the quality of the deliberations. Experiences were shared and lessons were learned. The forum was a mix of analysis of issues on gender justice, violence against women and the possibilities for legal actions. Approximately 150 people participated in the two-day Forum.



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Opening and Introduction of Theme

Evelyn Ankumah

Evelyn A. Ankumah, *Executive Director of Africa Legal Aid (AFLA)* welcomed the guests and introduced the theme of the Forum, as part of its on-going Gender Justice Campaign and its South/North Dialogue.

Evelyn Ankumah informed the audience that two years ago AFLA initiated the Gender Justice Campaign to raise awareness on emerging and undertreated forms of violence against women in Africa, and find lasting solutions to create accountability and end impunity for gender based crimes.

She informed participants that although not a women specific organization, AFLA has since its inception had a bias for women issues and gender equality because as a human rights and justice organization, it is concerned with the position of vulnerable groups, and women fall within this group. She observed that the added value of AFLA to the gender agenda is that by addressing the legal rights of women and men in Africa it is able to sensitize men and women on human rights and justice issues, including women specific issues, and thereby mainstreaming gender.

AFLA has dedicated several editions of its “flagship journal”, the Africa Legal Aid Quarterly to women and Gender issues. These include *Women in conflict Situations in Africa, Women in Governance in Africa, Women in Power and Decision Making in Africa, Economic, Social and Cultural Rights of Women in Africa*. It is significant to protect the rights of women not only in times of conflict, but also in times of peace. The vulnerability of women in time of conflicts is an illustration of their vulnerability in times of peace.

Since the launch of AFLA in 1995, AFLA has used its platform in The Netherlands to contribute much needed African perspectives to debates on international criminal justice, and to address unsettling issues of development cooperation. These discussions are now known as AFLA’s South/North Dialogues. AFLA’s Executive Director called on all participants including Dutch Civil Society and African Civil Society to take ownership of AFLA and its objectives and support its important work of translating paper written rights into practical reality for Africa and its people; and to create a Gender Justice regime which is truly universal, legitimate and effective.



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Keynote Address

Dr. Athalia Molokomme, *Attorney General of Botswana*

The Keynote Address was delivered by Dr. Athalia Molokomme. She said in preparing to address this Forum on the theme ***Breaking the Silence*** in an effort to highlight undertreated and marginalized areas of Gender Violence, emphasizing the African Perspective, she asked herself some questions:

- What more can be said about this subject that has not been already said?
- Have we not been talking about breaking the silence for decades already?

In regards to the questions she had to conclude that, yes, we have been discussing it for quite some time, but there still is a deafening silence as well. At best there are some vague whispers on the violence against women, which is a social, economic and political issue. They are violations of Human Rights, an expression of domination and control, and not just another event or aberration in an imperfect world.

Gender Based Violence is one of the 12 critical areas of concern in Beijing Platform for Action (BPFA) as obstacle to economic development. Although we would like to have an agenda on mainstreaming gender violence, and acknowledge that also men suffer from it, still in the large majority of the Gender Based Crimes women are the victims, and often men they are familiar with are the perpetrators. Most cases of domestic violence revolve around the maintenance of men's economic and social control over women.

Key forms of Gender Based Violence include rape, assault, emotional and financial abuse, incest, defilement, sexual harassment and femicide, often referred to as 'passion killings'. Dr Athalia Molokomme stressed that the use of this euphemism itself shows how far we as a society still need to go in our understanding of this human rights violation.

NGOs such as AFLA are necessary to complement specific gender oriented organizations to play a meaningful role by raising awareness among human rights organizations mainstreaming gender into their work. Especially since AFLA is strategically placed in this part of the world where a number of processes are taking place and institutions are located.

Dr. Athalia Molokomme is not sure though there is an African perspective on this theme. Gender Based Violence is to be found everywhere, irrespective of geographical location, race, class or age. Its manifestations and root causes are the same, varying only in degree and shaped by the local environment and culture. She is strong against accepting the idea that African culture somehow tolerates violence against women, and that African women believe violence is an expression of love and affection. African culture is therefore often used to explain away violence, especially by those who wish to maintain their dominance through violent means. It is an insult of African cultures.

Dr. Molokomme opined that African customary law should no longer be interpreted in rigid ways; not sensitive to ever changing social context.



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Sutura

By Mariama Khan

Chair: Mirjam Blaak, *Deputy Head of Mission, Embassy of Uganda, The Benelux*

Prof. Louk de la Rive Box, *Rector, Institute for Social Studies, The Hague, The Netherlands*

Dr. Pinkie Mekgwe, *Gender Expert, University of Botswana, Gaborone*

Birgit Lindsnaes, *Development Expert, Immediate Past Director, international department of Danish Institute of Human Rights, member of the Governing Council of Africa Legal Aid (AFLA)*



Sutura means discretion. This is a documentary on “What Judges need to know about Rape in Senegal”. The film features the voices of rape victims, lawyers, activists, and psychologists, all on crimes of sexual violence. It is a documentation of the *Know Your Rights* ‘community dialogue’ program. One is struck by how 50% of a population in a relatively peaceful country, live in terror of Rape, not in times of war, but during peace time.

The panel discussion on the documentary noted that Rape is a reality in all cultures citing examples, not only from Africa but also Europe. The title of the documentary, *Sutura* emphasizes the silence around crimes of this nature. Rape, especially Rape within the family was not to be known. The dignity of the family was to be protected, but not the victims of Rape.

There were revelations by panelists which made clear that boys and men are also victims of rape. It was further noted that Rape takes place in Institutions for the disabled. Rape, it was submitted, has to do with immediately taking away the self respect of the victim. Its effects, particularly its psychological effects, are long lasting, not only for the victim, but for those close to the victim. In the *Sutura* documentary, we saw the multiplier effects on the mother of the victim.

One Gender Expert asked: what keeps the silent so silent? *Sutura* or discretion is part of our cultural beliefs to keep these things to ourselves. Was *Sutura* Senegal specific? No, a lot of people have the same socialization. The documentary shows us what the media can do to expose the human dimension to rape and have the voices of victims heard. Even though people have different gradations of rape the result is the same. It inflicts the feeling of self, and affects your position in society because of what happened to you. And these effects should be dealt with. By breaking the silence we should know what we can or should do. They include knowledge of and access to justice; whether existing laws are adequate- in *Sutura* we saw that in Senegal punishment for rape can be as inadequate as a fine of \$25! Evidence is often problematic in rape cases.

