



The Maputo Protocol Unpacked: A Toolkit for *Young Change-makers*





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How to use this toolkit

This toolkit on the Maputo Protocol is designed to help young Africans understand and engage with the most powerful legal instrument for women's rights on the continent. It unpacks 10 key areas of the Protocol:

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Each topic is explored through factsheets that answer FAQs, envision a future where the Protocol is fully implemented, and provide shareable content for your advocacy. Throughout the toolkit, you'll find QR codes—scan them to access shareable videos, infographics, youth-led organisations to connect with, and ways to take action. Each factsheet of this toolkit is also available to be explored and downloaded separately on [SOAWR's website](#).

This toolkit is designed to be concise and easily digestible. If you're looking for even more information, check out SOAWR's [20 Years of the Maputo Protocol: Where are we now?](#) report.

Whether you're an activist, student, content creator, or just curious about women's rights in Africa, this toolkit is your introductory guide to learning, advocating, and making change!

We encourage you to use and share these resources widely. Tag SOAWR so we can amplify your advocacy:



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WHAT IS THE MAPUTO PROTOCOL?



The **Maputo Protocol**, officially called the “Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa”, was adopted by the African Union (AU) in **Maputo, Mozambique**, on **11 July 2003**.

This Protocol is a **binding legal framework** that aims to protect and promote the **rights of women and girls across Africa**. To come into force, at least 15 countries needed to ratify it. By 26 October 2005, the Protocol had achieved its 15th ratification, and it officially entered into force on 25 November 2005, making it the fastest ratified treaty in AU history.

The Maputo Protocol is **arguably the most comprehensive treaty** addressing the rights of women and girls in Africa.

WHAT RIGHTS ARE COVERED BY THE MAPUTO PROTOCOL?



The **Maputo Protocol** covers a wide range of rights designed to protect and empower women and girls across Africa. Below are the key rights included in the Protocol - you can read the full treaty (in 11 languages) by scanning the **QR code!**



KEY RIGHTS INCLUDED IN THE PROTOCOL:



Article 1: Definitions

Article 2: Elimination of Discrimination Against Women

Article 3: Right to Dignity

Article 4: The Rights to Life, Integrity and Security of the Person

Article 5: Elimination of Harmful Practices

Article 6: Marriage

Article 7: Separation, Divorce and Annulment of Marriage

Article 8: Access to Justice and Equal Protection before the Law

Article 9: Right to Participation in the Political and Decision-Making Process

Article 10: Right to Peace

Article 11: Protection of Women in Armed Conflicts

Article 12: Right to Education and Training

Article 13: Economic and Social Welfare Rights

Article 14: Health and Reproductive Rights

Article 15: Right to Food Security

Article 16: Right to Adequate Housing

Article 17: Right to Positive Cultural Context

Article 18: Right to a Healthy and Sustainable Environment

Article 19: Right to Sustainable Development

Article 20: Widows' Rights

Article 21: Right to Inheritance

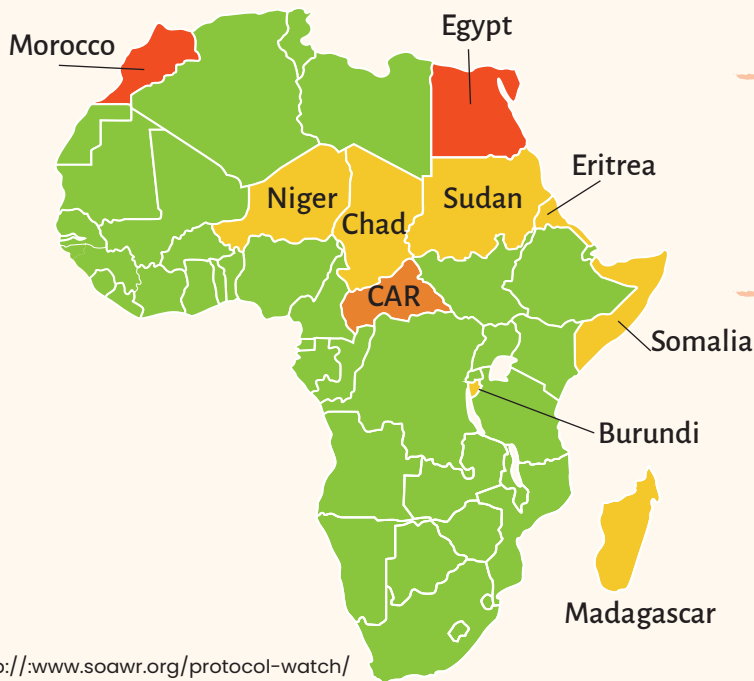
Article 22: Special Protection of Elderly Women

Article 23: Special Protection of Women with Disabilities

Article 24: Special Protection of Women in Distress

Article 25: Remedies

Articles 26-31: Interpretation and Administrative sections on signing, ratification and application of the Protocol



45 Member States Ratified

<http://www.soawr.org/protocol-watch/>

WHAT DOES IT MEAN TO SIGN, DEPOSIT, AND RATIFY?



SIGN

When a country **signs** a treaty like the Maputo Protocol, it shows its intention to support the agreement, but it's not fully committed yet. Think of it as the first step.



RATIFY

For a country to become fully bound by the treaty, it needs to ratify it. **Ratification** is when a country officially agrees to follow the treaty, both internationally and according to its national laws or constitution. Each country's legal system has different procedures to follow, which might involve the parliament or the government. In some cases, a country that didn't sign the treaty initially may still decide to join later. This process is called accession, and it has the same legal effect as ratification.



DEPOSIT

Once a country ratifies or accedes to the Maputo Protocol, it needs to **deposit** its instrument of ratification or accession with the AU. This is a formal document sent to the AU Commission, confirming that the country is now officially bound by the Protocol. The African Union actively encourages its member states to sign, ratify, or accede to the Maputo Protocol.

WHAT ARE RESERVATIONS?



A **reservation** is when a state says, 'we agree with this treaty/instrument except for a particular provision'. Reservations allow countries to avoid certain parts of a treaty that may conflict with their national laws, cultural practices, or religious beliefs. Within Human Rights movements, in general, it is broadly agreed that it is better to allow a state to submit reservations than not become a party to it at all, unless the reservation undermines the whole essence or purpose of a treaty.

Several AU member states have made **reservations** on specific provisions of the Maputo Protocol. **Ethiopia**, **Kenya**, and **Uganda** expressed reservations related to **reproductive rights**, particularly on abortion and women's right to control their fertility. Ethiopia also has reservations on **marriage registration**, **inheritance rights** for widows, and how separation of spouses is handled, similar to **Namibia**, which reserved judgement on marriage registration until its laws cover customary marriages. **Mauritius**, **Algeria**, and **South Africa** raised concerns about provisions related to marriage laws, with South Africa also making a reservation on the death penalty (which it has abolished). **Cameroon** and the **Sahrawi Arab Democratic Republic (SADR)** made broader reservations, stating that the Protocol should not be interpreted to endorse practices they consider contrary to their moral, cultural, or religious values. Under international law, reservations are not intended to be permanent. Instead, member states are expected to work towards creating conditions that allow them to eventually remove these reservations: The **Gambia** and **Rwanda** are examples of countries who previously had reservations, but have since lifted them.

ARE THERE ANY ACCOUNTABILITY MEASURES?

Yes! According to **Article 26(1)** of the Maputo Protocol, **states must report every two years** on their efforts to implement the Protocol at the national level. These reports are submitted in two parts: Part A covers rights in the African Charter, while Part B focuses on the Maputo Protocol. The African Commission on Human and Peoples' Rights (ACHPR) outlines that an initial report should include the preparation process, background information, specific provisions of the Protocol, and measures taken for implementation, grouped by eight themes. Subsequent periodic reports must detail actions taken in response to previous recommendations, challenges faced, progress made, and future plans for implementation.

