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**"Concept Note"**

**"1st Meeting of African Women’s Judges"**

**Libreville, Gabon, from 02 to 06 May 2023**

**Jointly organized by:**

**the Conference of African Constitutional Jurisdictions (CJCA) and the Constitutional Court of the Gabonese Republic**

**With the support of UNDP, UN DC and** **UN Women**

1. **BACK-PLAN**

Women's right to participate fully and equally with men in all aspects of public life, including the judiciary, is widely recognized as a human right.

To date, 49 of the 55 countries in Africa have adopted the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol). This important regional human rights instrument calls for equality before the law and equal representation of women in judicial and law enforcement bodies (Article 8).

Women's participation in the judiciary has also become an important overall development goal. There is ample evidence that the presence of women in judicial systems has multiple benefits. In addition to contributing to the development of strong and independent judicial institutions, it promotes gender equality and gender justice in societies. In addition, the climate of trust created by the mere presence of women in the judiciary tends to empower women victims of violence to use the justice system more often and systematically.

In recent years, some African countries have taken steps to appoint more women judges and prosecutors at the national level. The number of women judges has increased significantly in countries such as Algeria, Angola, Kenya, Lesotho, Mozambique, South Africa, Tunisia, Zambia and Zimbabwe. In some countries such as Kenya, Lesotho and Zimbabwe, women make up more than 50% of judges.

At the regional level, at the African Court on Human and Peoples' Rights, out of 11 judges, 5 are women, including the President of the Court.

Despite these efforts, the overall representation of women in African judicial institutions remains very low and gender parity in the judicial systems of many countries on the continent has not yet been achieved, with many women judges less represented in judicial leadership positions. This is the case, for example, in Somalia, Burkina Faso and Sierra Leone, where the representation of women in the posts of Head of Jurisdiction remains very limited, with women mainly represented in lower courts or as registrars.

According to the recent study on women judges in Africa, commissioned by UNDP and UN Women (forthcoming), supported by many other global resources, barriers to women's entry into the judiciary in Africa include non-exhaustive cultural, legal, institutional and social aspects such as:

* Negative gender stereotypes and attitudes based on religion, traditional conceptions of women's role in the family and society;
* Limitations in selection and recruitment processes due to stakeholders' commitments to gender equality as provided for in international and national laws;
* Lack of impartiality in judicial appointment processes in common law systems;
* gender-sensitive institutional policies and lack of gender equality strategies for the judiciary;
* Lack of mentorship, role models and limited investment in raising lawyers' awareness of judicial entry;
* Barriers reported by female judges according to the study include: discrimination, relocation, gender criticism, harassment, safety concerns, bullying and physical threats, expectations for work-life balance, and lack of mentorship, to name a few.

Additional obstacles, ranging from ideological opposition to the lack of political will on the part of the appointing authority, constitute obstacles to the advancement of women judges.

The first Meeting of African Women Judges is organized to create a framework and space for women judges to reflect on the barriers that prevent women from entering a judicial career, the obstacles women judges face in their careers and their impact on women's constitutional rights.

This event will be an opportunity to take stock of the presence of African women in the justice system, discuss and agree on concrete recommendations on future prospects to enable further progress in women's leadership in Africa as an entry point for better justice for all in the region.

The Meeting of African Women Judges is organized by the Conference of African Constitutional Jurisdictions (CJCA) and the Constitutional Court of the Gabonese Republic, with the support and participation of UNDP, UN Women and UNODC.

The CJCA is an independent institution composed of Supreme Courts and Constitutional Jurisdictions in Africa that work together to ensure that the judiciary of each member state deepens and supports democracy by respecting the constitution and the rule of law.

Currently, 48 African constitutional entities are members of the CJCA which has its headquarters in Algiers. The event is organized in application of the CJCA's 2023 Action Programme approved by its 6th Congress held in Rabat, Kingdom of Morocco, from 22 to 24 November 2022.

The event is also in line with the commitments of the United Nations and the African Union on women's rights and gender equality contained in the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the African Charter on Human and Peoples' Rights (ACHPR), the Maputo Protocol, the Arab Charter on Human Rights, as well as other mechanisms such as the African Union's Agenda 2063 and the 2030 Agenda for Sustainable Development, among others.

1. **OBJECTIVES:**

The overall objective of the Meeting is to create a sustainable structure and framework for African women judges to facilitate peer learning and the exchange of good practices and lessons learned on the continent.

The specific objectives of this event are:

* Exchanges and stocktaking on the state of gender equality in judicial systems in Africa;
* Identification of the main obstacles faced by women in entering the judicial career and women judges in obtaining promotion in the justice sector;
* Identification of good practices that can be replicated elsewhere;
* Creation of the network of African women judges, including through a dedicated online platform;
* Identification of concrete measures and follow-up mechanisms to help increase the presence and strategic positioning of women in judicial institutions;
* Reflection on the sustainability of these meetings within the framework of a regional forum and identification of possible themes to be discussed at future meetings.

1. **EXPECTED RESULTS:**

* Creation of a Network of African Women Judges to ensure the exchange of experiences;
* Increased awareness of the benefits of gender equality in the justice system, including through the sharing of good practices in other African countries;
* Regional visibility, recognition and positive commitment to the emancipation of women in the judiciary are increased;
* Formulation of concrete and achievable recommendations and strategies to attract and retain women in judicial systems across the continent, as well as the establishment of a mechanism to monitor the implementation of these recommendations.

1. **METHODOLOGY**

The Meeting will be held from 02 to 06 May 2023 in Libreville (Gabon) and will be hosted by the Constitutional Court of the Gabonese Republic.

The event will be based on three sessions led by a moderator, assisted by a rapporteur and containing a presentation on the topic.

The event will be held in French, with interpretation available in English.

The sessions will be an opportunity for judges representing countries with different legal traditions to share their experiences, on three sub-themes:

1. **Session 1: Overview of the**  State of Gender Equality and Women's Empowerment in the Judiciary**:** "***Existing Experience, Best Practices and Identification of Barriers to the Promotion of Women Judges in Africa*"**

The presentations could be launched by examining the obstacles faced by African women judges in the field of justice in selected countries and how this affects their appointment and promotion. In this section, judges from each subregion could be involved and make a presentation.

1. **Session 2: "*Supporting Women in the Justice Sector: Existing Good Practices and Regional Learning Experiences*"**

This session will be dedicated to discussions on existing regional good practices and learning experiences. UNDP, UNODC and UN Women, as well as AU mechanisms, will be able to present their existing initiatives on supporting women in the justice sector and promote the exchange of good experiences.

1. **Session 3: "*Identification of actions to be developed to promote women in judicial systems across Africa and ensure progress and transparency in access to judicial jobs*"**

This session will be devoted to group reflections on the way forward, the elaboration of concrete and achievable recommendations, the mechanism for monitoring the implementation of these recommendations and the reflection on how to use this regional structure in a sustainable way.

1. **PARTICIPANTS:**

* African Women Heads of Jurisdiction, Vice-Presidents of Jurisdictions, Members and Active Judges;
* Experts active in the field of African women's rights;
* Representatives of international and regional organizations active in this field.

1. **PARTNERS:**

* United Nations Development Program (UNDP);
* United Nations Organization on Drugs and Crime (UNODC);
* UN Women.