How can we ensure that victims talk about what happened to them in a culture of discretion-*sutura*? How can you live in a society where you are not safe to spend time with



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your family? How can you live in a society where you are not safe to wake up in the morning and go to work? How can you live in a society where you are not safe in your own home?

One commentator was struck by a suggestion in the documentary that perpetrators should be exposed online. This needs a lot of thought and reflection as new problems will be created by this. In the documentary you could see that one of the victims was an affluent woman. Often, women of affluence do not get support or sympathy in these kinds of cases, this is a problem which also needs to be addressed. What was missing in the documentary is the problem of male on male rape. Rape is Gender and class neutral and we need to find a solution for everyone.





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African Perspectives on Gender Justice

Chair: Dr. Nomsa Mbere, *Vice Chair of the Botswana Sports Council*

Patricia Viseur-Sellers, *Gender Consultant, Formerly Legal Advisor, International Criminal Tribunal for the Former Yugoslavia*

Prof. Leila Sadat, *Washington University, St. Louis, Chair, Crimes against Humanity Initiative*

Gloria Atiba Davies, *Head of Gender and Children's Unit, International Criminal Court (ICC)*

Chiseche Mibenge, *Independent Expert on Gender and Human Rights*

Patricia Viseur-Sellers

Noting the recent apathy with gender discrimination issues and the subsequent need to constantly develop a dialogue in this regard, Ms. Viseur-Sellers focused her remarks on female enslavement during conflict. Particularly, she noted that terms such as 'bush wife' and 'girlfriend' are often used to deny the enslavement of women in conflict situations; yet they are misnomers. Even in the judicial processes that have been instituted to provide justice and retribution after conflict, there has been a reluctance to recognise female enslavement for what it is. Furthermore, the concept of enslavement itself has become masculinised and associated with forced conscription or labour, whilst sexual slavery has become feminised and is now referred to as 'trafficking'. Finally, Ms. Viseur-Sellers emphasised the symbiotic relationship between countering sexual violence and instituting peace; the enslavement of women runs counter the core values of peace, and therefore its eradication should be an explicit priority in peace building.

Prof. Leila Sadat

Noting that the ICC takes very few cases and there is little appetite internationally for new tribunals, Prof. Sadat raised the question of how the vast majority of gender crimes may be dealt with. The Rome Statute was a step forward, but the question of accountability remains. It is likely that responsibility for providing justice and accountability will have to go back to the states. This, in turn, requires that States are *willing* and *able* to act. Unfortunately, the Crimes against Humanity Convention has not been adopted, largely because states themselves are often implicated in transgressions. However, even though the Crimes Against Humanity Convention may not add protection for victims, it does contribute towards building a normative framework. It may be this, ultimately, which increases protection against gender crimes.

Gloria Atiba Davies

Recognising that the acknowledgement of gender violence is a relatively recent phenomenon, emerging in the 1990s, Ms. Davies emphasised that it is *social* rather than *natural* in origin. It is very difficult to capture empirically because the vast majority of gender crimes go unreported. In terms of international criminal law, it is important to present gender crimes in the context of conflict. Rape, for instance, is often considered an integral part of an attempt to obliterate an ethnic group, and therefore, can and should be charged as genocide.



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Chiseche Mibenge

Ms. Mibenge focused her remarks on the power of ‘naming’, including in legal trials which are often mistaken as being completely impartial. As an example, Ms. Mibenge noted that although the Special Court of Sierra Leone broke new ground by considering crimes against children, these were in fact all boys. Women and girls are often maligned. Where women are concerned, they are always presented as victims, which denies their strength and may in fact be self-fulfilling. Therefore, there is an urgent need to analyse assumptions about women, and guard against laziness in confusing of sex with gender.



Prof. Leila Sadat, Gloria Atiba Davies, Dr. Nomsa Mbere, Patricia Viseur-Sellers, Chiseche Mibenge

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Marginalized and Undertreated Forms of Violence against Women



Chair: Dr. Dubravka Zarkov, *Associate Professor in Gender, Development and Conflict Studies, Netherlands Institute of Social Studies (ISS)*, Dr. Nomsa Mbere, *Vice Chair of the Botswana Sports Council*, and Judge Elizabeth Nahamya, *War Crimes Division of the High Court of Uganda (WCD)*

The first speaker, Judge Nahamya focused her presentation on domestic violence in Uganda, the Domestic Violence Bill and marginalized and undertreated forms of gender based violence in Uganda. In the course of her presentation, using WHO statistics, she highlighted the prevalence of various forms of violence against women in most African countries. Unfortunately, most women are silent about these situations. In Uganda, domestic violence, especially against women has been a major concern for years, yet a number of reasons prevented any concrete action from being taken to address the issue. Differing and deeply rooted beliefs in customary practices such as bride price, polygamy, female genital mutilation (FGM), and controversial debates over cohabitation and marital rape, and the lack of political will on the part of the government made the process of passing a Domestic Violence Bill very slow. Eventually it was passed in November 2009.

Uganda's Domestic Violence Bill addresses acts of physical, emotional, economic abuse, and harassment, threatening of a victim or a person related to the victim, among others. It also provides for punishment of perpetrators, protection of victims, compensation, and access of victims to legal bodies, such as the Family Law Division of the High Court of Uganda. Although the Bill is a step in the right direction, it has some shortcomings. The Bill is yet to come into effect as an Act, issues of marital rape and cohabitation, which are sensitive subjects in Ugandan society, was not included in the Bill. Monetary compensation for victims is quite low. The Bill does not address issues relating to sex workers and/ or their children. The Family Law Division of the High Court is overwhelmed with the number of domestic violence cases, and there is probably a need for a Domestic Violence specific Division of the High Court. Judge Nahamya identified Female Genital Mutilation, aggravated



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defilement of minors (under 14s), marital rape and the intentional spread of HIV/AIDS as marginalized and undertreated forms of violence in Uganda. She mentioned that more effort is needed to improve the laws protecting all victims of domestic violence in Uganda, to enlighten people and raise awareness, train legal counsels and health workers.