Shadow reporting allows civil society organisations to submit their own assessments of a state's compliance with the Protocol, providing an independent perspective that can highlight areas of concern and encourage accountability.

Additionally, governments can and have been taken to national and regional courts to address non-compliance and violations of the Maputo Protocol.



THE MAPUTO PROTOCOL IS MORE THAN 20 YEARS OLD NOW, DO WE STILL NEED IT?

Absolutely! The Maputo Protocol remains vital even after 20 years. It clearly outlines women's and girls' rights in Africa and holds governments accountable for protecting these rights. What's unique about the Protocol is that it's designed specifically for African women and girls, addressing challenges that are often overlooked in international treaties.

It covers critical issues like the right to medical abortion and women's and girls' rights concerning HIV/AIDS, which remain as key rights areas today. As we continue to face new challenges and inequalities, the Maputo Protocol serves as a crucial tool for change, ensuring that all women and girls have the opportunity to enjoy healthy, free, and fulfilling lives. Its relevance endures, making it a key part of the fight for gender equality in Africa.

20+



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THE MAPUTO PROTOCOL ON CLIMATE CHANGE & SUSTAINABILITY

What does the Maputo Protocol say about climate change & sustainability?

Article 18 of the Maputo Protocol, as seen below, goes beyond simply ensuring women's right to live in a healthy and sustainable environment — it highlights the power of women in shaping a more sustainable future.

By emphasising women's leadership in environmental decision-making, it recognises that their participation is essential to effective climate action, the protection of natural resources, and the transition to cleaner, renewable energy sources. Other important rights included in the Protocol are women's rights to sustainable development (**Article 19**) and food security (**Article 15**).



ARTICLE 18 – RIGHT TO A HEALTHY AND SUSTAINABLE ENVIRONMENT

1. Women shall have the right to live in a healthy and sustainable environment.
2. States Parties shall take all appropriate measures to:
 - a) **Ensure greater participation of women** in the planning, management and preservation of the environment and the sustainable use of natural resources at all levels;
 - b) **Promote research and investment** in new and renewable energy sources and appropriate technologies, including information technologies and facilitate women's access to, and participation in their control;
 - c) **Protect and enable the development** of women's indigenous knowledge systems;
 - d) **Regulate the management**, processing, storage and disposal of domestic waste;
 - e) **Ensure that proper standards** are followed for the storage, transportation and disposal of toxic waste.



HOW HAVE GOVERNMENTS IMPLEMENTED THIS SO FAR?



Since the **Maputo Protocol's** adoption in **2003**, many countries have adopted constitutional provisions related to the environment and climate change. Several constitution's guarantee the right to a healthy and clean environment. Some impose an obligation on the State to protect the environment.



For example, the **2010** Constitution of **Kenya** in addition to the right and obligation mentioned, also provides persons whose right to a clean and healthy environment has been denied, violated, infringed or threatened with the right to apply to the court for reparations.

There have also been some encouraging laws, policies and achievements made by governments and regional bodies:



Kenya's **Climate Change Act** (2016) mandates the mainstreaming of "intergenerational and gender equity in all aspects of climate change responses" as well as equitable access to the national Climate Change Fund.



Namibia's **Access to Biological and Genetic Resources and Associated Traditional Knowledge Act** of 2017 promotes women's participation in decision-making related to the conservation, sustainable use, and benefit-sharing of biological and genetic resources. It emphasises gender equality in protecting intellectual property rights tied to traditional knowledge, highlighting women's critical roles in agriculture, medicine, and community development.



Rwanda's **National Environment and Climate Change Policy** (2019) maintains a guiding principle of "Inclusiveness", wherein "Effective involvement of women and youth in environmental management and climate change intervention decision-making is essential and should be encouraged." Similarly, Uganda's **Revised Energy Policy** (2023) aims to mainstream "human rights, gender, equity, culture and inclusiveness in the energy sector".



In 2015, the 15 Member States of the Economic Community of West African States (ECOWAS) adopted the **ECOWAS Policy for Gender Mainstreaming in Energy Access** – the first-ever regional policy on gender-responsive energy development.



Nigeria revised its **National Gender Policy** in 2022 and adopted a **National Action Plan on Gender and Climate Change** and in late 2024, Senegal's Ministry of Agriculture is set to launch a **Gender and Climate Action Plan** for the agriculture sector to increase women's participation in formal and community decision-making and foster 'gender-smart' innovations and technologies.

WHAT MORE COULD GOVERNMENTS BE DOING?



- ✓ **Strengthen women's roles in environmental governance** by ensuring equitable representation in local, national, regional and continental decision-making bodies.
- ✓ **Establish or enhance gender-responsive climate funds**, ensuring women, especially in rural areas, can access resources for green technologies and sustainable livelihoods.
- ✓ **Protect indigenous women's knowledge systems** by legislating against biopiracy and integrate this knowledge into national, regional and continental sustainability frameworks.
- ✓ **Enforcing stricter waste management standards**, prioritising eco-friendly disposal practices and community-led waste recycling initiatives.
- ✓ **Conduct targeted awareness campaigns** on the impact of climate change and the role of women in addressing it, particularly for youth.
- ✓ **Divest from fossil fuels and reallocate those resources** to support renewable energy projects, particularly those that empower women entrepreneurs and communities.
- ✓ **Provide incentives for women-led businesses** in the renewable energy sector and ensure their participation in green economic opportunities.

WHAT WOULD A FUTURE WHERE ARTICLE 18 OF THE MAPUTO PROTOCOL IS IMPLEMENTED LOOK LIKE?

Women of all backgrounds, especially those in rural and marginalised communities, are at the forefront of decision-making in climate policies, land management, and renewable energy development. Cities and rural areas alike thrive with green technologies, powered by renewable energy sources co-managed by women, ensuring a balance between technological progress and environmental preservation.

Indigenous women's knowledge systems are protected, celebrated, and seamlessly integrated into sustainable practices, creating a model of development that is both futuristic and deeply rooted in African traditions.

Waste management is no longer a looming crisis, as eco-conscious communities take charge of regulating, processing, and disposing of waste in ways that regenerate the land. This future, where women's environmental rights are upheld, is not just sustainable, but abundant—free from the toxic consequences of waste mismanagement and environmental degradation, fostering a healthier, greener Africa led by the power of women's wisdom and innovation.



“ Indigenous women's knowledge systems are protected, celebrated and seamlessly intergrated into sustainable practices, creating a model of development that is both futuristic and deeply rooted in African traditions. ”



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THE MAPUTO PROTOCOL ON ECONOMIC RIGHTS

What does the Maputo Protocol say about economic rights?



Article 13 is the main article on women's economic rights and, as seen below, it covers employment, social security, unpaid care work, tax, parental leave and more! Other articles of the Maputo Protocol also address related rights; for example, defining 'violence against women' as including economic harm and mandating governments to protect women from such forms of violence via legislative, administrative, social and economic measures.

Article 19(c) calls on states to promote women's access to and control over productive resources such as land and to guarantee their property rights. The Protocol also upholds specific economic rights relating to inheritance and special economic protections for widows, elderly women, women with disabilities and women in distress.

