



INTERNATIONAL ASSOCIATION OF JUDGES  
UNION INTERNATIONALE DES MAGISTRATS  
UNIÓN INTERNACIONAL DE MAGISTRADOS  
INTERNATIONALE VEREINIGUNG DER RICHTER  
UNIONE INTERNAZIONALE DEI MAGISTRATI

PALAZZO DI GIUSTIZIA - PIAZZA CAVOUR - 00193 ROMA - ITALY

## INTERNATIONAL ASSOCIATION OF JUDGES

### Summary Report of the Meeting of the AFRICAN REGIONAL GROUP

Niamey (Niger), 27<sup>th</sup> - 29<sup>th</sup> June 2005

#### SESSION OF 27<sup>th</sup> JUNE 2005

The meeting was chaired by Mrs. Fatoumata Diakite, Vice-President of the I.A.J., President of the African Regional Group, with the participation of the Deputy Secretary-General of the I.A.J., Mr. Giacomo Oberto, as well as the following delegates of member associations of the International Association of Judges and of the African Regional Group:

Burkina Faso	Mrs. Lompo Christine, Mr. Compaoré Pascal, Mr. Da Mwinzie Eric, Mrs. Ouedraogo Bibata, Mr. Bambara Paulin
Cameroon	Mr. N'Soa Philippe René
Ivory Coast	Mr. Momblé Messey, Mr. Kouassi Bernard, Mr. Soungole Charles, Mrs. Amon Laurence
Mali	Mr. Fodié Touré, Mr. Sidibé Alou, Mr. Adama Fomba, Traoré Issa
Niger	Mr. Aladoua Saadou, Mr. Amadou Morou, Mr. Amadou Koundy, Mr. Ibrahim Malam Moussa, Mr. Maman Sayabou Issa, Mr. Abdou Malam Moussa, Mr. Cheibou Samna, Mr. Ousseini Djibage Maman Sani, Mr. Ibra Laouel Lelegoni, Mr. Ouman Sidi, Mrs. Issomfou Yacouba, Mr. Gourouga Uagagi Ousman, Mr. Abdoul Moumouni Ousman, Mr. Iro Roko, Mr. Mahaman Bachir Amadou, Mrs. Yacouba Soumana, Mr. Chégou Molli, Mr. Mai Moussa Bachir, Mr. Sazou Abdou, Mr. Salissou Ousmane, Mr. Csayakay Sabi, Mr. Jssoufou Bouraime, Mr. Oumarou Rabo, Mr. Gaya Maizoumbou, Mr. Timbo Lamine, Mrs. Souleymane Ibrahim Yacouba, Mr. Abdjo Dan Gallou Samaila, Mr. Amadou Roufai Issa Bana, Mr. Mamane Boube, Mrs. Indo Yacouba, Mrs. Gonda Fassouma, Mr. Issaka Djingareye ; Mr. Oumborik Boubacar, Mr. Oumarou Dado, Mrs. Zeinabou Labo, Mr. Alou Aboubacar, Mr. Gaya, Mr. Oumaron Rabo Nainassara, Mrs. Abdi Jeannette, Mrs. Eliane Allagbader, Mr. Gayekay Sabi Abdourahman
South Africa	Mr. Cagney John Musi, Mrs. Judith Freda van Schalkwyk
Togo	Mr. Aboudou Assouma, Mr. Adboulaye Yaya, Mr. Assogbavi Komlan

The opening ceremony took place on June 27, 2005 at 9.30 a.m. During this event, the Secretary General of the *Syndicat Autonome des Magistrats du Niger* (S.A.M.A.N.), Mr. Aladoua Saadou, the President of the African Group, Mrs. Fatoumata Diakite and the Minister for Justice of Niger, Mr. Maty Elh Mussa took the floor. In the course of this ceremony Mrs. Diakite informed the assembly that the President of the I.A.J., Mr. Beneti, had sent a letter to explain the reasons which prevented him from taking part in the meeting, in spite of his desire to contribute to the work of the Group. The same applied to First Vice President Mrs. Maja Tratnik, as well as to the former Vice President of the I.A.J., Mr. Louis Denecker.