The second speaker Dr. Mbere, Vice Chair Person of the Botswana Sports Council, spoke about Sex and Gender Identities as played out in Sports. She emphasized the difficulties faced by transsexuals in the world of sports and the prevalence of gender based violence in sports, usually in the form of sexual abuse by the coaches, managers or older athletes. Another category of the individuals receives an identity arbitrarily at birth, based on genuine anatomical confusions. Due to lack of awareness, knowledge and resources, evidence based tests are not done to establish the true sex, as in the case of Caster Semenya. In the African context, there is not enough awareness and sensitivity about this as to invite sensible debate that will also protect the athlete concerned. Rather exhibitions of prejudices and lack of tolerance abound. Breaking the silence and debating this issue responsibly, without violating the person concerned's human rights should be brought to the forefront. The way-forward is to develop awareness strategies in African communities, lobby legislators for review or enactment of laws that recognize the new reassigned sex of such individuals, create the relevant government departments to drive these reforms (to protect the affected individuals) and enact laws protecting the right to privacy. Gender based discrimination in sports and gender stereotypes should be addressed if we are to break the silence and end the cycle of violence.



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Chair: H.E. Judge Kimberly Prost,
*International Criminal Tribunal for the
Former Yugoslavia (ICTY), The Hague;*
Ruth Hopkins, *Research Journalist – Opzij,
NRC, Trouw;* H.E. Judge Sanji Mmasenono
Monogeng, *International Criminal Court
(ICC), The Hague*



The Chair of the Panel, Judge Kimbely Prost introduced the theme highlighting aspects of Human Trafficking and Gender Violence, which are so serious that they make the crime one of the most heinous crimes faced in the world today. The problem involves some 2.5 million people, and generates tens of billions of profits. It is a crime of concern since it touches almost every country in the world-origin, transit or destination. Yet this crime did not receive much attention.

Trafficking of women and girls often end in prostitution, one of the most serious aspects of human trafficking. But human trafficking also relates to men, boys and children. Besides the gender issue, there is the issue of forced labour of trafficked persons. Those who are forced into labour and exploited are often the most vulnerable in societies. They are often those seeking an escape from poverty, conflict, and human rights violations. They are often those in search of new lives.

Trafficking of women and girls is a crime most difficult to detect and prosecute. A crime carried out in secrecy, within effective underground networks. The victims are very unlikely and reluctant to become witnesses, due to threats of intimidation and physical violence. Furthermore, victims often find themselves in circumstances of utter dependency of their abusers: they are in strange countries, have no access to help, have experiences of corruption in their countries of origin, which makes them very suspicious of the police, sometimes they might perceive the police as the enemy. As a result, the threshold to remain silent is very high.

The potential for revictimization is enormous, especially for women. She is constantly confronted with the police, prosecutors, judges. Many of these are untrained, with little knowledge in the subject area, and who will often treat the victims as offenders. We see astonishingly inappropriate questioning in courtrooms. There is always the question of what will happen to the victim after a case. Judge Kimberly Prost concluded that while the UN Protocol against Trafficking of Persons made it possible to give some attention to the issues involved, a lot more needs to be done.

In her presentation, Judge Sanji Monogeng noted that the definition of trafficking is provided for in the UN Protocol against Trafficking of Persons. This Protocol supplements



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the UN Convention against Human Trafficking and Organized Crime. Trafficking does not necessarily require transnational transfers of persons, any person can be affected. It is all based on the idea that the victim believes she or her family is in danger. The trafficker may have paid someone else for the use of the victim, eg. a parent, for the use of her child. In sub-Saharan countries, adoption can be a form of trafficking of children. The trafficker uses the victim for personal gain, and it is now agreed that trafficking is a modern form of slavery. A victim could be in a foreign country, illegally, and later finds her or himself in trouble and is taken advantage of. Another type of victim would have been trapped from the very beginning. It is important to mention that a victim of trafficking looks like you and I. 80% of the victims of human trafficking are children and women. A trafficker may be a professional, or a non-professional criminal. He keeps people enslaved by using kidnapping, rape, isolation, and other forms of psychological and physical violence.

Another dimension of human trafficking is statistics. Trafficking is highly underreported. It is estimated that some 600,000 or more people are trafficked yearly. However, many developing countries do not keep statistics. This makes it a hard to combat the problem. Important for our debate is to understand that human trafficking is lucrative, good money making business. It is the third highest illegal industry worldwide.

Judge Monogeng observed that there are no direct factors, but contributive factors including poverty, lack of education, ethnicity, disability and of course lack of opportunities, especially for women and girls.

In her presentation, Ruth Hopkins said she studied Human Trafficking for five years and focused on four situations. She followed an Albanian woman from The Netherlands to Albania to find out what it is like to experience trafficking and then return to your country and rebuild your life. She did the same with a Bulgarian girl who was sent back to Bulgaria from the Netherlands. She also followed a trafficker, and later had several interviews with him from prison. Finally she followed two police officers in the Red Light District. These stories would give her the perspectives of all sides, the women, the man and the state.

The conclusion of her five year research is that Human Trafficking and Gender Violence is a construction built on stereotypes: a ruthless criminal, an innocent victim and the neutral and protective state. Ruth Hopkins is very cynical about human trafficking and is of the view that it might not as such exist. It might be a myth that we have kind of created. She said the concept of trafficking has been built on a broad and vague definition, on shocking and large numbers, of women, children, men and boys, but these are all estimates. None of them are hard facts. And as a journalist her business is hard facts. She therefore concludes that trafficking is designed on stereotypes.

She restricts herself to sex trafficking, the subject of her research which mainly concerns women. She is however quick to point out that it is not only about women. She points out that anti-trafficking measures actually serve the interest of the state. While they pretend to fight the noble cause of protecting human rights, it is not really the case. She says it is important to ask whose problem we are addressing. Is it really trafficking? Or is it state

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control? Or control of borders? Or is it to fight back migration for example? What is also important is to analyze the women. Are they really victims? Have they been asked? Do we know their stories? do we even want to hear them? What if they tell you something that, for example, they returned back into the work of prostitution. Do we then say she is re-trafficked or re-victimized? Or can we accept that women have their own strategies.

Often people are really concerned about trafficking, and rightly so, it is a severe violation of human rights, but there is hardly any critical analysis of the framework for addressing issues of trafficking.

On the definition of Human Trafficking, like the speakers before her, she refers to the UN Protocol against Human Trafficking, acceded to by many countries including the Netherlands. Ms. Hopkins notes however that as the Protocol is a UN convention against organized crime its first priority is to fight crime. This approach from a crimes control perspective does not prioritize human rights.