ARTICLE 13 - ECONOMIC AND SOCIAL WELFARE RIGHTS

States Parties shall adopt and enforce legislative and other measures to guarantee women equal opportunities in work and career advancement and other economic opportunities. In this respect, they shall:



- a) Promote equality of access to employment;
- b) Promote the right to equal remuneration for jobs of equal value for women and men;
- c) Ensure transparency in recruitment, promotion and dismissal of women and combat and punish sexual harassment in the workplace;
- d) Guarantee women the freedom to choose their occupation, and protect them from exploitation by their employers violating and exploiting their fundamental rights as recognised and guaranteed by conventions, laws and regulations in force;;
- e) Create conditions to promote and support the occupations and economic activities of women, in particular, within the informal sector;
- f) Establish a system of protection and social insurance for women working in the informal sector and sensitise them to adhere to it;
- g) Introduce a minimum age for work and prohibit the employment of children below that age, and prohibit, combat and punish all forms of exploitation of children, especially the girl-child;
- h) Take the necessary measures to recognise the economic value of the work of women in the home;
- i) Guarantee adequate and paid pre- and post-natal maternity leave in both the private and public sectors;
- j) Ensure the equal application of taxation laws to women and men;
- k) Recognise and enforce the right of salaried women to the same allowances and entitlements as those granted to salaried men for their spouses and children;

“ The Protocol also upholds specific economic rights relating to inheritance and special economic protections for widows, elderly women, women with disabilities and women in distress. ”



HOW HAVE GOVERNMENTS IMPLEMENTED THIS SO FAR?



Over half of African states maintain constitutional provisions guaranteeing equal remuneration for work of equal value or the right to fair or just pay. Three countries (**Ethiopia, Ghana and Zimbabwe**) enshrine rights related to maternity leave in their respective constitutions. Two countries (**Egypt and Lesotho**) have notable constitutional provisions on social welfare rights, such as pensions. Several constitutions enshrine the right to ownership of property and/or land.



More than half of African states have laws mandating equal remuneration for work of equal value. Several countries, such as **Comoros, Djibouti and Senegal**, prohibit discrimination in employment based on gender and sexual harassment in the workplace and provide for paid maternity leave (of varying durations). More than half of African states provide paid maternity leave that is 98 days or longer. Other laws address women's right to equal opportunity and freedom to choose employment (**DR Congo**), pensions (**Malawi**) and access to financial resources (**Mozambique**), property and land (**Mali**).



While policy reforms related to economic and social welfare rights are often integrated into national gender or development strategies, several reforms take a targeted approach. These include enhancing women's access to employment and training (**Cabo Verde, Gabon, Morocco and Mozambique**) and increasing access to land (**Madagascar, Tanzania and Uganda**). Other reforms focus on the situation of women in the informal sector (**Ghana**) or aim to enhance social protection (**Burundi**).



Across the continent, African governments have introduced institutional reforms to increase women's access to financial resources, such as microcredit (**Chad**) or establishing women-led banks (**Guinea**). Other reforms have sought to enhance support and financing mechanisms for women in specific sectors, such as agriculture (**Nigeria and Togo**) or the informal sector (**Cabo Verde**).

WHAT MORE COULD GOVERNMENTS BE DOING?



- ✓ Whilst most countries already do, all governments should
 - i) legally **prohibit gender-based discrimination** in employment,
 - ii) mandate equal remuneration for work of equal value, and
 - iii) prohibit and criminalise sexual harassment in employment.
- ✓ Prioritise **economic empowerment** for women through targeted seed funds and accessible opportunities in all sectors.
- ✓ Actively engage **women and girls** in socio-economic activities, promoting their **economic and social welfare**.
- ✓ Ensure **universal pensions** for older individuals, regardless of their employment history, to support financial security.
- ✓ Implement measures to address the **cost of living** and strengthen **training frameworks** for young women and girls.
- ✓ Introduce **incentives** to encourage women's participation in **scientific sectors** and support **women-led businesses** through coaching and advocacy.
- ✓ Promote **transparent management** and equitable income distribution, ensuring women can fully access the **benefits of work**, especially in the extractives sector.

WHAT WOULD A FUTURE WHERE ARTICLE 13 OF THE MAPUTO PROTOCOL IS IMPLEMENTED LOOK LIKE?

Women across Africa enjoy equal access to economic opportunities and are empowered to lead in all sectors. Employment practices are transformed, ensuring transparency in recruitment, promotion, and dismissal, with equal remuneration for work of equal value firmly established. No woman is left behind in her career advancement, and the informal sector is bolstered with supportive measures, including social insurance systems, to protect women's economic rights.

The economic value of women's unpaid care work is recognised and valued, with adequate paid maternity leave becoming the norm, ensuring women are supported in balancing family and professional life. **Social security systems extend protections to all women, particularly widows, elderly women, women with disabilities, and those in distress, safeguarding their financial security.** Women's access to and control over land, housing and property is guaranteed, securing their rights to inheritance and ownership, while economic violence is systematically addressed through strong legal and social measures. This future is one where women's economic contributions are celebrated and upheld, creating a more just and equitable society for all.



“ No woman is left behind in her career advancement, and the informal sector is bolstered with supportive measures, including social insurance systems, to protect women's economic rights. ”



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THE MAPUTO PROTOCOL ON POLITICAL PARTICIPATION

What does the Maputo Protocol say about political participation?



The Maputo Protocol **champions women's equal participation in politics and decision-making**. Article 9 calls for affirmative measures such as quotas, targeted capacity-building programmes, and reforms to electoral systems to remove barriers to women's participation, which are necessary to counteract historical and structural inequalities that have excluded women from leadership.

The Protocol also advocates for **equal partnerships between men and women, recognising that shared leadership at all levels is essential for truly inclusive policy-making and development**. By promoting women as equal partners in decision-making, the Protocol highlights the transformative potential of gender-balanced governance for achieving social justice and sustainable progress.

ARTICLE 9 – RIGHT TO PARTICIPATION IN THE POLITICAL AND DECISION-MAKING PROCESS

1. States Parties shall take specific positive action to promote participative governance and the equal participation of women in the political life of their countries through affirmative action, enabling national legislation and other measures to ensure that:
 - a) women participate without any discrimination in all elections;
 - b) women are represented equally at all levels with men in all electoral processes;
 - c) women are equal partners with men at all levels of development and implementation of State policies and development programmes.
2. States Parties shall ensure increased and effective representation and participation of women at all levels of decision-making.



HOW HAVE GOVERNMENTS IMPLEMENTED THIS SO FAR?



Eleven African countries (Burundi, Egypt, Eswatini, Guinea, Kenya, Rwanda, South Sudan, Sudan, Tanzania, Uganda and Zimbabwe) have adopted constitutional provisions establishing quotas. Other constitutions provide for affirmative action, such as in Uganda.

Several African countries maintain legislated quotas on women's representation in national and/or subnational legislatures. **34 out of the 55 AU member states maintain legislated quotas for the lower/single house.** Of these, the majority have set the quota target between 30% - 40% female representation. Four countries (Algeria, Lesotho, Senegal and Togo) have sought to achieve gender parity, that is, the respective legislated quota call for 50/50 representation of women and men. Of the countries with bicameral legislatures, six countries (Burundi, Congo Rep., Côte d'Ivoire, Egypt, Eswatini and Rwanda) maintain quotas for both houses of parliament.



50/50

campaigns to increase women's representation



Across the continent, governments have most commonly integrated approaches related to women's participation in the political and decision-making process in national gender or development strategies. **Countries such as Malawi and Namibia have introduced 50/50 campaigns to increase women's representation in decision-making at the national and local levels.** National women's parliamentary groups have also introduced policies to increase female participation and representation in decision-making.

In several countries, for example in Cameroon, **institutional reforms have focused on women in the electoral process by providing training for women candidates or facilitating access for female voters.** Other reforms have sought to strengthen female participation, raise awareness of women's political participation or ensure that legislative and policy initiatives include a gender perspective. For example, Burkina Faso organised a workshop for various authorities and leaders as part of the government's efforts to popularise the law on quotas.