#### 1. Approval of the summary report of the Group's last meeting in Valle de Bravo on October 3<sup>rd</sup>, 2004.

The President of the Group opened the meeting at 10.30 a.m., by first of all thanking all the delegates attending the event. She thanked the S.A.M.A.N. for the organization of the meeting and the cordial reception. Mrs. Diakite then passed to examine the points on the agenda. She asked

whether the delegates in attendance had remarks on the report, which had been distributed by the Secretariat. The minutes of the last meeting of the African Group held in Valle de Bravo were approved unanimously. Mrs. Diakite explained that at the end of the meeting of June 27 she will form two working groups, which will have respectively to consider the topic chosen for the meeting of Niamey ("The Legal Status of Women in the African Legal Systems"), and the statute of the African Group.

## 2. Report on the activities of the President of the African Group.

Mrs. Diakite submitted then her report as President of the Group. She first of all thanked the delegates for their confidence as well as for having agreed to travel to Niger for the meeting. After the meeting of Valle de Bravo Mrs. Diakite tried to work out a preliminary draft statute for the Group, to be discussed during the meeting in Niamey. She then tried to contact various national associations of country not pertaining to the I.A.J., in order to draw their attention on the advisability of joining our association and thereby fostering new applications for membership. She had also been working on the application of the Group to the African Union, aiming at obtaining for the Group status of observer. Mrs. Diakite also took part in the organizational activity of the meeting of Niamey and participated in the meeting of the Presidency Committee of the I.A.J., which took place in Rome in May.

As regards the contacts with the countries which are not yet members of the I.A.J., Mrs. Diakite stressed that in several countries judges have not yet set up associations. She noticed, as regards in particular Benin, that Mr. Assouma of Togo helped to contact the local association, which is very active. The colleagues of Niger contacted the members of the association of Benin by inviting them to Niamey, but they did not react to this invitation. As regards Chad, Mrs. Diakite informed the assembly that judges of this country recently organized a strike. She tried to contact them and to inform them on the I.A.J. Unfortunately, the letter which she had sent to invite them to Niamey did not receive reaction. The President also contacted the colleagues of Gabon, of Central Africa, of Congo Brazzaville and Equatorial Guinea. In these last two countries there are not yet judges associations and Mrs. Diakite tried to convince the colleagues of the need for creating an association.

The President pointed out that in Valle de Bravo the Portuguese colleagues had invited her to contact colleagues of lusophone Africa. Following that, she had asked the association of South Africa to contact the colleagues of Mozambique. She invited as well the delegate of Cameroon to try to contact judges of neighbouring countries, such as Congo Brazzaville or Gabon. As regards the southernmost part of the African continent, a significant role could be played by the association of South Africa, which could be used as contact association with associations such as that of Namibia, of Madagascar, of Mozambique and Zambia. Mrs. Diakite pointed out that in Rome the former Vice President of the I.A.J. Mrs. Louise Mailhot informed that she had met judges of Uganda and Madagascar. As regards Benin, the President requested the association of Togo to try to again contact the colleagues of that country. Togo could also try to contact the colleagues of Nigeria and Ghana. The President explained then that in Guinea Conakry there is no association of judges, but there is an association of lawyers gathering all the professionals of justice. Mrs. Diakite evoked then the situation of Tanzania, which had not attended our meetings since those of Madrid in 2001 and Marrakech in 2002. She added that former Vice President Mailhot could meet Tanzanian colleagues in Arusha (Tanzania).

Coming to the topics related to the statute of the African Group, Mrs. Diakite recalled the work made in Ouagadougou, where a commission had been set up to consider this subject. It is now a question of continuing and of completing this work.

As regards the application to the African Union, the President informed the assembly to have written to the Commission of the African Union to inform it of the wish of the African Group to receive the statute of observer. Mrs. Diakite received on this subject a letter informing her that the request of the Group had not been taken yet in examination by the African Union. The process has however started.

Mrs. Diakite explained then that she had been engaged in the preparation of the meeting of Niamey. She thus went to Niamey in April 2005. She had also proposed to colleagues Touré of Mali and Kam of Burkina Faso to also travel to Niger, but for professional constraints these delegates could not accompany her in this mission.

The President informed thereafter the assembly of the meeting held by the Presidency Committee of the I.A.J. in Rome on May 13 and 14, 2005. One of the topics discussed in Rome had been that of the organization of the next meeting in Marrakech. Mr. Fourket, invited and awaited in Rome to explain the development of the organisational work, had not travel there, while letting know that he could not leave Morocco, because his presence over there was necessary in order to coordinate the preparations of the meeting of November. There was therefore hope to meet Mr. Fourket in Niamey to have a confirmation of the state of the preparatory work of the meeting. Unfortunately the delegation of Morocco had not come to Niamey, nor Mr. Fourket had sent to the Secretariat of Rome data and information necessary in order to prepare the invitation letter for the delegates of national associations. Since May the Secretariat General did not manage any more to reach Mr. Fourket. Therefore one could seriously doubt that the meeting of Marrakech could take place regularly.