On the question of statistics, she says it is not clear what the numbers are based on. For example in The Netherlands the number of registered victims of trafficking is estimated at 400-700 each year. Of these, approximately 80-150 obtained Dutch Residence permit, a very small number. We do not talk about a million women, so what is the real issue? The Residence Permits are temporary residence permits which allow the victim to stay here until the court case against the trafficker is finished. Here it shows that the crime control is prioritized. In the second place you have the human rights and the safety of the so called victims. So the question again is who's interests are being served? Is it the interest of the state, or the interest of someone who's gone through human rights violations? She would say after all these years of research it is the interest of the states that are being served through all the anti-trafficking measures. And they are not human rights protection measures and they do not work in practice.





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Unholy Vows

By Mariama Khan



Chair: H.E. Judge Akua Kuenyehia, *International Criminal Court (ICC)*
Dr. Mark Osa Igiehon, *Senior Legal Counsel, Shell, The Hague*
Romana Maumbu, *Gender Expert and Trainer*

Mariamama Khan's latest documentary film *Fascinalaa* or *Unholy Vows* treats divorce as one of the hardly discussed forms of gender based violence. It depicts the prevalence, manner, nature and impacts of divorce as a means of violence against women in Senegalese society. The film explores issues of domestic violence, economic violence, psychological violence, child custody and how women live with the impacts of these forms of violence, especially in a situation where men abuse the religiously sanctioned possibility of polygamy.

After the viewing of the documentary, Judge Akua Kuenyehia opens the discussion with preliminary remarks that the documentary reminds her of her previous work at the Legal Aid Clinic in Ghana, listening to the problems of women and trying to mediate for hours. But it is not only a problem in Africa, but all over the world. She introduces the panelists and first opens the floor to the public for general observations and comments.

Participants commented on the effects that the change of family structure due to the colonial experience has had, and shows the African people at a crossroads. The adoption of European legal systems and the resultant tension with existing traditional and customary laws, as well as religious laws, have affected African families. Mention was made of the fact that the experiences and perspectives of men in relation to divorce were not represented in the documentary, which was a shortcoming. There was a need to break the silence on the impact of divorce on men.

The Chair then invited the panelists to discuss the documentary. Romana Maumbu highlighted the different systems of marriages and the selective use of systems as and when it is convenient. She also addressed the different impact of marriages in cities on the one hand and in rural areas on the other hand. Women in cities are viewed more dependent on the husband because they do not have the possibility to have their own land to take care of themselves and their children.



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The second panelist, Dr. Mark Igiehon said he was struck by the different practices in Africa. He comes from Nigeria and has different experiences, but what is the same is that we face a crisis of family and relationships. Not just in Africa, but also in Europe. In Africa it is obvious because we are in transition between traditional families and the European style families. He said he was struck about the impact of divorce on children and how the men were free from responsibility. In such a situation the whole society suffers because we then have many children growing up in unstable homes. Dr. Igiehon said it is important to hear the men's perspective so that all parties and stakeholders are represented. He says it is important to address the issues with a view towards finding solutions. How do we build solid homes? How do we raise responsible men and women? In the traditional African setting the family takes this responsibility, but with African societies at a crossroads, there is a vacuum.

After the intervention of the panelists the public had another opportunity to raise issues and ask questions. The issue of bride price became an issue of debate. Were they there to protect the women or were women sold? Since there are so many different systems, including systems for bride price, it is clear that it is hard to find one generic solution to the problems raised. Another question posed was whether victims are mainly poor, uneducated women, or whether there are educated and wealthy women from certain class and families who will not break the silence on domestic violence. Finally, cohabitation was identified as an undertreated issue in need of laws to protect couples.

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Mariama Khan's Testimony

As a filmmaker Mariama Khan says her job is to show what is happening in society. She is the eye of the society. She does not have the answers, she asks many questions. She doesn't judge, she doesn't blame, she wants to understand what happened, she wants to understand what went wrong.

Khan says she has lived in different parts of the world, Middle East, Europe, USA and Africa- the Gambia and Senegal. People outside Africa see Africa as one community. They are indifferent to the different cultures, and the positive aspects of the cultures. She said her grandfather a Muslim from a polygamous society had four wives. If he had to make a decision he would consult his first wife, who in turn consulted the other three. They put all their thoughts together to make the decision. The women raised all the children together. As a result, there was harmony. That is a great value which she misses in the current generation. Marriages were part of the whole family and that was why divorce was uncommon, because the family would mediate whenever there was a problem. They would not discuss it in the open, but used an alternative conflict resolution. Marriage is for life and especially with kids there is need to find another solution.

Khan says we've lost something in Africa; the history of our societies. With regards to universality of human rights, Africa is misrepresented. In Africa there is a tendency to take everything wholesale without thinking about what is right for us. Every culture has its own valuable things. We need to nurture the values of African cultures. We need to think as African people.

How can the African perspective contribute to the global system of values? We need to adopt a holistic approach in addressing these issues. We should not blindly adopt laws that are designed to protect women from specific cultures because they can have unexpected consequences in the African context. We can improve the situation of women in Africa if we break the strong culture of silence and really look at what is happening in society.

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Nightmare of Media Rape

Dr. Pinkie Mekgwe

At the outset, Dr. Mekgwe points out that the media is a partner in our quest to break the silence, in giving us voice. The media is a generator of crucial knowledge within society and can contribute to our aim to promote accountability and end impunity for gender based violence. Mariama Khan shows in her documentary the kind of role the media can play in giving attention to less researched, undertreated and marginalized areas of gender based violence. However, Mekgwe says she would like to give some attention to the other side as well. Sometimes the crime of the media is not to report. She says she speaks of crimes of the media because it is hard to talk back to them. When you get into conflict with the media it becomes clear that although the media should fight for freedom of speech, you get yourself into deeper problems with the media.

In recent times more often than not, the media are not supportive of the human rights agenda, but even fight human rights advocates. This is especially true with the tabloid media fuelled by the bold, ubiquitous nature of a seemingly ethics-averse new media in the form particularly of U-tube, multifarious and multi-natured blogs, and such like-sites.

