



African Policing Civilian Oversight Forum

**NGO Observer Status No. 372**

**Statement in response to the activity report of the Special Rapporteur  
on the Rights of Women in Africa**

**79<sup>th</sup> Ordinary Session of the African Commission on Human and  
Peoples' Rights  
14 May – 3 June 2024**

**Item 6: Activity Reports of the Members of the Commission & Special  
Mechanism**

Honourable Chairperson and Commissioners,

The African Policing Civilian Oversight Forum (APCOF) welcomes this opportunity to make a statement on the status of women in Africa. We are a not-for-profit Trust based in Cape Town, South Africa, working on police accountability and governance in Africa.

APCOF commends the work that the Commission has already done on promoting the rights of women and combating gender-based violence (GBV). There is however, a need for further interventions that address the intersection between the feminisation of poverty, the feminisation of migration and GBV. This is due to the fact that women and girls are likely to experience a continuum of GBV at all stages of the migration journey. This violence ranges from verbal, physical and psychological abuse to sexual violence.<sup>1</sup> The

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threat or experience of GBV is also often a factor compelling women and girls to migrate.<sup>ii</sup>

In seeking to escape poverty and GBV, women dominate informal cross-border trade, often exposing themselves to gender-specific discrimination and violence.<sup>iii</sup> For example, migrant women often experience harassment, intrusive searches, destruction of property, violence and even sexual exploitation and rape at the hands of law enforcement.<sup>1</sup> Vague, gender-blind laws provide police with broad discretionary powers, often leading to migrant women being targeted. Research by the United Nations Office on Drugs and Crime has confirmed that: “women and girls [migrants] may be asked or forced to have sexual intercourse with smugglers, border guards or police officers along the route as an alternative form of compensation for the passage.”<sup>iv</sup> While there is some data identifying how gender shapes the migration experience,<sup>v</sup> there is a significant lack of reliable sex-disaggregated data, which perpetuates the invisibility of female migrants and the invisibility of female migrant deaths.

Given that gender bias is deeply rooted in our society and is endemic to the police response to vulnerable groups, such as survivors of GBV and migrant women, there is a need to focus on combating GBV perpetrated against migrant women.

We therefore call on the African Commission to:

- Consider undertaking a study on the feminisation of migration, with a focus on the unique forms of violence that migrant women experience at the hands of law enforcement.
- Remind African States to ratify and implement the Maputo Protocol and to take steps to implement its provisions, particularly in relation to combating GBV and eliminating discrimination.
- Encourage States to work collaboratively with law enforcement to collect disaggregated data on female migrants.

- Encourage States to cooperate with civil society organisations in providing human rights based training for law enforcement officials, in relation to combating GBV and protecting the rights of migrant women.

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<sup>i</sup> Women’s Refugee Commission (2019) “More Than One Million Pains: Sexual Violence Against Men and Boys on the Central Mediterranean Route to Italy” < <https://www.womensrefugeecommission.org/wp-content/uploads/2020/04/Libya-Italy-Report-03-2019.pdf>> (accessed 05/04/2024).

<sup>ii</sup> See MSF (2008) “No Choice: Somali and Ethiopian Refugees, Asylum Seekers, and Migrants Crossing The Gulf of Aden” < [https://doctorswithoutborders.org/sites/default/files/2018-08/No-Choice-Crossing-The-Gulf-of-Aden-MSF%20%281%29.pdf?\\_ga=2.26069885.1960136231.1630374259-1156336133.1630374259](https://doctorswithoutborders.org/sites/default/files/2018-08/No-Choice-Crossing-The-Gulf-of-Aden-MSF%20%281%29.pdf?_ga=2.26069885.1960136231.1630374259-1156336133.1630374259)> (accessed 05/04/2024).

<sup>iii</sup> Amnesty International (2024) “Cross-border is our livelihood. It is our job” < <https://www.amnesty.org/en/wp-content/uploads/2024/03/AFR0377682024ENGLISH.pdf>> (accessed 05/04/2024); United Nations High Commissioner on Refugees (2020) “Thousands of refugees and migrants suffer extreme rights abuses on journeys to Africa’s Mediterranean coast, new UNHCR/MMC report shows” < <https://www.unhcr.org/news/press/2020/7/5f1ee9314/thousands-refugees-migrants-suffer-extreme-rights-abuses-journeys-africas.html>> (accessed 09/02/2023).

<sup>iv</sup> UNODC (2021) “West Africa, North Africa and the Central Mediterranean: Key Findings on the Characteristics of Migrant Smuggling in West Africa, North Africa and the Central Mediterranean” < [https://www.unodc.org/res/som/docs/Observatory\\_Storymap\\_1\\_Final\\_2021.05.19.pdf](https://www.unodc.org/res/som/docs/Observatory_Storymap_1_Final_2021.05.19.pdf)> (accessed 12/11/2022)

<sup>v</sup> Amnesty International (2024) “Cross-border is our livelihood. It is our job” < <https://www.amnesty.org/en/wp-content/uploads/2024/03/AFR0377682024ENGLISH.pdf>> (accessed 05/04/2024) page 12.