Mrs. Diakite informed the assembly of the debates which took place within the E.A.J., during its last meeting which was held in Bruges. She invited the delegates to reflect on possible solutions making it possible to organize the meetings of the I.A.J. with less heavy expenses, in order to make it possible a larger number of countries to submit their candidatures for the organization of the meetings. She informed as well the assembly that the Foundation “Justice in the World” was not, in the present state, in the situation to be able to help us.

Mrs. Diakite gave finally the floor to the Deputy Secretary General Mr. Oberto, who informed the assembly on the budgetary situation of the Group. According to the last budget of the I.A.J., the availability of the African Group at the date of June 22, 2005 was of € 4.808,02. Mr. Oberto informed also the assembly about the associations which were in arrear in the payment of their contributions.

Mrs. Diakite read at to this point the message sent by Mr. Denecker, former Vice President of the I.A.J. who had been invited to the meeting of Niamey, but who could not take part in it. The President informed also the assembly of a letter sent by Mr. Mahouve of the association of Cameroon, informing her that his association was available to organize the meeting of the African Group in 2007, instead of 2006.

### 3. Situation of the Group's member associations.

The President gave the floor to the different associations attending the meeting.

First of all Mr. Aboudou Assouma (Togo) took the floor to announce the availability of his association to organize the meeting of the I.A.J. in Togo in the case of failure of Morocco. He pointed out to have already expressed this availability during the meeting in Valle de Bravo. Mrs. Diakite thanked in the name of the Group Mr. Assouma for this availability.

Mr. Momblé Messey took the floor to illustrate the current situation of the Ivory Coast, where colleagues who are in the zone occupied by the rebels have been experiencing moments of difficulty. Fortunately there no were losses among judges. He added that his association took part in a very active way, during these last years, in the development significant reforms concerning the statute of judges and the creation of a school for the judiciary. Association had also set up a mutual insurance company for all judges, including those who are not members of the U.NA.MA.C.I. Part of the funds generated by the Clerks Offices was invested in this project. Mrs. Diakite stressed that the setting up of this mutual insurance company could constitute an example for other associations of judges.

Mr. Nsoa of Cameroon took the floor to express his thanks to the African Group and to the whole I.A.J. for the support received for the candidature of his association, which recently obtained the statute of ordinary member, while at the same time no representative of Cameroon was attending the meeting of Valle de Bravo for problems of visa. He added that the association of

judges of Cameroon was doing rather well; its President had been just named director of the office of human rights and association was promoting the setting up of a mutual insurance company for judges. He added that for organizational reasons of the association they would be able to host the meeting of the Group in 2007; however, he did not exclude in theory that it could be possible to organize it in 2006, as it was originally envisaged. Mrs. Diakite thanked Mr. Nsoa and invited Cameroon to do all that was possible in order to organize the meeting in 2006.

Mr. Touré Fodié, President of the association of Mali, took the floor to explain that his association was experiencing some problems, which were however not insurmountable. In that moment the Government and the Parliament of his country were revising the texts concerning the statute of judges; a new plan of career for judges will be prepared and the texts will be probably adopted by the end of 2005. A council of wise persons had been set up and that made it possible to solve a certain number of problems. He also hoped to be able to set up soon a mutual insurance company for judges.

Mrs. Christine Lompo, treasurer of the association of Burkina Faso, took the floor to explain the situation of her country, where during the year 2004 33 judges left the association to join another one. Her association was trying to convince these colleagues to reconsider their decision. The High Judicial Council of Burkina Faso recently set up a commission on corruption and the association carried out a public awareness campaign on this topic. Association was also trying to change the system of evaluation of judges.

Mr. Musi took the floor for the delegation of South Africa. He explained that his association has been very much heeded by the Government of that country. No decision concerning the judiciary has been adopted without preliminary consultation of association. In that moment there were bills in the Parliament on the statute of judges. Several provisions of these projects could attack the independence of the judicial power, but association was discussing these initiatives and to try to convince the Parliament of the need for changing these projects. Moreover the relationship with the Parliament of South Africa was very good. The association of South Africa will try to contact the colleagues of Mozambique, Namibia and Zimbabwe. Mr. Musi explained as well the composition and the operation of the body of self-administration of the judicial power in his country; a body which is in charge not only of the nomination and the career, but also for the disciplinary measures against judges.

