



GUIDE ON HOW TO PUT AM INSIDE NIGERIA LAW MAPUTO PROTOCOL Article 14



SOLIDARITY FOR
AFRICAN WOMEN'S RIGHTS
A force for freedom



MOUVEMENT DE SOLIDARITÉ
POUR LES DROITS
DES FEMMES AFRICAINES
Une force pour la liberté



GUIDE ON HOW TO PUT AM INSIDE NIGERIA LAW

Maputo Protocol – Article 14



Produced and Published by Make Every Woman Count
Email: info@mewc.org Website: www.mewc.org

Copyright © 2026

Design and Layout: James Chunguli, Crimson Communications Ltd.

All rights reserved. Redistribution of the material presented in this work is encouraged by the publisher, provided the original text is not altered, that the original source is properly and fully acknowledged and that the objective of redistribution is not for commercial gain. Please contact the publisher if you wish to reproduce, redistribute or transmit, in any form or by any means, this work or any portion thereof.

Make We Open di Mata

Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, wey plenty pipu sabi as Maputo Protocol, na one of di human-rights agreements wey de push women and girls' rights well-well for di world. African Union adopt am for 2003. E show di strong future wey Africa want—where women and girls go get dignity, equal treatment and right to make decisions about dia own bodi. For di millions of women wey dis Protocol wan protect, e pass ordinary law wey dem write for paper. Na promise.

Na Make Every Woman Count (MEWC) and Solidarity for African Women's Rights Coalition (SOAWR) join hand produce dis guide. E show clear road from di promise wey countries make for international and African level reach how we go take enjoy di promise dem for Nigeria. To make am happen, dis guide connect di standards inside di Protocol with awa laws, how goment de work, di political mata as e be, di things wey pipu believe because of dia culture, how dem de do things for society, and di kind condition wey dem de live inside for di country.

Why Maputo Protocol Dey Important

Two of di most important mata for di Protocol na dem dis guide shine light put. Article 5 tell goments make dem end harmful practices like to de cut women or girls private part (FGM/C) (wetin some of awa pipu de call 'circumcision' even though e no correct like dat), child/small pikin marriage and oda customs wey de spoil or cause gbege for di health of women and girls and wey de make dem no get di respect wey dem suppose get as human beings.

Article 14 tok say goment must make sure say women get and fit enjoy dia 'reproductive-health rights' wey include:

- make women fit get family-planning information and services;
- make pregnant women and mothers get safe and proper healthcare; and
- make women fit get abortion (comot belle) wey law allow wen di belle enter because of sexual attack, rape (dem force di woman do sex), incest (wen na family member give am belle), or wen di belle put di woman life (both her mind and bodi) for serious danger.

Di two Articles dem address some of di big-big dangers wey women de face: some women wey get belle or born pikin de die sake of sometins wey dem fit prevent, unsafe abortion, violence because of pesin gender (sake of say di pesin na woman), and how we de do tins wey fit cause harm/gbege or wunjor especially di ones wey no allow women control over dia own bodi. Di Protocol no treat dis mata as ordinary help or only mata of right and wrong; e sabi and call dem as human rights wey law suppose protect and enforce.

Domestication/Wetin “Make International Agreement Become Nigeria Law” Mean

International agreement fit change pipu life only wen di standards inside am reach di pipu wey e suppose protect. ‘Domestication’ mean say make international agreement become Nigeria law: goment go put di duties wey dey inside di agreement into national law, policy and practice, so dat pipu fit enforce dia rights for Nigeria courts and through everyday goment services. How dis one de happen depend on di kind law system wey di country get.

Countries dey different for di way dem de take accept international agreement and put am into dia laws. Dem de call some ‘monist countries’ and odas na ‘dualist countries’. Nigeria na dualist state.

For monist countries, once country don accept international agreement, di agreement fit begin apply directly, naim be say dem go fit begin use am judge case for court and e suppose get power pass national law. But for practice, courts and institutions for di country no de too use these standards. Dis one leave gap between wetin law tok and wetin de happen for real life.