WHAT MORE COULD GOVERNMENTS BE DOING?



- ✓ Reform existing legislation to **remove discriminatory provisions.**
- ✓ Provide women with **comprehensive opportunities in political spaces**, ensuring their safety and protection while fostering environments for leadership and decision-making beyond quotas.
- ✓ Develop and institutionalise **capacity-building programmes** for women, alongside implementing parity systems to achieve equitable representation.
- ✓ Create mechanisms to **nurture leadership potential in girls and women**, ensuring a pipeline of empowered future leaders.
- ✓ Launch public awareness campaigns that **celebrate women's achievements** in politics at communal, regional, and national levels, helping to challenge stereotypes and close gaps.
- ✓ Promote intergenerational dialogue and **training for young people** to equip them for political participation.
- ✓ Address social pressures by empowering women to **resist manipulation** or coercion that might deter them from pursuing leadership positions.
- ✓ Amplify the **contributions of female parliamentarians** to dismantle stereotypes and highlight their critical role in governance.
- ✓ Facilitate the **exchange of best practices** among states to inspire and inform progress toward gender-balanced political participation.



WHAT WOULD A FUTURE WHERE ARTICLE 9 OF THE MAPUTO PROTOCOL IS IMPLEMENTED LOOK LIKE?

Governance is genuinely inclusive, with women and men working as equal partners in shaping the continent's political and developmental landscapes. Women's voices are no longer sidelined but are integral to crafting policies that address the diverse realities of African societies. **Affirmative measures like quotas and capacity-building programmes have evolved into permanent cultural norms that ensure equal representation in all decision-making spaces.** Women leaders are celebrated not only in politics but across all spheres of influence, inspiring younger generations to dream boldly and lead confidently.

This future is marked by transformation—where leadership reflects the diversity of its people, and gender-balanced governance delivers sustainable progress. Communities thrive under inclusive policies. **Women bring their unique and diverse perspectives to the forefront, addressing systemic inequalities and catalysing innovative solutions for shared prosperity.** From rural councils to international forums, the African continent shines as a global model of participatory democracy, proving that equal representation is not just a moral imperative but the foundation for resilience and success.

“

This future is marked by transformation—where leadership reflects the diversity of its people, and gender-balanced governance delivers sustainable progress.”



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THE MAPUTO PROTOCOL ON WOMEN, PEACE AND SECURITY

What does the Maputo Protocol say about Women, Peace and Security ?



The Maputo Protocol's **Articles 10 and 11**, as seen below, underscore the essential role of women in peace-building and conflict resolution, while also ensuring them special and necessary protections during times of war.

Article 10(3) is a particularly ground-breaking provision that challenges traditional priorities of military expenditure, advocating for resources to be reallocated towards social development and the promotion of women. Evidence shows that women's involvement in peace processes leads to more inclusive, sustainable, and lasting peace agreements.



ARTICLE 10 – RIGHT TO PEACE

1. Women have the right to a peaceful existence and the right to participate in the promotion and maintenance of peace.
2. States Parties shall take all appropriate measures to ensure the increased participation of women:
 - a) In programmes of education for peace and a culture of peace;
 - b) In the structures and processes for conflict prevention, management and resolution at local, national, regional, continental and international levels;
 - c) In the local, national, regional, continental and international decision making structures to ensure physical, psychological, social and legal protection of asylum seekers, refugees, returnees and displaced persons, in particular women;
 - d) In all levels of the structures established for the management of camps and settlements for asylum seekers, refugees, returnees and displaced persons, in particular, women;
 - e) In all aspects of planning, formulation and implementation of post-conflict reconstruction and rehabilitation.
3. States Parties shall take the necessary measures to reduce military expenditure significantly in favour of spending on social development in general, and the promotion of women in particular.

ARTICLE 11 – PROTECTION OF WOMEN IN ARMED CONFLICTS

1. States Parties undertake to respect and ensure respect for the rules of international humanitarian law applicable in armed conflict situations, which affect the population, particularly women.
2. States Parties shall, in accordance with the obligation's incumbent upon them under international humanitarian law, protect civilians including women, irrespective of the population to which they belong, in the event of armed conflict.



3. States Parties undertake to protect asylum seeking women, refugees, returnees and internally displaced persons, against all forms of violence, rape and other forms of sexual exploitation, and to ensure that such acts are considered war crimes, genocide and/or crimes against humanity and that their perpetrators are brought to justice before a competent criminal jurisdiction.
4. States Parties shall take all necessary measures to ensure that no child, especially girls under 18 years of age, take a direct part in hostilities and that no child is recruited as a soldier.



HOW HAVE GOVERNMENTS IMPLEMENTED THIS SO FAR?



African Union (AU) Member States have enacted constitutional reforms strengthening protections from violence in conflict and promoting women's participation in peace processes. For instance, Somalia and Côte d'Ivoire have emphasised women's involvement in peacebuilding within their constitutions.



Increasingly, peace agreements across the continent are including provisions specifically addressing women, girls, and gender equality. For example, the 2021 Peace Agreement in South Sudan includes gender-sensitive clauses, while Kenya and Eswatini have enacted laws on sexual violence and gender-based violence (GBV) in conflict settings, such as the Sexual Offences Act and Sexual Offences and Domestic Violence Act (2018), respectively. In addition, the Central African Republic and DR Congo have renewed commitments to combat sexual violence in conflict.

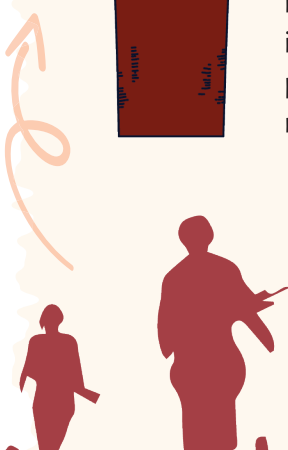


Over half of AU Member States have developed National Action Plans (NAPs) in line with United Nations Security Council Resolution 1325 (UNSCR 1325), which calls for the active participation of women in peace processes and the protection of women in conflict. These NAPs are national strategies that outline specific actions to implement the provisions of UNSCR 1325. For instance, countries like Mali, Uganda, and Burundi have adopted three different NAPs, showing a deepening commitment to women's involvement in peace and security matters. Recently, nations such as Malawi (in 2021) and Morocco (in 2022) adopted their first NAPs. However, despite this progress, many countries still face challenges with expired NAPs, and a lack of funding often hampers effective implementation, limiting the impact of these plans.



Several Member States have introduced institutional reforms to elevate women's roles in peace processes. South Africa has established initiatives like the South African Women in Dialogue to assist women from conflict-ridden African countries. Rwanda has increased its contribution of women to UN peacekeeping missions, with 30% of its police forces in peacekeeping missions being women. Meanwhile, in the Central African Republic, women now represent over 25% of the national police force and nearly 16% of the gendarmerie.

“ **United Nations Security Council Resolution 1325 (UNSCR 1325), calls for the active participation of women in peace processes and the protection of women in conflict.** ”



WHAT MORE COULD GOVERNMENTS BE DOING?