Mr. Assouma took the floor for the delegation of Togo. He explained that his association cooperated in an active way with the other powers of the state. A council of wise persons was installed and mutual benefit insurance for judges was also set up in Togo.

Mr. Aladoua Saadou took the floor to explain the situation of judges in Niger. He evoked the contents of the letter sent by his association on the topics of the “contractualisation” of some high ranking judges and on the confessional oath of judges. He also recalled that the Presidency Committee of the I.A.J., invested of the question by the President of the Group, invited association to prepare a detailed report on these two subjects. However, the situation developed meanwhile. Following the strong public awareness campaign carried out by the S.A.MA.N., the bills were not adopted and there were strong chances that they would not be. The presence of delegates from all the areas of Niger to the meeting of the African Group clearly showed the success of the action taken by the association. Several bills were under discussion on the splitting of functions of the Supreme Court (which should give birth to a Supreme court of Cassation, to a Council of State and to a Court of Auditors).

Mrs. Diakite thanked the delegates of all associations for their explanations and their contributions to the debate. She stressed that in Rome the Presidency Committee had invited to check if the colleagues of Niger wished the adoption of a resolution, which could be possibly transmitted to the proper authorities of the country.

Mrs. Diakite read out two e-mail messages sent to the Secretariat General of the I.A.J., concerning the situation of a judge of Mauritania as well as the judicial power of Tunisia. Mr. Oberto took the floor to explain that, being e-mail messages, one could not have the certainty that

they were sent by the people indicated, nor that the described situations correspond to reality. Moreover, no action was requested to the I.A.J. in these messages.

The President closed the meeting at 1.30 p.m., by announcing the setting up of two working groups. The first will have to cover the subject of legal statute of the women in the African legal systems. The second will have to consider the project of statute of the African Union of Judges.

After the meeting at the plenary sitting, on June 27 at 7.00 p.m., a committee made up of the heads of the delegations of the various countries met under the presidency of Mrs. Diakite (President). In attendance were Mr. Oberto (Deputy Secretary General), Mrs. Lompo (Burkina Faso), Mr. Musi (South Africa), Mr. Nsoa (Cameroon), Mr. Saadou (Niger), Mr. Touré (Mali), Mr. Momblé Messey (Ivory Coast). The committee, after a long discussion, decided to instruct the Deputy Secretary General Mr. Oberto, to write to the Honorary President Mr. Tarek Bennour, to ask for his intervention in order to try to re-establish contacts with the association of Tunisia. The committee also discussed possible solutions to reduce the costs of the organization of the meetings of the I.A.J. After a long discussion, the committee released the following proposals: a) To avoid reducing the number of the participants; b) To ask the association which organizes the meeting to try to avoid excessive expenses; c) To envisage the excursion on the last day of the meeting and not to offer the price of the room for the last night; d) If these solutions were to prove insufficient, one could then think to a reasonable increase in contributions. The Presidency Committee should inform on this subject the organizers of the meetings. The committee focused then on the situation of Niger. After a long discussion on the subject, the committee decided not to evoke the topic during the plenary session, but to thank the authorities of the hosting country for the assistance provided to the preparation of the meeting of Niamey. It was decided that the President briefly evoked the subject at the time of the audience which the President of the Republic would grant her. This restricted meeting was closed at 8.00 p.m.

#### MEETING OF JUNE 28

The meeting was opened by the President at 5.45 p.m., in the presence of the same delegates who attended the meeting of June 27. Moreover, the delegation of Senegal, composed by Mr. Ndongo Fall and Mr. Youssoupha Diallo was in attendance. The President pointed out that two working groups had been formed.

The first group considered the topic of the legal statute of women in the African legal systems. It was composed of the following delegates: Mr. Fodié Touré (Mali - President); Mr. Soumana Tinder (Niger - rapporteur); Mr. Adama Fomba (Mali); Mr. Nsoa (Cameroon); Mrs. Lompo and Mrs. Ouedraogo Bibata (Burkina Faso); Mr. Yaya (Togo); Mr. Musi (South Africa); Mr. Kouassi Bernard and Mrs. Amon Laurence (Ivory Coast); Mr. Ousmane Oumarou and Mr. Lawali Danda (Niger).

Mr. Soumana Amadou read the report worked out by the group on the legal statute of women in Africa and the conclusions of this work. After a discussion the assembly unanimously approved the report and the conclusions.