For dualist countries, international agreement no de become law just because di country don accept am. Parliament/pipu wey dem de make law must first gree to bring di agreement enter di country law before dem go fit obey am and use am take judge case for court. Until dat one happen, di promises inside di Protocol remain wetin goment hope to achieve, but pipu no fit claim dem fully yet.

For both systems, domestication na di bridge wey connect goment promise with wetin pipu experience for real life. Di main purpose of dis guide na to help close dat gap.

I. Wetin be di Koko of Dis Guide and How We Go Fit Use Am?

Dis Domestication Guide na practical tool for civil society (pipu wey de do good work but dem no de goment), lawmakers and lawyers wey de work to make di Maputo Protocol become Nigeria law. Nigeria don accept and sign (ratify) di Protocol on 16 December 2004. Di full name na Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (Maputo Protocol). Na international human-rights agreement wey African Union (AU) establish to make sure say dem promote, fulfil and protect women rights, to make sure say women fit fully enjoy all dia human rights.¹

Di Protocol cover many important areas of rights:²

Area of Rights	Articles
Economic and Social Welfare Rights (Rights wey concern money mata, work, beta living and support from society)	13 and 19(c)
Rights Wey Concern Marriage (Including Child Marriage)	6
Health and Reproductive Rights (As bodi suppose dey kampe wen e concern to live well, to choose, carry belle and born children).	14
Protection from Violence (Including Cutting of Woman or Girl Private Part—FGM/C)	3, 4 and 5
Right to Take Part for Politics and Decision-Making	9
Rights to Peace and Protection from Armed Conflict	10 and 11
Women Wey Need Special Protection	20, 21, 22, 23 and 24

Nigeria don ratify (gree and sign) Maputo Protocol and e no reject any part of di agreement. But problem still dey for how goment de put am into practice, especially for how health workers de abuse or disrespect women wen dem get belle or go born pikin; how dem de treat pregnant women and mothers anyhow and how dem de no de quick provide emergency treatment wen problem happen during pregnancy or childbirth.

Many pipu need to shuk mouth and push di mata go reach pipu wey get di power for goment to change law and policy wey concern Article 14, wey make sure say women get and fit enjoy dia right including sexual and reproductive health (as bodi suppose dey kampe wen e concern to live well, to choose, carry belle and born children).³

Dis guide explain how pipu wey get voice to shuk mouth and push di mata of kampe bodi and mind to take choose, care wey we suppose give women wey get belle and born children (reproductive health and rights) make dem for dey safe and receive care wey go make sure say every family member dey well.

E also break down di mata for how Nigeria fit change local laws make dem gree with Maputo Protocol and protect women right make nobodi harm dia bodi and dia right to live safe. Di guide focus mainly on clear road/plans, steps and plenty tori (strategies and case studies) of wetin oda pipu don been do so dat civil society organisations, pipu wey de fight to support di mata (activists) and pipu wey de shuk mouth and de push di mata reach lawmakers go learn. All these groups must work togeda make we for succeed.

II. As Di Mata Dey for Awa Country and How Di Laws Take Set

Federal Republic of Nigeria gain independence from United Kingdom on 1 October 1960.⁴ Di number of pipu for Nigeria pass 237.5 million, and na one of di countries wey get di highest number of pipu for di world.⁵ Nigeria get three levels of goment: Federal Goment, 36 State Goments and 774 Local Goment Areas.⁶ Nigeria na constitutional democracy wey President dey lead. E get elected lawmakers for National and State Assemblies and di courts and judges wey de interpret law and give judgement (judiciary) wey suppose work independently. National Assembly get two chambers: Senate and House of Representatives.⁷

Nigeria na dualist country. Dis one mean say Maputo Protocol no automatically become Nigeria law just because Nigeria ratify am. Before di Protocol fit get binding power for Nigeria, goment must bring di relevant parts enter Nigeria law arrangement through di process wey dem de call domestication—make international agreement become Nigeria law. Na only international laws wey Nigeria don domesticate pipu fit use take judge case for court (enforce).⁸ Until Nigeria domesticate Maputo Protocol, di important promises wey e make about women rights to make decisions about dia own bodi and dia human rights remain goals wey pipu no fit yet fully claim/enforce.