- ✔ **Tackle the root causes of conflict**, such as resource exploitation, border disputes, and governance challenges, by fostering sustainable development and collaboration.
- ✔ **Impose sanctions on countries** that commit atrocities against civilians and violate international human rights laws to reinforce the commitment to peace and stability across the continent.
- ✔ **Incorporate women and girls actively** in all stages of conflict prevention, resolution, and peacebuilding, ensuring their leadership in decision-making processes at local, national, and international levels.
- ✔ **Adopt, renew and monitor the implementation of National Action Plans (NAPs)** for UNSCR 1325 and related resolutions, addressing any gaps in execution to ensure full integration of gender considerations into peace processes.
- ✔ **Adhere strictly to international humanitarian law and human rights frameworks**, ensuring the protection of civilians, particularly women and girls, during conflict and displacement situations.
- ✔ **Reallocate military resources to social sectors**, prioritising health, education, and gender equality to align budgets with long-term peacebuilding and sustainable development goals.
- ✔ **Ensure the protection of displaced women and girls**, particularly from gender-based violence in refugee and IDP camps, and provide them access to justice and support services.

WHAT WOULD A FUTURE WHERE ARTICLE 10 AND 11 OF THE MAPUTO PROTOCOL ARE IMPLEMENTED LOOK LIKE?

African women's active participation in peace processes leads to a lasting and stable peace across the continent. **Their leadership, integral to conflict resolution and decision-making, ensures that peace agreements are not only inclusive but sustainable—resulting in fewer wars, less violence, and stronger, more cohesive communities.**



With women's meaningful involvement, societies experience healing, recovery, and justice after conflict, as legal frameworks protect them from sexual violence and hold perpetrators accountable. No child is forced to take part in hostilities—ending the scourge of child soldiers. Peace is not a fleeting achievement, but a lasting foundation for progress, prosperity, and shared security.



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THE MAPUTO PROTOCOL ON SEXUAL AND REPRODUCTIVE HEALTH RIGHTS (SRHR)

What does the Maputo Protocol say about SRHR?

Article 14 of the Maputo Protocol, as seen in full below, goes beyond other women’s rights and health mechanisms by specifying women’s right to be protected from HIV/AIDS, be educated and informed to make their own choices about their bodies, including to seek a medical abortion in cases of sexual assault, rape, incest and where the continued pregnancy endangers the mother’s mental and physical health. This means that **countries who ratify the Maputo Protocol are legally obliged to authorise these health services**; however, unfortunately some countries have yet to implement this for a variety of reasons.



Article 14 - Health & Reproductive Rights

1. States Parties shall ensure that the right to health of women, including sexual and reproductive health is respected and promoted. This includes:
 - a) the right to control their fertility;
 - b) the right to decide whether to have children, the number of children and the spacing of children;
 - c) the right to choose any method of contraception;
 - d) the right to self-protection and to be protected against sexually transmitted infections, including HIV/AIDS;
 - e) the right to be informed on one’s health status and on the health status of one’s partner, particularly if affected with sexually transmitted infections, including HIV/AIDS, in accordance with internationally recognised standards and best practices;
 - f) the right to have family planning education.

2. States Parties shall take all appropriate measures to:
 - a) provide adequate, affordable and accessible health services, including information, education and communication programmes to women especially those in rural areas;
 - b) establish and strengthen existing pre-natal, delivery and post-natal health and nutritional services for women during pregnancy and while they are breast-feeding;
 - c) protect the reproductive rights of women by authorising medical abortion in cases of sexual assault, rape, incest, and where the continued pregnancy endangers the mental and physical health of the mother or the life of the mother or the foetus.

“ Under Article 14, States Parties shall ensure that the right to health of women, including sexual and reproductive health is respected and promoted. ”



HOW HAVE GOVERNMENTS IMPLEMENTED THIS SO FAR?



Almost all African states **maintain constitutional provisions** related to health and/or health care, and many enshrine the principle of non-discrimination based on health. Notably, six countries (**Angola, Ethiopia, Ghana, Kenya, South Africa and Zimbabwe**) enshrine rights related to reproductive health care, such as access to family planning education or reproductive/maternity care.



Legislative reforms related to Article 14, particularly those on reproductive health care, are integrated with laws addressing equality and gender-based violence (GBV), or come as standalone legislation. Regarding the right to medical abortion, national legislation differs regarding when it is permitted, ranging from at the woman's request to only under certain circumstances. **Nearly all countries have adopted individual HIV laws.**



Across the continent, **African states have implemented policy measures** to improve access to health and/or sexual and reproductive health services. There are examples of targeted health strategies addressing, for instance, obstetric fistula (Nigeria), menstrual hygiene management (Kenya), cervical cancer (South Africa), HIV (Cameroon) and maternal mortality (Chad).



Among the **institutional reforms** undertaken by African states are those seeking to reduce health problems faced by women, such as cervical cancer, and to improve access to health care, such as maternal care.

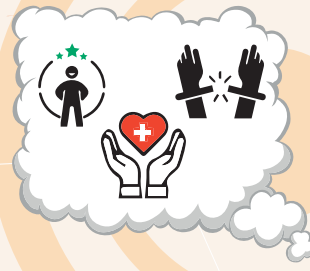
WHAT MORE COULD GOVERNMENTS BE DOING?



- ✓ **Provide comprehensive, inclusive healthcare services and universal health coverage (UHC)** to guarantee equitable access to quality sexual and reproductive health (SRH) services for all, particularly vulnerable populations such as low-income women, adolescents, and pregnant women.
- ✓ **Strengthen healthcare infrastructure and services in rural areas**, ensuring the availability of modern facilities, trained personnel, and adequate medical supplies to meet the unique needs of women and girls.
- ✓ **Eradicate gender-based discrimination** in healthcare policies and practices, empowering women and girls to realise their SRH rights, including access to modern contraceptives and safe family planning.
- ✓ **Implement culturally sensitive information campaigns** to educate communities, especially youth, on SRH rights. Use accessible mediums like radio, discussion forums, and locally produced films in indigenous languages to raise awareness and challenge taboos.
- ✓ **Integrate menstrual health and hygiene management** into national policies by ensuring affordable menstrual products, proper sanitation facilities, and awareness-raising campaigns, particularly in schools and underserved areas.
- ✓ **Strengthen laws and services ensuring access to safe abortion** where legally permitted, remove reservations to Article 14(2)(c), and raise awareness to eliminate unsafe practices.
- ✓ **Address social and economic barriers** that hinder access to SRH services, such as stigma, taboos, and lack of transportation in remote areas.
- ✓ **Invest in SRH education for healthcare providers**, equipping them with gender-sensitive, rights-based training to offer non-judgmental care.
- ✓ **Collaborate with community leaders, educators, and influencers** to promote understanding and acceptance of women's SRH rights within traditional and conservative contexts.

WHAT WOULD A FUTURE WHERE ARTICLE 14 OF THE MAPUTO PROTOCOL IS IMPLEMENTED LOOK LIKE?

Every woman and girl lives with the assurance of complete autonomy over her body, free from fear and stigma. Health systems thrive with accessible and high-quality sexual and reproductive healthcare for all, regardless of location or income. Young people receive comprehensive education on sexual health, equipping them with the knowledge to make informed decisions. **Maternal deaths are a relic of the past, as safe and affordable care during pregnancy, childbirth, and postpartum periods is universally guaranteed.** Women and girls are free to pursue their dreams without being held back by a lack of menstrual health products, and communities openly celebrate these rights. Legal frameworks unequivocally support access to safe abortion, ensuring no woman is forced to resort to unsafe alternatives. Dignity, health and freedom for every woman and girl are the norm, not the exception.



“ Maternal deaths are a relic of the past, as safe and affordable care during pregnancy, childbirth, and postpartum periods is universally guaranteed. ”



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THE MAPUTO PROTOCOL ON VIOLENCE AGAINST WOMEN & GIRLS (VAWG)

What does the Maputo Protocol say about VAWG?

