



# Statement by Alliances for Africa on behalf of the SOAWR Coalition at the 81st Ordinary Session of the African Commission on Human and Peoples' Rights

## Observer Status Number 235

Honorable Chairperson of the African Commission, Honourable Commissioners, All Protocol Observed:

### 1. *The Status of Ratification of the Maputo Protocol*

*We commend the 45 Member States of the African Union who have ratified the Maputo Protocol. We, however, are concerned about the 10 Member States who have not ratified the Maputo Protocol. We call upon the African Commission to continue urging Burundi, Central African Republic, Chad, Egypt, Eritrea, Madagascar, Morocco, Niger, Somalia, and Sudan to ratify the Protocol. We further call upon the African Commission to urge Member States who have placed reservations on the Protocol to forthwith lift the reservations to ensure that African women fully benefit from all the rights enshrined in the Protocol.*

### 2. *The 21st Anniversary of the Maputo Protocol: Focus on Widows' Rights under Article 21*

*2024 marks 21 years since the adoption of the Maputo Protocol. SOAWR is celebrating the 21st anniversary by exploring 21 Years of African Women's Inheritance Rights as enshrined under Article 21 of the Protocol. Positively, the majority of AU Member States have legislated for equal rights to inheritance. SOAWR's [analysis](#) of data from Women, Business & Law (2024) has found that so far:*

- *34 AU Member States have legislated for equality in asset inheritance between male and female surviving spouses.*
- *36 AU Member States have legislated for equality in asset inheritance between sons and daughters.*

- 43 AU Member States have legislated for equality in administrative power and ownership rights to immovable property, including land, between men and women.

*While inheritance laws have progressed since the adoption of the Maputo Protocol, the majority of African women cannot afford legal representation, and in the absence of a legal aid system, there can be very little recourse to justice if their right to inherit on an equal basis with men is violated. Additionally, reservations on Article 21 of the Maputo Protocol continue to hamper the full realization of widow's rights in the continent. **We call upon the African Commission to urge the Federal Republic of Ethiopia and Sahrawi Arab Democratic Republic to lift their reservations on Article 21(1) of the Maputo Protocol to allow widows to enjoy their rights.***

### **3. Repealing of Progressive Laws Aiming to Address Gender-Based Violence in Nigeria**

*The 2015 Violence Against Persons Prohibition (VAPP) Act represents a monumental achievement in the ongoing struggle for women's rights and protection against gender-based violence in Nigeria. We are concerned that a senator has [proposed](#) the Repeal of the VAPP Act. Repealing this vital legislation would not only jeopardize the significant progress made over the years but also directly undermine the lives of women and girls throughout the country. Such a repeal would disregard the persistent efforts to highlight the prevalence of gender-based violence (GBV) in Nigeria, reverse the legal gains made, and equally affect the VAPP Laws of various states, leading us back to an era where women and children do not have the right to be free from violence. We, therefore, call for urgent transparent dialogue with critical stakeholders to address the risks posed by the nomenclature of the repeal, its rationale, and implications. **We call upon the African Commission to urge the Federal Republic of Nigeria not to repeal the VAPP ACT, BUT RATHER PRESERVE, STRENGTHEN and IMPLEMENT IT.***

### **4. Rejection of the Repeal of the Women's (Amendment) Act of 2015 in The Gambia**

*We commend the members of the National Assembly of The Gambia for voting to reject a bill to repeal the Women's (Amendment) Act of 2015, following nearly a year of contentious debate. While this decision averts the immediate threat of repeal, it does not guarantee that the law will not face further attacks in the future. The proponents of this Repeal Bill argued that legal restrictions on religious or cultural practices clash with the wishes and rights of local communities in the Gambia to follow their beliefs. The attempt to repeal the Women's (Amendment) Act, 2015, despite its crucial protections and the widespread public support from certain sections of the community, including some religious scholars and healthcare practitioners, highlights the ongoing threat to women's and girls' rights in The Gambia. Many anti-FGM activists and political leaders who spoke publicly about the need to uphold the Women (Amendment) Act of 2015 also faced harassment and threats of violence. The repeal attempt demonstrates the need for more programs focused on community education and awareness about the risks of FGM, as well as the need for effective enforcement of the Women's (Amendment)*

*Act of 2015, considering that the law is yet to be fully implemented, as evidenced by the few prosecutions to date. We call upon the African Commission to urge The Gambia to fully implement the Women's Amendment Act of 2015 and reject the repeal of progressive laws to protect women and girls in The Gambia and in Africa.*

#### **5. Compliance with reporting obligations**

*Finally, we decry the lack of compliance with reporting obligations under the African Charter by Member States, and in particular the lack of submission of Part B reports on the Maputo Protocol. We call upon the African Commission to urge Member States to submit regular and timely reports on the progress made in line with the Guidelines for State Reporting under the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.*