Some incidents merit discussion: the case of a photographer who snapped the unassisted, public birthing of a breech baby in Zambia recently. The pictures were disseminated by the Post Newspaper of Zambia, in a bid, as the editor was to later explain, to draw attention to the dismal state of Health Care in Zambia, at a time when Health workers had chosen to go on strike. While the Editor is convinced that this was a good cause – and I have no quarrel with that – I join those who question the ‘nature’ of the cause. It is crucial that our mode of work be sanctioned by ethical concerns. The Codes of Ethics for Journalists in blanket reference requires particular sensitivity to women and minors, and points to the need always to seek permission of the subject of a photo shoot. Did the woman who painfully gave birth to a dying baby consent to her pictures being taken? Isn’t she victim enough already to warrant the parading of her pain, her body, and what ought to have been her sacred, private moment? What about her child, had it survived? Would the grown child have pointed out his birth picture in glee to his friends? What about the other children of this woman, born and unborn? Sensitisation about the grim nature of the Zambia Health Care situation could have been done very effectively without turning a wider public into voyeurs of one woman’s ‘private’ moment of misery.

While the case above has been subjected to the rigors of ‘regulation’ (the *Post News* Editor was, on July 13th, 2009 arrested and charged with circulating obscene material – which some have pointed out is but a political ploy) there are too many cases for comfort that do not receive the requisite sanctioning. A number of these have tended to emanate from or go the route of ‘citizen media’ where the regulatory framework is fuzzy at best. Two cases



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warrant the attention of anybody interested in the media/gender justice nexus, for the otherwise terrible precedent they set, but also for the lessons that can be drawn from them with respect to the use of the Media as a new form of Gender violence. These are the cases of Elizabeth Wong and Evelyn Ankumah, two accomplished women and indefatigable workers for human rights, based in Malaysia and Ghana respectively. While these are separate cases, I found the similarities across Asia and Africa in this instance uncanny and unsettling.

Wong, 39, was, until her 'Naked Pictures Scandal', a respected politician, an Assemblywoman and Executive Councilor in charge of Tourism, Consumer Affairs, and the Environment in Malaysia's Selangor State, a state marked for being the most prosperous and developed in the country. She was the first politician to win the State Assembly seat for her party, the People's Justice Party (Parti KeADILan Rakyat - PKR), and with a huge margin of 5000, reportedly the second largest majority won by a PKR candidate. Wong brought a convincingly solid pedigree to the position: involved with human rights issues since her student days, she was one-time Secretary General of the National Human Rights Society and Fellow of the Carnegie Council for Ethics and International Affairs (2002-03), and founding member of the Solidarity Campaign for Human Rights in Aceh, amongst other achievements. An unmarried woman, Wong is reported to have had naked pictures of her taken by her boyfriend, using a mobile phone, who then circulated them on U-tube. The pictures were to make a continuous loop across various websites, and the story was splashed across especially the tabloids in Malaysia. In spite of making clear the pictures were taken without her consent, and were being circulated by a malicious ex-boyfriend; in spite of reporting the matter to the police, the court of Public Opinion was to eventually force Wong to resign her position. Two months after tendering her resignation, however, Wong was recalled by the Selangor government. In May, 2009, shortly after being recalled, a new spate of photographs was posted online, some showing Wong asleep (suggesting, therefore, that she was unaware the pictures were being taken). The price of this invasion of privacy has been rather tall with Wong expressing that it's like 'getting raped everyday'. Still the pictures make the rounds unabated. Where is the ethics and justice in all this?

Ghanaian-born Dutch citizen, Evelyn Ankumah is also currently living the nightmare of 'media rape'. The Executive Director of Africa Legal Aid (AFLA), a Pan-African Organization with a big justice footprint that is dedicated to the promotion and protection of individual and collective human rights across Africa 'and to challenging the impunity of gross human rights violators' is faced with the reality that the Media can be an indiscriminating vehicle for such human rights violations. In various articles and statements authored and said by Anas Amareyaw Anas, a journalist who has published with *The New Crusading Guide of Ghana*, Ankumah has been implicated in what has been dubbed a 'Diplomatic Sex Scandal'. This Human Rights Lawyer who is widely published, has worked on human rights issues extensively in America, Europe, and Africa – and continuous to do meticulous work with the International Criminal Tribunal for Rwanda, scoring very highly in matters of Gender Justice and in particular working against the violation of women's bodies is being accused in the Media of running a brothel that specializes in servicing Ghana's diplomatic *corps*. The evidence? A video-tape that is said to have been disqualified as a fabrication by an imminent



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media production house. Ankumah has since filed for libel. She also submitted a complaint to MultiChoice Africa against Anas's nomination for the CNN African Journalists Awards for 2009.

These actions did not stop the government of Ghana from repealing AFLA's Headquarters Agreement with the Government of Ghana (thus extending crucial services to Africa, and Ghanaian citizens in particular, even as it was substantially funded by the Dutch government) nor CNN's 'recognition' of Anas amongst the journalists of Africa that are telling 'good' stories on the continent. Ankumah's struggle against her 'tarnished' image, has been telling on her then seven year old daughters – who have had to be moved from their school – and is likely to prove costly to the valuable Human Rights and Gender Justice work that Africa requires acutely. There have been developments on the libel action and the Headquarters Agreement and Evelyn can tell you about that herself.

The sophisticated new means of violating women, passing for media work, are just that: tools of violence. The perpetrators need to be dealt with as fit, and networks need to rise to the support of the victims. The challenge posed to Ethics, Human rights, and Gender work is clear: our strategies need to metamorphose with the increasingly morphing nature of gender violence, lest all victories scored to date be wiped off as easily as pressing the delete button on any erstwhile computer.



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Africa Legal Aid (AFLA)

Africa Legal Aid is a Pan-African human rights NGO devoted to promoting and protecting individual and collective rights throughout Africa and to challenging the impunity of gross human rights violators. AFLA provides leadership and support to key institutions and organizations working for the respect and recognition of human rights.

AFLA has close working relations with the International Criminal Court (ICC), the International Criminal Tribunal for Rwanda (ICTR), the African Commission on Human and Peoples' Rights (ACHPR), the African Court on Human and Peoples' Rights (ACHPR), and the recently established War Crimes Division of the High Court of Uganda (WCD). AFLA has offices in Accra (Headquarters), The Hague, and Pretoria.

Activities

- Promoting and protecting individual and collective rights throughout Africa
- Challenging impunity for gross and systematic human rights violations
- Providing leadership and support to key institutions and organizations working for the respect and recognition of human rights.
- Promoting and Advocating for a comprehensive human rights jurisprudence for Africa

The **Tools** AFLA uses to achieve its goals include capacity-building training programs, research and analysis, media outreach, publications, selected and targeted legal assistance at national, regional and international levels, and a human rights and international justice website.