The Maputo Protocol defines VAWG as physical, sexual, psychological and economic harm, including the threat to take such acts. This extends to private and public spaces in peace and during times of conflict or war. Under **Articles 3 & 4**, states have a duty to implement measures to protect a woman's right to dignity, integrity and security. Among others, they have a duty to adopt "legislative, administrative, social and economic measures as may be necessary to ensure the prevention, punishment and eradication of all forms of violence against women." This includes a duty to prevent and condemn trafficking. Additionally, states have a duty to identify the causes of violence and allocate budget and resources to monitor implementation of actions as well as provide accessible services and education for rehabilitation and reparation for victims of violence.



Article 4 - The Rights to Life, Integrity and Security of the Person

1. Every woman shall be entitled to respect for her life and the integrity and security of her person. All forms of exploitation, cruel, inhuman or degrading punishment and treatment shall be prohibited.
2. States Parties shall take appropriate and effective measures to:
 - a) enact and enforce laws to prohibit all forms of violence against women including unwanted or forced sex whether the violence takes place in private or public;
 - b) adopt such other legislative, administrative, social and economic measures as may be necessary to ensure the prevention, punishment and eradication of all forms of violence against women;
 - c) identify the causes and consequences of violence against women and take appropriate measures to prevent and eliminate such violence;
 - d) actively promote peace education through curricula and social communication in order to eradicate elements in traditional and cultural beliefs, practices and stereotypes which legitimise and exacerbate the persistence and tolerance of violence against women;
 - e) punish the perpetrators of violence against women and implement programmes for the rehabilitation of women victims;
 - f) establish mechanisms and accessible services for effective information, rehabilitation and reparation for victims of violence against women;
 - g) prevent and condemn trafficking in women, prosecute the perpetrators of such trafficking and protect those women most at risk;
 - h) prohibit all medical or scientific experiments on women without their informed consent;
 - i) provide adequate budgetary and other resources for the implementation and monitoring of actions aimed at preventing and eradicating violence against women;
 - j) ensure that, in those countries where the death penalty still exists, not to carry out death sentences on pregnant or nursing women;
 - k) ensure that women and men enjoy equal rights in terms of access to refugee status determination procedures and that women refugees are accorded the full protection and benefits guaranteed under international refugee law, including their own identity and other documents.

“ Under Articles 3 & 4, states have a duty to implement measures to protect a woman's right to dignity, integrity and security. ”

HOW HAVE GOVERNMENTS IMPLEMENTED THIS SO FAR?



Several countries, such as the Central African Republic, DR Congo and Niger, have **enacted constitutional reforms providing protection against or seeking to eradicate violence against women (VAW)**. In Chad, Côte d'Ivoire, Guinea and Somalia, the respective constitutions explicitly prohibit FGM. Others, such as Uganda, enshrine protection against harmful customs and traditions.



Across the continent, **governments have enacted laws** addressing multiple forms of VAW. There are legislative reforms that address gender-based violence (GBV) (Burundi) or domestic violence (Seychelles). Other legal reforms have increased the severity of punishment for VAW, for example in Senegal and Sierra Leone.



Over half of the **African countries have adopted standalone strategies** or national action plans to eradicate VAW. Countries such as Cameroon, Malawi, Namibia and Zimbabwe have strategies addressing GBV, while the South African Strategy addresses GBV and femicide.

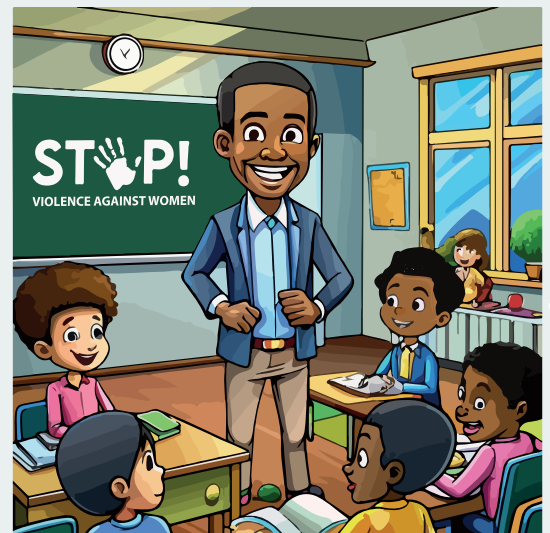


Several countries have implemented **institutional reforms** establishing support services, such as shelters. Other reforms have sought to improve access to justice for survivors of GBV (Congo Republic) or to raise awareness about various forms of GBV (South Africa).

WHAT MORE COULD GOVERNMENTS BE DOING?



- ✓ **Prioritise VAW as a critical national security issue**, allocating significant resources and funding to prevention, response, and support mechanisms, equivalent to other security concerns, including survivor-centred services.
- ✓ **Create community-based initiatives to engage men and boys** as allies in addressing the root causes of GBV, promoting healthy masculinities, and advocating for gender equality.
- ✓ **Strengthen and enforce comprehensive laws and policies that criminalise all forms of violence against women and girls**, including domestic violence, marital rape, sexual harassment, and trafficking, and adopt mechanisms to address impunity for perpetrators of VAWG, including expedited legal proceedings and transparent accountability measures within the justice system.
- ✓ **Develop robust public awareness campaigns** to challenge harmful cultural norms and promote zero tolerance for VAWG at all social levels, utilising diverse media channels to reach various communities effectively.
- ✓ **Enhance education and training programmes** for law enforcement, judicial personnel, healthcare providers, and social workers to ensure sensitive handling of GBV cases and uphold survivors' rights.
- ✓ **Implement reliable data systems** to provide disaggregated data by location, type of violence, and demographics, ensuring evidence-based policymaking and resource allocation.
- ✓ **Integrate education on gender equality and human rights** into school curricula to foster early understanding of respectful relationships and consent, breaking the cycle of violence across generations.



WHAT WOULD A FUTURE WHERE ARTICLE 4 OF THE MAPUTO PROTOCOL IS IMPLEMENTED LOOK LIKE?

Women and girls live free from fear, their rights fully protected by robust laws, well-trained justice systems, and community-based mechanisms that ensure accountability for perpetrators. Survivors of violence receive accessible and compassionate support services, including shelters, counselling, and legal aid, allowing them to rebuild their lives with dignity. **Educational and awareness programmes challenge harmful gender norms, fostering a culture of respect and equality across generations. Men and boys actively advocate against violence, standing as allies in breaking cycles of abuse and promoting lasting social transformation.** Grandchildren and great-grandchildren struggle to fathom how violence against women and girls was ever tolerated, their lives shaped by a world that treasures dignity and the unshakable safety of all its members.



“ Over half of the African countries have adopted standalone strategies or national action plans to eradicate VAW. Countries such as Cameroon, Malawi, Namibia and Zimbabwe have strategies addressing GBV, while the South African Strategy addresses GBV and femicide. ”



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THE MAPUTO PROTOCOL ON HARMFUL PRACTICES

What does the Maputo Protocol say about harmful practices?

Harmful practices, defined by the Maputo Protocol as behaviours, attitudes, or traditions that negatively impact the fundamental rights of women and girls—including their rights to life, health, dignity, education, and physical integrity—remain a pressing concern in Africa. **Article 5 of the Maputo Protocol calls on States Parties to take decisive and comprehensive measures.** It uniquely mandates not only the legislative prohibition of harmful practices, such as Female Genital Mutilation (FGM), but also emphasises the importance of public awareness campaigns, education initiatives, and the provision of healthcare, legal assistance, psychological support, and vocational training for survivors. Concurrently, **Article 17** of the Maputo Protocol also reinforces that African women should be able to and can maintain their cultural identities without being harmed by them.