Different ways dey to make di Protocol become Nigeria law:

- National Assembly fit pass di whole agreement into law with at least two-thirds of di votes.
- Lawmakers fit refer to di agreement wen dem de draft new law.
- Lawmakers fit use di agreement as template to prepare new law.

How Nigeria Constitution Take Support Reproductive Rights

Constitution of di Federal Republic of Nigeria 1999 provide di main foundation for law wey pipu wey sabi shuk mouth and push mata fit use take make sure say women rights wey concern kampe bodi and calm mind to take live well, make choice, carry belle and born children (reproductive rights) reach dem hand.⁹ Chapter IV make sure say women get and fit enjoy basic human rights, wey include right to life (Section 33), respect for di human pesin (Section 34), pesin freedom (Section 35), privacy (Section 37), and freedom from yamayama treatment sake of say pesin na woman or man (discrimination) (Section 42).

Dis part dem for di Constitution concern how pesin go take claim dia right to tok put and make decisions about dia own bodi, reproductive health and make dem no suffer abuse or disrespect wen dem get belle or de born pikin.

Section 34 de important because e place duty on goment to protect every pesin safety and security. Pipu fit extend dis duty to cover di right of Nigerian women to control and protect dia bodi. Dis one mean say goment suppose protect women in ways wey go reduce violence just because of say dem be women, cutting of woman or girl private part (FGM/C), unfair treatment, and women wey de die because dem get belle or born pikin.

But one serious mata dey wey neva pure. Chapter II of di Constitution direct goment to provide enough medical facilities, but pesin no fit go court just because goment fail to provide dem. Dem de call dis kind tins dem 'non-justiciable'.¹⁰ Because di health rights for dis part of di Constitution no fit stand alone as court claim, di ways wey pipu fit use hold goment responsible wen maternal and reproductive care fail no plenty. Therefore, any court case wey pipu wey de push mata for change (advocates) wan use push wider change must build di argument put for inside di part of di constitution wey pesin fit take hold goment to do wetin e suppose do. Dat part for awa constitution na Chapter IV.

How Di Laws Wey Concern Crime Take Set

Nigeria de operate two main criminal-law systems, and dis one de directly affect pipu reproductive choices. For Southern Nigeria, Criminal Code Act de seriously work against reproductive choices. E provide punishment of up to 14 years for prison for pesin wey comot belle/end pregnancy, with only exceptions wey law no explain clearly to save di woman life.¹¹ For Northern Nigeria, Penal Code Act also make to comot belle (abortion) crime and provide heavy prison punishment. Apart from dis, 12 northern states de operate Sharia courts togeda with di federal Penal Code, wey add anoda level to stop pesin.¹² Dem de call am 'restriction'. Di exact wording of di two laws dey different. Criminal Code no write di exception to save di mother life clearly inside di law, although di court cases Rex v Edgar and Rex v Bourne don establish before-before judgements wey permit abortion for dat kind situation.¹³ Even so, di two laws dey back-back and no reach di level wey Article 14(2) (c) of Maputo Protocol set for ground.

Important Laws Wey Dey for Nigeria

Apart from Maputo Protocol, some Nigeria laws de shape di law arrangement for sexual and reproductive health and rights:

- Violence Against Persons (Prohibition) Act 2015 (VAPP Act) make rape, domestic violence and FGM/C crimes. But VAPP Act automatically apply only for Federal Capital Territory (FCT). Before e fit work for each of di 36 states for Nigeria, each State House of Assembly must gree and put am inside dia state laws – 'domesticate' am.¹⁴
- Child Rights Act 2003 set 18 years as di minimum age for marriage so na crime if pesin marry pikin wey neva reach 18. E also condemn sex with children. Like VAPP Act, each state must domesticate am before we fit use am outside FCT.¹⁵
- National Health Act 2014 provide di arrangement for how goment go develop and manage national health system. E require important health services, including reproductive health and care for pregnant women and mothers. E also require health facilities to provide emergency care weda di pesin get money to pay or not.¹⁶
- National Health Insurance Act 2022, wey replace NHIS Act of 1999, provide di arrangement for health insurance wey suppose cover everybody, including reproductive and maternal health services.¹⁷

III. How Far Nigeria Don Go to Put Di Protocol inside Local Law (Domestication)

Progress Since Nigeria Gree and Sign (Ratification) Di Maputo Protocol

Nigeria don take some steps to promote women right make nobodi harm dia bodi and dia right to live safe. Dem don bring some parts of Maputo Protocol enter Nigeria law, including di Gender Policy wey goment adopt for 2015.¹⁸ But di way goment de put di laws and policies into practice neva pure and we need more work to make Nigeria law gree with di Protocol.