*I thank you.*

---

**Drafted in Nigeria on 2nd October 2024**

---

**Presented in The Gambia at the 81st Ordinary Session of the African Commission on Human and Peoples' Rights**

#### **About [Alliances for Africa](#):**

*Alliances for Africa is an international African-led non-governmental human rights, peace, and sustainable development organization. AfA works with partners in, around, and beyond the continent of Africa. Alliances for Africa is a member of the Solidarity for African Women's Rights Coalition (SOAWR).*

#### **About SOAWR:**

*The [Solidarity for African Women's Rights \(SOAWR\)](#) is a Coalition of over 70 organizations working on women's rights in 33 countries in Africa. SOAWR was formed with the principal objective of advocating for the ratification, domestication, and implementation of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol), adopted 20 years ago. The SOAWR Coalition is comprised of:*

1. *Action for Development (ACFODE)*
2. *African Centre for Democracy and Human Rights Studies (ACDHRS)*
3. *African Women's Development and Communication Network (FEMNET)*
4. *Akina Mama wa Afrika*
5. *Alliances for Africa*
6. *Association de Promotion de la Culture Environnementale(APCE)*
7. *Association des Juristes Maliennes (AJM)*
8. *Association des Juristes Sénégalaises(AJS)*
9. *Association of Egyptian Female Lawyers (AEFL)*
10. *Atwar Organization for Research and Social Development (Atwar)*
11. *BAOBAB for Women's Human Rights*
12. *Cellule de Coordination sur les Pratiques Traditionnelle Affectant la Sante des Femmes et des Enfants (CPTAFE)*
13. *Center for Health Human Rights and Development (CEHURD)*
14. *Center for Human Rights – University of Pretoria*
15. *Center for Reproductive Rights*
16. *Centre for Rights Education and Awareness (CREAW)*
17. *Centre for Justice Studies and Innovation (CJSI)*
18. *Centre for the Study of Violence and Reconciliation (CSVr)*
19. *Coalition on Violence Against Women (COVAW)*
20. *Collectif des Associations et ONGs Féminines du Burundi (CAFOB)*
21. *Communication Techniques for Development (ACT)*
22. *Eastern African Sub-regional Support Initiative for the Advancement of Women(EASSI)*
23. *Equality Now*

24. *Federation of Women Lawyers Kenya*
25. *Fondation Pour l'Egalité/ CIDDEF*
26. *Forum Mulher*
27. *Forum for Development and Human Rights Dialogue (FDHRD)*
28. *Great Lakes Initiative for Human Rights and Development (GLIHD)*
29. *Haki Nawiri Africa*
30. *HelpAge International*
31. *Her Voice Liberia*
32. *Human Rights Law Service (HURILAWS)*
33. *IGED Africa*
34. *ICJ Kenya*
35. *Inter-African Committee (IAC) on Harmful Traditional Practices*
36. *Inter-African Network for Women, Media, Gender Equity and Development (FAMEDEV)*
37. *Ipas Africa Alliance for Women's Reproductive Health and Rights*
38. *Jossour*
39. *Journal Féministe Algérien*
40. *KADIRAT*
41. *Legal and Human Rights Centre (LHRC)*
42. *Make Every Woman Count*
43. *Malawi Human Rights Resource Centre*
44. *MPOWER*
45. *National Association for the Defense of Rights and Freedoms (NADRF)*
46. *Network Against Female Genital Mutilation (NAFGEM)*

47. *NGO Gender Coordination Network*
48. *Oxfam GB*
49. *People Opposing Women Abuse (POWA)*
50. *Question de Femmes*
51. *Réseau des Femmes Leaders pour le Développement (RFLD)*
52. *Sister Namibia*
53. *Source of Peace Organization (SPO)*
54. *STEWARD Women*
55. *Strategic Initiative for Women in the Horn of Africa (SIHA)*
56. *The New Generation Girls and Women Development Initiative (NIGAWD)*
57. *Tomorrow's Child Initiative*
58. *Tshwaranang Legal Advocacy Centre (TLAC)*
59. *Uganda Women Network (UWONET)*
60. *Union Nationale Des Femmes Djiboutiennes*
61. *Voix de Femmes*
62. *Women's Advocacy and Communication Network (WANET)*
63. *Well Being Africa*
64. *Women and the Law Southern Africa (WLSA Zambia)*
65. *Women and the Law Southern Africa (WLSA Zimbabwe)*
66. *Women in Law and Development in Africa (WILDAF)*
67. *Women Lead Movement (WLM)*
68. *Women's NGO Secretariat of Liberia (WONGOSOL)*
69. *Women of Liberia Peace Network (WOLPNET)*

70. *Women on the Watch (WOW) Society Initiative*
71. *Women Peace Initiatives Association*
72. *Women's Advocacy and Communication Network*
73. *Women's Counseling and Information Centre (WCIC)*
74. *Women For Justice and Equality (WOJE)*
75. *Women's Rights Advancement & Protection Alternative (WRAPA)*
76. *Young Liberian Women Organization for Improvement (WOFIM)*
77. *Y-PEER PETRI*