Key areas

AFLA's core areas of work are the African Human Rights System and the International Criminal Justice System.

AFLA is currently engaged in a global campaign to end Impunity for Gender Based Violence, Mainstreaming Gender in Transitional Justice Mechanisms, Contributing African Perspectives to discussions on Universal Jurisdiction and international justice, and working on Strengthening justice sectors in Africa.

Resources

1. The AFLA Quarterly
2. AFLA Book Series
3. The Cairo-Arusha Principles on Universal Jurisdiction in Respect of Gross Human Rights Offences: *An African Perspective*



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The Gender Justice Forum

A Global Campaign to Raise the Profile of Accountability for Gender-Based Crimes and Violence against Women

Africa Legal Aid (AFLA) has initiated a campaign dubbed *the Gender Justice Forum*, to promote gender equality and end impunity for gender-based crimes and violence against women.

The Gender Justice Forum aims at:

- a) Highlighting the importance of the legacy of the Africa-based International Criminal Tribunal for Rwanda's (ICTR's) Gender Justice Jurisprudence and how it can be carried forward by the International Criminal Court (ICC), as well as national judiciaries and quasi judiciaries and other regional and national judicial accountability systems;
- b) Promoting gender equality and women's empowerment as a sustainable strategy for reducing and eliminating violence against women;
- c) Strengthening the culture of accountability for gender-related crimes; and
- d) Contributing African perspectives to international criminal justice

Specific Objectives

- Increase capacity of women's groups in Africa, particularly those in conflict regions to address gender justice issues and to create effective partnerships for change;
- Increase capacity of NGOs and Civil Society Groups to be effective advocates for gender justice;
- Provide policy makers, both at the national and international levels with the tools to work towards ending violence against women at the national and international levels;
- Sensitize the ICC on the pioneering work of the ICTR on violence against women to strengthen the impact of the ICC;
- Raise the profile of punishment for violence against women and gender crimes to end impunity and promote accountability for violations against women;
- Contribute to progressive development of gender justice and the realization of U.N. Millennium Development Goal 3, to promote gender equality and empower women.



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Speakers' Biographies

Evelyn A. Ankumah

A Lawyer with professional and academic legal experience in Europe, North America, and Africa, Evelyn Ankumah is the Executive Director of this Pan African NGO. Under her direction, AFLA's three offices in The Hague, Accra and Pretoria have been established, and the organization has developed close working ties with regional and international bodies including the International Criminal Court (ICC), the International Criminal Tribunal for Rwanda (ICTR), the African Human Rights Systems, and the recently established War Crimes Division of the High Court of Uganda (WCD). She is General Editor of AFLA's publications including its "flagship journal" the AFLA Quarterly, the AFLA Book Series, and the E-Reporter on Africa and International Justice.

Dr. Athaliah Molokomme

Dr. Molokomme was appointed to her current position of Attorney General of the Republic of Botswana in October 2005. In this position, she performs the main task of being principal legal advisor to the Government of Botswana, and represents the Government in several boards including DEBSWANA and Diamond Trading Company Botswana (DTCB). From July 1998, she was founding head of the Gender Unit at the Secretariat of the South African Development Community (SADC) until May 2003 when she was appointed judge of the High Court of Botswana. She taught law at the University of Botswana from 1981 until 1996, with periods of study leave in between, and has researched and published extensively in various areas of the law. Dr. Molokomme obtained her Masters in Law from Yale Law School in 1983, and in 1991 she obtained a PhD in Law at Leiden University in the Netherlands.

Mariama Khan

Ms. Khan is the founder of Documentary Film Initiative, a non-profit organization that is involved in socially-engaged media making. She is also the Executive Chairperson, Sandeng Publishers, in the Gambia, a publishing outfit that promotes African literature and writing through publishing works from new authors. Born to a Senegalese father and a Gambian mother, Ms. Khan has master's degrees in Sustainable International Development Studies from Brandeis University, Massachusetts, USA, and Management of Development from ITCILO/University of Turino, Italy. She works with the Government of the Gambia as Acting Director, Policy Analysis Unit, Office of the President.

Mirjam Blaak

Ms. Blaak obtained her masters in Law from the University of Utrecht, after which she was appointed UNHCR Protection Officer in Kenya. She subsequently worked as a legal and marketing consultant in Kenya, joined the National Resistance Movement and moved with the new Government to Uganda in January 1986 when Yoweri Museveni became President. She established a successful travel agency and tour operating company and was generally engaged in commercial activities until she was appointed Ambassador in 2003 accredited to the Ugandan Embassy in Brussels where she serves as Deputy Head of Mission. Her responsibility in the Netherlands expanded more and more due to the referral of the



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situation in Northern Uganda to the ICC. She looks after Uganda's interest in many legal institutions based in the Hague and is actively promoting investment, tourism, trade and transfer of technology in the Benelux countries.

Prof. Louk de la Rive Box

Louk Box has held the position of Rector of the International Institute of Social Studies (ISS) in The Hague, and Professor of International Cooperation since January 2005. He previously was Director of the European Centre for Development Studies (ECDPM) in Maastricht; Professor at the Maastricht University; and was an official of the Netherlands Ministry of Foreign Affairs. Louk de la Rive Box (1942, Louk Box in publications) received his Bachelor of Arts degree in 1966 at Pomona College, Claremont, California. Appointed a Faculty Fellow at Columbia University, New York, he entered that same year the doctoral program in sociology. He is Board member of the Geneva based Graduate Institute for International Relations and Development Studies (IHEID). He chairs the board of the Cultural Emergency Response, a venture of the Prince Claus Fund for Culture and Development. In 2003 he was elected to the Executive Board of Enda Tiers Monde, one of the oldest international civil society organizations dealing with environment and development action. He is board member of the international journal Global Governance and chairs the Board of The Broker, a journal linking the worlds of development researchers and practitioners. He is member of Sussex University's STEPS Advisory Board and of the World Connectors.

