

# KNOW THE AFRICAN HUMAN RIGHTS JURISPRUDENCE ON WOMEN'S AND GIRL'S RIGHTS

## The African Commission on Human and Peoples' Rights: Communication 341/2007

### Equality Now & Ethiopian Women Lawyers Association v Federal Republic of Ethiopia

**Decision adopted by the African Commission on Human & Peoples' Rights in 2016**

**Subject Instrument:** The African Charter on Human and Peoples' Rights

**Issues for investigation:** Abduction, rape, forced marriage



#### **Alleged violations:**

The Complainants argued that the rights of Woineshet which are guaranteed by the African Charter on Human and Peoples' Rights had been violated by the Government of Ethiopia. Woineshet (a 13-year-old girl by the time; 2001) was abducted and raped by the accused, Aberew Jemma Negussie and his accomplices.

Among others, the Complainants alleged that there was violation of the following Articles;

- Article 3 (the right to protection of the law);
- Article 4 (integrity of person);
- Article 5 (the right to dignity and protection from inhuman and degrading treatment);
- Article 6 (liberty and security of person);
- Article 7(1)(a) (the right to have one's cause heard)

The Complainants also alleged that by failing to impose any sanction on those responsible for the abduction and rape of a 13-year-old girl, the Respondent State was in violation of its obligations to provide equal protection of the law, protection from discrimination against women, as well as the right to the integrity and security of the person as guaranteed by the African Charter on Human and Peoples' Rights.





**Decision of the Commission:** The African Commission on Human and Peoples' Rights declared the Respondent State in violation of the following Articles of the African Charter on Human and Peoples' Rights; 3, 4, 5, 6 and 7(1)(a).



**Recommendations of the Commission:** The Commission requested the Respondent State to do the following;

- Pay Woineshet USD 150,000 as compensation for the non-material damage she suffered as a result for the affirmed violations;
- Adopt and implement escalated measures to specifically deal with marriage by abduction and rape;
- Monitor instances of marriage by abduction and rape, and diligently prosecute and sanction offenders in this regard;
- Continue training judicial officers on specific human rights themes including on handling cases of violence against women;
- Report to the Commission within 180 days on the measures adopted to implement the above recommendations and include in its next periodic report yearly statistics on the prevalence of marriages by abduction and rape, cases of successful prosecutions and challenges faced, if any.



**Read the Full Decision of this Communication here:**

<https://ihirda.uwazi.io/en/entity/x07q6k7as?page=2>



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