#### 4. Study of the draft statutes of the Group.

#### 5. Miscellaneous.

The second working group considered the topic of the Statute of the African Union Judges. The group was composed of the following delegates: Mr. Momblé Messey (Ivory Coast - President); Mr. Kouassi Guessan Bernard (Ivory Coast - rapporteur); Mrs. van Schalkwyk (South Africa); Mr. Assogbavi Komlan (Togo); Mr. Traoré Issa and Mr. Sidibe Badara Alou (Mali); Mr. Nsoa (Cameroon); Mr. Compaoré Pascal and Mr. Bambara (Burkina Faso); Mr. Soungole Charles (Ivory Coast); Mr. Abdoul Moumouni Hamidou, Mr. Abdou Jibo and Mr. Ayoub Hassan (Niger); Mr. Mahamane Boukari (Attorney General of Niger).

Mr. Kouassi Guessan Bernard read out of the report of his working group and project of Statute of the African Union of Judges. A long discussion took place on the various articles of the project. At the end of the discussion Mrs. Diakite requested Mr. Oberto to explain the history of the I.A.J. and its operating mode, by underlining the need that the statutes of the African Union of Judges do not deviate from the statutes of the I.A.J., as the African Union of Judges would constitute only a Regional Group of the I.A.J., just like the E.A.J. Mr. Oberto took the floor to recall the history of the I.A.J. and to explain its goals, criteria for membership and operating mode, especially with regard to the four regional groups. At the end of the discussion the assembly decided, on the proposal of the President, to defer any decision on this topic to the next meeting of the Group.

The meeting was closed at 8.00 p.m.

## MEETING OF JUNE 29

On Wednesday, June 29, 2005, at 8.30 a.m., the President of the African Group, in accordance with the recommendations which had been made the day before by the general assembly, brought together all the heads of delegations attending the meeting to discuss the two points which had been left aside, namely the question of the relations of the SAMAN with the authorities of Niger, and the follow-up of a message sent by a Tunisian who had said to be a judge of that country.

In attendance of the meeting were: Mr. Momble for the Ivory Coast, Mr. Fodie for Mali, Mr. Soa for Cameroon, Mrs. Lompo for Burkina Faso, Mr. Assouma for Togo, Mr. Fall for Senegal, Mr. Saadou for Niger, Mr. Musi for South Africa.

1<sup>st</sup> point: Problem of the SAMAN. The President informed that she had been received by the President of the Republic of Niger with the Secretary General of SAMAN and the Deputy Secretary General of the IAJ, after having explained that she had to participate in restricted committee to this meeting, having regard to the restrictions imposed by their host.

Mrs. Diakite explained that President Tandja was been willing to assist her and our group to obtain the accreditation by the African Union. The President of the Republic explained during the meeting that in a context of financial scarcity and when the material concerns of the judiciary are not taken into account by the two other powers, it is normal that the judicial power make its voice heard. He added that he understood very well the movements within justice with regard to the difficulties found everyday by its principal actors in particular the judges.

Finally, and addressing himself to the leaders of the SAMAN, he said to understand certain extreme stands, which are often related to the youth of its members.

2<sup>nd</sup> point: accreditation with the A.U. President Tandja moreover urged the President of the African Group to give to the Minister for justice of Niger, before the meeting of the A.U. to be held in January 2006, all the documents relating to the IAJ, as well as all the instruments necessary for the accreditation. This in order to allow him to present the subject to the other heads of State during their next meeting.

Concerning the problem of Tunisia, the heads of delegation agreed that it would be better to send a mission of exploration to Tunisia to check the authenticity of the denunciation which was made (by e-mail) and also the reality of these facts.

A discussion took then place on following questions.

Mr. Fall requested information on the organization of the next meeting of the IAJ. The President answered that it was not sure that Morocco would organise the meeting this year taking into account the difficulties which she evoked the day before in front of the plenary session. She added that Togo stood as a candidate to organise the aforementioned meeting in January or at the beginning of February 2006. However, the candidature of Morocco had not yet been officially withdrawn, and the Presidency Committee would be informed.

Mr. Fall asked as well for a resolution on the question of Niger. Mr. Saadou in the same direction wished that there be a resolution on the situation of the judiciary in Niger, especially

taking into account that, even if the bill on the religious oath had been withdrawn by the government before the Parliament, the question of the contractualisation still existed and it would be good that the African Group take a public stand on this topic.

However it was agreed that for the hearing that the head of the State granted to the President of the Group in presence of our colleague Mr. Saadou, it was necessary to believe in the good faith of the authorities of Niger and to avoid deteriorating these good results by a declaration which would be likely to harm these efforts.