Dr. Pinkie Mekgwe

Dr Pinkie Mekgwe teaches Gender Studies at the University of Botswana. She recently completed her tenure in the Research department of the Council for the Development of Social Science Research in Africa (CODESRIA) based in Dakar, Senegal, where she directs research on gender, the humanities, and is responsible for growing multidisciplinary research networks across African countries, between southern countries, and trans-nationally. She has worked with the universities of Sussex in Britain, Malmo in Sweden, and Witwatersrand in South Africa. Her scholarly contributions have been in the areas of creative writing and literary studies, gender politics, and the media. She has also worked with a number of Civil Society Organizations in Asia and Africa. A past board chairperson of the Botswana Media Regulatory body, Dr Mekgwe currently sits on the board of Gender Links, a Southern African Gender and Media Organization. Dr Mekgwe holds a B. A. from the University of Botswana; an M. A. (Critical Theory) and D.Phil (Gender and Literary Studies) from the University of Sussex

Birgit Lindsnaes

Ms. Lindsnaes is currently a Senior Consultant for Evaluation and Governance, Human Rights and Institutions Building, COWI, Denmark. She is the immediate past Director of the International Department (project and consultancies), Danish Institute for Human Rights (DIHR), which she served from 1996 to 2009. Birgit Lindsnaes obtained an MA Magister in Social Anthropology from the University of Copenhagen in 1984 and a Bachelor in Leadership and Management in 2008. During the period 1993 to 1996, she worked in the capacity of Administrator at the Danish Centre for Human Rights (now Danish Institute for Human Rights), where she was responsible for the international programs. She was Refugee



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and EU coordinator at Amnesty International, Danish Section and has worked at numerous institutes including the Institute for Social Anthropology, University of Copenhagen, the Danish Red Cross, Asylum Section, the Danish Ministry of Foreign Affairs, the Nordic Africa Institute, Uppsala, among others. She has also worked in the private sector and for a Union (Hidexim, Avis, Grafisk Forbundshus).

Dr. Nomsa Mbere

Nomsa Mbere has a multidimensional professional background as a dental surgeon, as a lawyer and a gender expert. Her professional medical experience has been gained in ordinary, referral and mining hospitals, as well as in busy private practices in the United Kingdom and Botswana. Much of her early education and, subsequently, her professional training were undertaken in the United Kingdom, where she graduated from The University of Liverpool Dental School. Her professional qualifications are supplemented by a law degree (LLB), from the University of South Africa. She is currently completing her studies for her LLM, at the same university. Her LLM dissertation focuses on establishing whose interest the Economic Partnership Agreements between developing countries and developed countries serve and how the legal instruments are used to maintain such interests. As well, Dr. Mbere has been involved in continual encouragement of women to participate in sports and the revival of the Women in Sports forum.

She is the immediate past President of the Botswana Red Cross Society, and was appointed, by the Board of the International Federation of the Red Cross and Red Crescent Societies, to serve as a member of the International Federation Disaster Preparedness and Relief Commission. Dr. Mbere is currently the Vice Chairperson of the Botswana National Sports Council. She is also a specially elected member of the board of Botswana Confederation of Commerce Industry and Manpower (BOCCIM), and is on her second term in this office.

Patricia Viseur-Sellers

Is currently an International Criminal Law/Humanitarian Law Independent Expert and Consultant, as well, she is a Visiting Fellow and Lecturer in Human Rights International Human Rights Law Program, Kellogg College, University of Oxford. Within the period 1994 to 2007, Patricia Viseur-Sellers was Legal Advisor for Gender Related Crimes, Acting Senior Trial Attorney, Trial Attorney, Acting Head of International Law Section: United Nations International Criminal Tribunal for the Former Yugoslavia, Office of the Prosecutor, The Hague, The Netherlands. She was also a Permanent Consultant on the Co-Desk for Thailand and Burma, at the European Union Directorate I of the Commission, Brussels, Belgium, from 1990 to 1994.

Prof. Leila Sadat

Is a citizen of the United States, with law degrees and training in both the United States and France. She holds U.S. law degrees from Columbia and Tulane Law Schools, and received her *diplome d'études approfondies* from the University of Paris I – Sorbonne. Professor Sadat has spent more than 25 years in the law, first in judicial clerkships, then international private practice, then joining the law faculty of Washington University in St. Louis where she



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has been teaching since 1992. Professor Sadat is the author of more than 50 articles and several books and currently holds the Henry H. Oberschelp Chair and serves as the director of the Whitney R. Harris World Law Institute. She teaches public international law, international criminal law and human rights, and is currently leading an initiative to develop a comprehensive crimes against humanity convention. Her work on the International Criminal Court is well-known, as are her essays on terrorism and human rights.

Gloria Atiba Davies

Was brought up in Freetown, the Sierra Leone capital, where she attended a Christian missionary school. She studied at the University of London and graduated with a law degree. Within two weeks of completing her final studies in 1981, she returned to Sierra Leone and joined the government law officers department assigned to the division of public prosecution. She worked her way up the ladder, interviewing victims and witnesses, drafting legal documents, summons and indictments, appearing increasingly in the High Court for trials and the Court of Appeal and Supreme Court for appeals. She excelled as a criminal prosecutor and in 1994 became the most senior prosecutor in the whole of Sierra Leone, supervising prosecutions, arguing criminal cases and preparing indictments. Gloria Atiba-Davies is currently Head of Gender and Children's Unit, at the International Criminal Court (ICC), which was set up specially to address issues relating to women and children who will tell the court about their experiences.

Chiseche Mibenge

Chiseche Salome Mibenge is an independent expert on gender and human rights. Most recently she has acted as a gender consultant for UNIFEM and the government of Sierra Leone supporting an independent commission of inquiry into allegations of political violence including sexual violence. And in Rwanda she was recruited by Norwegian People's Aid to act as a facilitator and trainer to civil society organizations. Chiseche's book 'Show me a Woman! Narratives of Gender and Violence in Human Rights Law and Processes of Transitional Justice' will be published in early 2010. In it she examines the stories that justice processes such as the International Criminal Court and Sierra Leone's Truth Commission tell about women survivors of conflict, and the disempowering impact these stories have on women as they attempt to access resources in post-conflict societies. Chiseche will defend her PhD on gender, violence and access to justice at Utrecht University's School of Law on 31 March 2010.

Dr. Dubravka Zarkov

Dubravka Zarkov studied sociology, anthropology, development studies and women's studies in the former Yugoslavia and the Netherlands. She specialised in intersections of gender, sexuality, and ethnicity in the context of violent conflict and conflict transformation. She is particularly interested in (sexual) violence against women and men in war, and its representations in the media. Her main regional interests are in Western Balkans, South Asia, and Eastern Europe. She teaches (among others) the following subjects: gender discourses; violent conflict, media analysis; feminist epistemologies.