Article 5 - Elimination of Harmful Practices

States Parties shall prohibit and condemn all forms of harmful practices which negatively affect the human rights of women and which are contrary to recognised international standards. States Parties shall take all necessary legislative and other measures to eliminate such practices, including:

- a) creation of public awareness in all sectors of society regarding harmful practices through information, formal and informal education and outreach programmes;
- b) prohibition, through legislative measures backed by sanctions, of all forms of female genital mutilation, scarification, medicalisation and para-medicalisation of female genital mutilation and all other practices in order to eradicate them;
- c) provision of necessary support to victims of harmful practices through basic services such as health services, legal and judicial support, emotional and psychological counselling as well as vocational training to make them self-supporting;
- d) protection of women who are at risk of being subjected to harmful practices or all other forms of violence, abuse and intolerance.

HOW HAVE GOVERNMENTS IMPLEMENTED THIS SO FAR?



Several African **constitutions explicitly prohibit harmful practices**, such as FGM, and mandate the elimination of such practices. For instance, Côte d'Ivoire's Constitution (Article 35) commits the state to eliminating all forms of violence against women and girls, including FGM, while Guinea, Chad, and Somalia's constitutions similarly outlaw FGM.



More than 20 African countries have **passed laws criminalising FGM**. For example, Central African Republic's Penal Code (2010) criminalises FGM, and Cameroon's Penal Code (2016) introduced stringent penalties for the practice, including life imprisonment for those who routinely perform FGM. Legal frameworks have also been strengthened by judicial decisions, such as Kenya's 2021 court ruling upholding the constitutionality of the Prohibition of Female Genital Mutilation Act (2011), reinforcing efforts to eliminate FGM.



Several African states have enacted laws and policies aimed at **ensuring girls can continue their education** during pregnancy or motherhood. For example, Niger and Togo repealed policies that previously barred pregnant students and young mothers from attending school.

Many countries have **developed action plans to eradicate harmful practices**. Nigeria, for instance, has implemented a National Policy & Plan of Action for the Elimination of Female Genital Mutilation (2021–2025), while Côte d'Ivoire's National Youth Policy includes the elimination of all harmful practices by 2030.

Countries like **Kenya have established the Anti-FGM Board**, which coordinates national efforts to end FGM. Additionally, Liberia and Eritrea have introduced community-based initiatives to engage traditional leaders and FGM practitioners, helping shift cultural practices and support survivors.

WHAT MORE COULD GOVERNMENTS BE DOING?



- ✓ **Strengthen Legal Frameworks:** Enact and enforce comprehensive laws criminalising harmful practices beyond FGM, including early marriage and widow inheritance, ensuring victim protection and access to justice.
- ✓ **National Awareness Campaigns:** Launch nationwide educational campaigns targeting multiple platforms (social media, schools, radio, TV) to raise awareness about the harms of FGM and other harmful practices.
- ✓ **Training for Law Enforcement:** Provide gender sensitisation and legal training for law enforcement, judicial officers, and health professionals to enhance their ability to address harmful practices effectively.
- ✓ **Engage Traditional Leaders:** Partner with community and religious leaders to advocate for the abandonment of harmful practices, creating culturally-sensitive, locally-led initiatives.
- ✓ **Support Systems for Survivors:** Establish accessible, multi-disciplinary support services for survivors, including legal, medical, and psychological care, integrated into national health and justice systems.
- ✓ **Promote Community-Led Change:** Support grassroots programmes that offer alternative rites of passage and leadership opportunities for women and girls to shift harmful social norms from within the community.

WHAT WOULD A FUTURE WHERE ARTICLE 5 OF THE MAPUTO PROTOCOL IS IMPLEMENTED LOOK LIKE?

Women and girls live free from harmful practices such as FGM and early marriage. Laws are enforced to protect their rights, while communities actively abandon harmful traditions, choosing healthier alternatives that prioritise the wellbeing of girls. Judicial systems provide justice with sensitivity and fairness, while healthcare professionals offer both medical and psychological support to survivors. Education and awareness campaigns, led by governments and civil society, dismantle harmful myths and spread knowledge about the consequences of these practices. **The social fabric of societies is transformed as communities lead the charge in changing harmful social norms, with local leaders advocating for the abandonment of dangerous practices.** Women's mental, physical, and sexual health are markedly improved, as the abandonment of these practices leads to fewer complications and a better quality of life. At the same time, culture continues to thrive and is celebrated, with traditions and practices that enrich communities, but no longer at the expense of women's rights or wellbeing.



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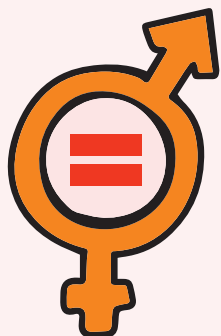
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THE MAPUTO PROTOCOL ON EQUALITY UNDER THE LAW

What does the Maputo Protocol say about equality under the law?

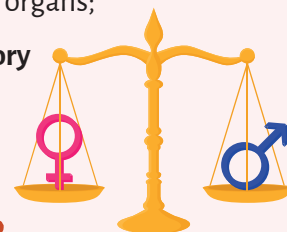


The Maputo Protocol ensures that women and men are treated equally under the law, guaranteeing that women have the same rights and protections as men in all areas of life. It calls for changes to laws that discriminate against women and urges governments to make sure women have equal access to legal help and representation, including free legal aid when needed. The Protocol also pushes for more women in leadership roles in the legal system and law enforcement. It promotes the idea that laws should support women's rights and works towards ending harmful cultural practices that treat women as inferior to men. These rights are integrated throughout the Maputo Protocol, but most explicitly called for in **Article 2**: Elimination of Discrimination Against Women, and **Article 8**, as seen below.

Article 8 - Access to Justice and Equal Protection before the Law

Women and men are equal before the law and shall have the right to equal protection and benefit of the law. States Parties shall take all appropriate measures to ensure:

- effective access** by women to judicial and legal services, including legal aid;
- support to local, national, regional and continental** initiatives directed at providing women access to legal services, including legal aid;
- the establishment** of adequate educational and other appropriate structures with particular attention to women and to sensitise everyone to the rights of women;
- that **law enforcement** organs at all levels are equipped to effectively interpret and enforce gender equality rights;
- that **women are represented** equally in the judiciary and law enforcement organs;
- reform of existing discriminatory laws** and practices in order to promote and protect the rights of women.



HOW HAVE GOVERNMENTS IMPLEMENTED THIS SO FAR?



Some countries have increased access to legal services: In **South Africa**, the Legal Aid Board offers free legal representation to women, and Kenya provides legal aid for gender-based violence cases through the Judiciary Training Institute. Additionally, **Liberia** established a legal aid clinic to support women in rural areas.



Several countries support regional and national legal aid initiatives: The African Union's Gender Strategy has led to reforms across the continent, including **Senegal** and **Uganda**, where women can access legal aid services for cases such as inheritance and land rights.



Many governments have launched educational and sensitisation campaigns: In **Tanzania**, legal education programs have been rolled out in rural areas, while **Nigeria** has implemented public outreach through media campaigns focusing on women's rights and gender-based violence.



Some nations have improved law enforcement training: **Rwanda** offers gender sensitivity training for law enforcement officers, and **Mozambique** has established a National Police Gender Desk to handle cases of violence against women more effectively.



A few countries have worked towards equal representation in the judiciary and law enforcement: **Rwanda** is a leader with high female representation in judicial and law enforcement roles, and **Namibia** has similarly made strides in increasing female participation within its police and judiciary.



Some governments have reformed discriminatory laws: **The Gambia** passed the Women's Rights Act, removing barriers to inheritance, while **Mozambique** reformed its family law to ensure equal property rights for women and men.

WHAT MORE COULD GOVERNMENTS BE DOING?