As far as the statutes of the Group were concerned, the heads of delegations were agreed that they will examine such statutes and contribute to their drafting. Then the text will be subjected by the President of the Group to the Presidency Committee, which will examine them in order to harmonize them with the statutes of the IAJ. Finally, in a third stage, a delegation of the African Group will travel to Niamey to give all the documents to the Minister for justice, so that he transmits them to the Head of the State before the meeting of the A.U. which will take place in January 2006. The President of Niger will therefore be able to address this issue with the other Heads of State. Nothing being left on the agenda, the President declared close the meeting at 10.50 a.m.

The closing ceremony took place at 11.30 a.m., at the presence of the President of the Group and of the delegates who had been attending the first two meetings.

The President opened the debates by giving indications on the continuation of the program, namely:

- Report of the meeting with the Head of the State of Niger;
- Reading of the Commission Report on the topic of the congress;
- Continuation of the points left opened the day before;
- Financing of the next congresses of the IAJ.

#### Report of the meeting with the President of the Republic of Niger

Mrs. Diakite submitted to the assembly a short report of the meeting which the President of Niger granted her. She pointed out that the President has shown his willingness to help our Group to obtain its approval before the African Union. It will be also retained that the misunderstandings between the government and the direction of the Judges Association of Niger were cleared, thanks to the benevolent comprehension shown by the Head of the State.

#### On the financing of the meetings of the IAJ

The President evoked before the assistance the concerns of the Presidency Committee of the IAJ on the financing of the next meetings. Today, countries are no longer eager to organize the meetings of the IAJ. Vis-à-vis this situation, the Presidency Committee considered several solutions going from the limitation of the number of delegates to the setting-up of a special contribution. Finally, such solutions were retained:

- issuing insistent recommendations to the organizers in order to invite them to eliminate as far as possible, superfluous expenses (e.g. the excursion could be made optional);
- trying not to lodge delegates in de luxe hotels, being satisfied from now on with simply suitable and protected hotels;
- an increase in contributions could be considered only if measures thus recommended proved to be insufficient.
- On the whole, the Presidency Committee decided that there would be no reduction in the number of delegates.

#### On the topic of the congress

This commission was chaired by Mr. Fodié Touré. The rapporteur and the president of the commission on the topic of the congress took the floor and read out resolution on this subject. This one was unanimously adopted by the participants.

On the setting-up of the statutes of the Group

The commission on the statutes was chaired by Mr. Momblé assisted by Mr. Charles Soungole, as rapporteur. These persons in charge read out the report of this commission. However, the text proposed to the approval of the assistance comprised some incompatibilities with the statutes of the IAJ. It was therefore decided that the aforementioned text will be re-examined by the president of the Group helped by Mr. Giacomo Oberto, in order to eliminate from it all its provisions which would turn out to be against the texts of the IAJ, in order to render it in conformity with these provisions. The final text approved by associations members of the Group will be given to the President of the Republic of Niger before January 2006 by a delegation of the Group, which will be led by Mrs. Diakite and who will include at least two other members of the Group.

The President Diakite concluded the works by again thanking the Association of Niger, as well as all colleagues, of the perfect organization of the meeting, their hospitality and the excellent working conditions during the meeting.

The President  
Fatoumata Diakite

The Deputy Secretary General  
Giacomo Oberto

Enclosure: Conclusions of the Commission relating to the “The Legal Status of Women in the African Legal Systems”.



## **CONCLUSIONS OF THE COMMISSION RELATING TO THE LEGAL STATUTE OF WOMEN IN THE AFRICAN LEGAL SYSTEMS**

### **THE COMMISSION:**

Considering the ratification by our States of the international legal instruments above quoted;  
Considering the insufficiency of certain provisions of our respective national legislations;  
Considering the ignorance of the international legal instruments by the actors of justice of our States;  
Considering the illiteracy of our populations and the little interest which they grant to the action of the legislator;

### **SUGGESTS**

1. – to deliver and to make available for judges the international legal instruments ratified and come into effect;
2. – to correct the verified inadequacies;
3. – to our States to spread a culture through the means of training, publicity campaigns and by facilitating the access to justice by women;
4. – to introduce into the national legislations the principle of parity between man and woman in national and international institutions and organizations, in accordance with article 5 of the declaration of the African Union in its ordinary session of 6, 7 and 8 July, 2004, in Addis Ababa;

### **RECOMMENDS**

To the judges to get acquainted with and to apply the provisions of the aforesaid international legal instruments.

Niamey, June 29, 2005.

The Commission