Articles 3, 4 and 5 of Maputo Protocol tell gometers make dem protect women and girls from harm/gbege or wunjor (violence). One out of every three Nigerian women go experience harm/gbege or wunjor for bodi weda na beating or by force sex for her life.¹⁹ For 2015, Nigeria pass VAPP Act to prevent violence for private and public life and provide help for survivors of sexual attack and domestic violence.²⁰ Goment pass dis law after 14 years of strong push-push (advocacy).²¹ Unfortunately, all states no de implement am di same way, and gaps still dey for services wey survivors need. Na only 19 out of Nigeria's 36 states don establish Sexual Assault Referral Centres—centres wey de support survivors of sexual violence with necessary services.²²

Article 5 of Maputo Protocol especially concern Nigeria because e tok say make dem no do (prohibit) FGM/C. About 9.9 million pipu wey survive FGM/C dey live for Nigeria—di highest number for di world.²³ Nigeria address FGM/C inside VAPP Act and National Health Policy,²⁴ and e adopt separate National Policy & Plan of Action for the Elimination of Female Genital Mutilation 2021–2025.²⁵ Article 6 of Maputo Protocol also call for goment to end child marriage. For 2016, Nigeria adopt National Strategy to Reduce Child Marriage.²⁶ But goment still need to do more to protect pipu from FGM/C, child marriage, forced marriage and gbege/wunjor for bodi (physical violence). We must also tink how dis mata dem go affect Nigerian young pipu wey go face struggle about control over dia own bodi and violence for dis digital age.

Article 9 of Maputo Protocol call for more women to take part for politics and decision-making. Nigerian 2015 National Gender Policy provide minimum target of 50% for women to join for politics and governance weda na appointment or election.²⁷ But Nigeria still dey among countries wey women no plenty wey dem take join de follow do or lead for politics. Na Nigeria number low pass for di world; women de hold only 5% of seats for National Assembly.²⁸ To address dis one, di proposed Special Seats for Women Bill go create particular seats wey only women go occupy.²⁹ Dis political representation important because women wey dey leadership de push make goment change or repair laws wey de affect health and safety.³⁰ If di number of women for National Assembly increase, e go help make sure say goment put every part of Maputo Protocol into practice.

Gaps and Things Wey Dey Block Progress

Because Nigeria never fully domesticate Maputo Protocol, gaps still dey between di good standards inside di Protocol and how goment de put dem into practice, between Nigeria law and di real-life experience of Nigerian women. To ratify di Protocol na important step to recognise women's rights and promise to protect dem. But Nigeria laws, policies and health services never fully show dis promise.

Gaps and Barriers for Law and Policy: Abortion and Care for Pregnant Women and Mothers

Nigeria get very high number of women wey de die because of pregnancy or childbirth.³¹ Part of di causes na abuse or disrespect during pregnancy and childbirth care, and lack of emergency treatment wen problem happen. To reduce di deaths dem, Nigeria don put National Strategic Framework for di Elimination of Obstetric Fistula in Nigeria into practice

(Nigeria don de use am).³² But more work still dey necessary make we for take prevent abuse and provide healthcare for women wen dem get belle, wen dem de born pikin and after dem born.

Di most serious gap na for law wey concern access to abortion care wey law permit. Big difference dey between Nigeria laws and di promise wey Nigeria make under Article 14(2) (c) of Maputo Protocol. Dat Article require guments to permit abortion wen pregnancy result from sexual attack, rape or incest, or wen di belle/pregnancy put di woman life including mental or physical health for serious danger. Criminal Code Act, wey apply for di South, and Penal Code Act, wey apply for di North, no recognise these wider grounds. Both laws restrict lawful abortion to situation wey e necessary to save di woman's life. Women and health workers wey act outside dis narrow exception fit face heavy punishment—up to 14 years for prison. As tins be now, Nigeria abortion laws join di ones wey strict pass for awa region (Africa) and e no gree/align with di human-rights promises wey Nigeria make.