- ✔ **Establish mobile legal aid units, community-based legal clinics, or partnerships with local NGOs** to provide **free or affordable legal services** to women in rural or remote areas. These initiatives could include legal literacy programs to empower women to understand their rights and legal processes.
- ✔ **Allocate and increase resources for regular training sessions** focused on gender equality for judicial officers, law enforcement, and legal professionals. This should include sensitisation on domestic violence, sexual harassment, and gender-based violence to improve understanding of women's rights and prevent discrimination in legal proceedings.
- ✔ **Create and update gender-sensitive national policies** that address the legal, economic, and social needs of women. These policies should be rooted in the lived experiences of women and ensure access to justice for all women, especially in relation to family law, inheritance rights, and land ownership.
- ✔ **Ensure equal representation of women in judicial bodies, police, and law enforcement** by implementing quotas or targeted recruitment programs. Increasing women's presence in these fields helps to ensure that the needs and experiences of women are adequately considered in legal and policy decisions.
- ✔ **Address discriminatory laws, especially those related to marital rape, inheritance, and land rights.** Reforms should focus on removing barriers that disadvantage women, and should include regular reviews of national laws to ensure they align with international human rights standards.
- ✔ **Eliminate impunity for perpetrators** by strengthening accountability mechanisms for crimes against women, including gender-based violence and sexual harassment. This involves strengthening the capacity of law enforcement agencies to investigate and prosecute cases effectively, and ensuring that perpetrators of violence face legal consequences. Transparency in legal processes and support for survivors must be prioritised to reduce impunity and build trust in the justice system.

WHAT WOULD A FUTURE WHERE ARTICLE 8 OF THE MAPUTO PROTOCOL IS IMPLEMENTED LOOK LIKE?

Every woman and girl, regardless of her background or location, has the unwavering support of a justice system that is accessible, responsive, and deeply committed to upholding her rights. Women in rural areas are no longer isolated from legal protection, as mobile legal services and community initiatives ensure that justice reaches even the most remote places. Law enforcement and judicial systems are equipped to uphold gender equality, with women actively participating in every level of decision-making. Gender-sensitive education and public awareness campaigns have **transformed social attitudes, fostering a culture where discrimination is no longer tolerated or practiced.** With the reform of discriminatory laws, women no longer struggle to assert their rights, but confidently take their place as full citizens, creators, and leaders in their communities.



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THE MAPUTO PROTOCOL ON RIGHTS OF WOMEN WITH DISABILITIES

What does the Maputo Protocol say about the rights of women with disabilities?

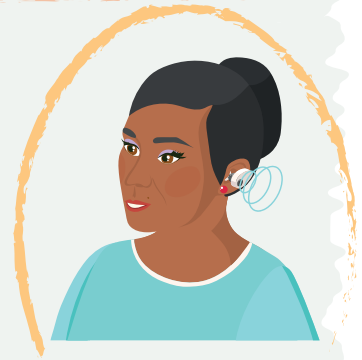


The Maputo Protocol is one of the most progressive women's rights instruments, in part because of its intersectional nature, giving specific rights to specific groups of women who experience multiple forms of discrimination, including women with disability. **Article 23** commits governments to take appropriate measures to ensure their full enjoyment of their human rights and autonomy. The African Union (AU) has also recently adopted the **African Disability Rights Protocol in July of 2024** and its **Article 27** also focuses on women and girls with disabilities.

ARTICLE 23 – SPECIAL PROTECTION OF WOMEN WITH DISABILITIES

The States Parties undertake to:

- ensure the protection of women with disabilities and take specific measures commensurate with their physical, economic and social needs to facilitate their access to employment, professional and vocational training as well as their participation in decision-making;
- ensure the right of women with disabilities to freedom from violence, including sexual abuse, discrimination based on disability and the right to be treated with dignity.



HOW HAVE GOVERNMENTS IMPLEMENTED THIS SO FAR?



Whilst fifty African countries include **constitutional provisions** generally prohibiting discrimination based on disability and/or include rights for persons with disability, no African constitution mentions or gives rights specifically to women or girls with disability.



Legal Frameworks and Legislation: Many countries have introduced laws to protect the rights of persons with disabilities, including specific measures for women with disabilities. For example, Angola's 2012 law on persons with disabilities includes provisions to prevent discrimination and ensure participation in social life, while Eswatini's 2018 Persons with Disabilities Act specifically mentions equal access to education and health for women with disabilities.



Social Protection and Financial Assistance: Several countries have established financial support measures targeting women with disabilities. For instance, Tanzania's Local Government Authorities

Financial Act (2018) mandates funds for loans to groups including women with disabilities. Zambia's National Social Protection Policy of 2014 prioritises disability, recognising the unique needs of women with disabilities in its social assistance programmes.



Institutional Reforms and Advocacy: Countries such as Angola and Eswatini have strengthened institutions and services for women with disabilities. Angola established the National Council for Persons with Disabilities, and Eswatini supports leadership training for women with disabilities and provides business grants through its Uwezo Fund.



Inclusive Policies and Community-Based Initiatives: Some nations have developed policies addressing the needs of vulnerable groups. Zambia's National Policy on Disability and Eswatini's Social Development Policy include provisions to support women with disabilities and older women.

WHAT MORE COULD GOVERNMENTS BE DOING?



- ✔ **Close Legislative and Policy Gaps:** Ensure comprehensive alignment of national laws and policies with Article 23 of the Maputo Protocol by addressing discriminatory practices and legal barriers that perpetuate exclusion and inequality for women and girls with disabilities.
- ✔ **Improve Access to Justice:** Develop accessible legal aid programmes and specialised judicial mechanisms that remove barriers to justice for women and girls with disabilities, including training for law enforcement and judicial personnel on disability rights.
- ✔ **Ratify and Domesticating Disability Protocols:** Ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa and incorporate its provisions into domestic laws and policies to ensure robust protection of rights.
- ✔ **Enhance Socio-Economic Inclusion:** Promote targeted initiatives to improve access to education, vocational training, healthcare, and employment for women and girls with disabilities, ensuring equity in resource allocation and implementation.
- ✔ **Strengthen Monitoring and Accountability Mechanisms:** Establish or enhance national and regional frameworks to monitor compliance with Article 23, including independent bodies to evaluate progress and address violations of the rights of women and girls with disabilities.
- ✔ **Combat Impunity:** Enforce laws against gender-based violence and exploitation with stricter penalties for offenders, while ensuring adequate support systems for survivors, including counselling and rehabilitation services tailored to the needs of women with disabilities.

WHAT WOULD A FUTURE WHERE ARTICLE 23 OF THE MAPUTO PROTOCOL IS IMPLEMENTED LOOK LIKE?

Societies embrace true inclusivity and equity for women and girls with disabilities. Public spaces, schools, healthcare facilities, and workplaces are universally accessible, enabling women and girls with disabilities to participate without barriers. Laws against discrimination are rigorously enforced, and comprehensive legal frameworks ensure equal access to education, employment, and justice. **Women with disabilities are no longer marginalised but are seen as leaders, innovators, and contributors to their communities, their voices amplified in policymaking and governance.** Empowered by targeted programmes, they are free to thrive and lead independent lives, their potential unhindered by societal constraints.

Comprehensive support systems ensure they are protected from violence and exploitation, with swift action against perpetrators to deter impunity. Programmes to raise awareness have eradicated stereotypes, creating a culture of acceptance and mutual respect. In this envisioned future, women and girls with disabilities stand as equal members of society, their dignity upheld, and their rights fully realised.



Where can I find more resources about this and how can I get involved?

Scan this QR Code to find out!



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Access additional advocacy resources [here](#) or
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