Judge Elizabeth Nahamya



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Elizabeth Nahamya is Judge of the War Crimes Division, High Court of Uganda. She formerly worked as the Principal Defender in the Special Court for Sierra Leone's Defence Office, the first one of its kind in the International Criminal Justice System. Prior to joining the Special Court, she worked as a Legal Officer with the Chambers Division of the International Criminal Court for Rwanda, where she served the Trial Chambers as a Trial Chamber Coordinator overseeing all trials conducted by the Trial Chamber and attending court as a support Lawyer on top of rendering legal advice to Trial Chamber Judges.

Before joining the International legal field, Mrs Nahamya worked as a Legal Researcher to Uganda's Constituent Assembly delegates in 1995 and acted as Legal Secretary to the Select Committee on Land & Environment, Inspectorate of Government, and Leadership Code. She worked closely with the Gender Caucus of the Constituent Assembly, which introduced a number of key provisions on women representation. She was a member of the Drafting Team, which was mandated to Draft the Electoral Law and Referendum Regulations as well as the Presidential Elections Bill.

Judge Nahamya also worked as a Private Practitioner within the national jurisdiction of Uganda. She has lectured at various universities. Her first teaching stint was at the Law Development Centre in Kampala in 1977. She later on held various teaching jobs in Lesotho (1981) and Nigeria (1981-1989) and lectured on a part-time basis at the Uganda Management Institute (1995) and the National University of Lesotho, Roma in Lesotho.

Prof. Cees Flinterman

Prof. Cees Flinterman studied international law at Leiden University (J.D. 1969; Ph.D. 1981) and the University of Virginia (LL.M. 1971). He was an alternate member of the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities (1987-1991), Vice-Chairperson of the 49th session of the United Nations Commission on Human Rights (1993) and Head of the Delegation of the Kingdom of the Netherlands on the 49th and 50th session of the UN Commission on Human Rights (1993 and 1994) and to the World Conference on Human Rights (1993). Since 1 November 1998, he has been the director of the Netherlands Institute of Human Rights (SIM) and the School of Human Rights Research. Since August 2002 he has been a member of the UN Committee on the Elimination of Discrimination against Women (CEDAW). Professor Flinterman was Professor of International Law and Human Rights at the Maastricht University for many years. He was recently appointed Professor Emeritus at the same university.

Judge Kimberly Prost

Judge Prost is currently serving as an ad litem Judge at the International Criminal Tribunal for the Former Yugoslavia (ICTY). Prior to her appointment, she was chief of the Legal Advisory Section at the United Nations Office on Drugs and Crimes. She also served as head of the Criminal Law Section at the Commonwealth Secretariat. Prost began her career with the Canadian Justice Department where she worked in prosecutions and ultimately as the director of the International Assistance Group. She served as a member of the Canadian delegations for the negotiation of the Rome Statute for the International Criminal Court and the United Nations Convention against Transnational Organized Crime.



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Ruth Hopkins, Research Journalist

Judge Sanji Mmasenono Monogeng

Judge Monogeng (1950) served as a High Court judge for the Kingdom of Swaziland, responsible for criminal and civil cases as well as constitutional matters before joining the International Criminal Court. Prior to this, she also served as a judge for the High Court of the Republic of the Gambia. Judge Monogeng has wide experience in the promotion and protection of human rights issues, having been a member of the African Commission on Human and Peoples' Rights, appointed by the African Union, between 2003 and 2009 and was appointed as the Commission's chairperson in November 2007. She has also chaired one of the special mechanisms of the Commission, the Follow-up Committee on torture, inhumane, degrading and other treatments. Judge Monogeng has given a number of lectures on human rights issues including, "The African human rights system", "Violence in the home", "Rape and sentencing in rape cases" and "Criminal law and procedure - a judge's expectations from investigators and prosecutors".

Judge Akua Kuenyehia

Judge Kuenyehia (1947) was Dean of the Faculty of Law of the University of Ghana, before her election as a judge of the ICC. During her time at that university, she taught criminal law, gender and the law, international human rights law and public international law. She was co-ordinator of a research project entitled 'Women and Law in Anglophone West Africa', which covered Ghana, Nigeria, Sierra Leone and The Gambia. She has written three books and numerous academic publications on gender and the law, family law and international human rights. Judge Kuenyehia is a barrister and solicitor of the Supreme Court of Ghana. She has experience as a solicitor, advocate and human rights expert, and in criminal law and procedure. She also has experience as an administrator and has expertise in gender and the law, international human rights issues and was a member of the Committee on the Elimination of all Forms of Discrimination Against Women (CEDAW).

Dr. Mark Osa Igiehon

Mark Osa Igiehon is senior legal counsel with Shell International and, since 2007, has been counsel to Shell companies in Kazakhstan. A citizen of Nigeria, Dr. Igiehon qualified in 1987 and was in private practice in Nigeria, before joining Shell in 1996. He has worked with Shell companies in Warri, Port Harcourt, Aberdeen, and The Hague. Dr. Igiehon holds a doctorate jointly awarded by the Southampton Solent University and the Nottingham Trent University, as well as degrees from the Nigerian Law School and Bendel (Edo) State University, Nigeria. He is recognised globally as a leading expert on oil and gas matters. His works have been published in many leading international journals and he is a co-author of "Oil and Gas: A Practical Handbook" published in March 2009 by Globe Law. Dr. Igiehon speaks regularly at leading conferences and seminars, and is guest lecturer at a number of leading universities and law schools including the University of Aberdeen Law School, the University of Houston Law Centre, and Dallas' Southern Methodist University – Dedman School of Law. He also teaches annually at Prague's CEELI/ABA Institute. He is co-founder of the Oil for Good Global Forum & Institute.



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Romana Maumbu

A Zambian / Dutch national, Romana Maumbu has a Bachelor of Arts in African Development Studies, and Women in Development (WID), Masters in Development Studies, and certificates in Gender studies / Research & Training in gender related issues. As a Gender Trainer, she has gained work experience with UNDP - Gender Training Specialist work in Sierra Leone & Cambodia; Educationalist – Zambia; Trainer of Trainers on Development co-operation work mostly in The Netherlands with various Dutch NGOs mostly sending development workers to developing countries. She has worked with minor asylum seekers, and refugees' integration in Dutch society. Ms. Maumbu currently works for The International Criminal Court in the Investigation Division – in Data Processing. She is doing research on gender research and analysis towards a PhD with the Netherlands Research School of Women Studies – University of Nijmegen.