Di restrictions no really stop abortion. About one out of every seven pregnancies de end for abortion,³³ and about 63% of abortions no de follow safe medical standard. Unsafe abortion de contribute about 10% put for di number of women wey de die because of pregnancy or childbirth.³⁴ Many lawmakers understand say unsafe abortion de cause di deaths dem, but only few of dem ready to challenge di present abortion laws because of di bad label around di mata from culture, religion and how society see am.

Anoda problem for di law arrangement make di situation bad well-well. Although Nigeria ratify Maputo Protocol for December 2004 and no reject any part, Nigeria never make am national law as Section 12 of di Constitution require. Dis one mean say pipu no fit directly enforce di provisions inside di Protocol, including Article 14, for Nigeria courts.³⁵ Anoda serious gap dey between Federal Goment policy and implementation for state level. Beta health-law arrangements wey Federal Goment adopt—including VAPP Act and Child Rights Act—no automatically apply for all 36 states. Because health dey for di 'Concurrent Legislative List', dat one mean say both Federal Goment and State Guments fit make law about am. Pipu wey de shuk mouth and de push di mata (advocates) must repeat di work for every State House of Assembly to get adoption and funding. Dat one de create scattered protection where di rights and protection wey woman get go come de different depending on di state wey di woman de live.

Mata Wey Just Happen for Court

Even with di laws wey no too gel so, one important Federal High Court judgement for 2025 create new opportunity to push di mata well. For Reproductive Justice Initiative Foundation (RJIF) v Attorney General of the Federation & Others, Federal High Court for Abuja judge case say to force survivors of sexual violence to carry belle/pregnancy reach to born am/childbirth no good and e go against dia basic right to good health for bodi and mind.³⁶ Dis na di first time Nigeria court don see and tok say reproductive healthcare for survivors of sexual violence na basic human right, no be criminal act. Lawyers and civil society pipu suppose treat dis judgement as foundation for more court cases wey fit push wider change, and as powerful tool to change how lawmakers and di public de discuss di mata.

Tins for Society, Culture and Religion Wey De Cause Problem and Block Progress

To fully make Maputo Protocol become Nigeria law, or make progress through National Assembly, at least two-thirds of lawmakers must support am. As tins be now, e no likely say National Assembly go pass law to address di problems dem because strong political will or concern no dey, and goment never put sexual and reproductive healthcare among di mata wey de important pass³⁷.

For policy mata, religious belief de guide plenty Nigerians. Religion and politics joinbodi well-well for Nigeria, so faith-based organisations and traditional leaders get strong influence for public discussion and goment policy.³⁸ Dis one don create shame and bad label around family-planning methods and reproductive rights.³⁹ Pipu no de support efforts to make melecine wey fit prevent belle wen pesin neva ready (contraceptives) easy to get or to protect sexual health. Plenty pipu especially no support abortion,⁴⁰ and 'pro-family' and 'pro-state' organisations don strongly oppose efforts to make abortion laws less restrictive.⁴¹ "Pro-family" organisations na groups wey say dem de protect family values, marriage and di wellbeing of family members and Pro-state groups na pipu or organisations wey strongly support goment power, laws and policies, especially when dem believe say na goment suppose control or decide how certain matters go be.

Because of dis difficult political situation, pipu wey de push di mata (advocates) need to change how dem de present di message, as dis guide explain later, make goment for fit put di Protocol into practice.

IV. Ways to Push Di Mata Go Reach and Convince Pipu Wey Fit Change Am (Meet Decision-Makers)

Two main roads dey to make Maputo Protocol become Nigeria law:

1. Civil society organisations and activists fit push for law wey go put some or all parts of di Protocol into practice, and at least two-thirds of lawmakers must support am.
2. Through 'legal advocacy and law reform'—pipu wey de push di mata fit carefully choose court cases and use dem take push for wider change.

Di ways wey we don mention so go need steady push-push, work to change society, and effort to build di strong mind of politicians wey de lead us to take action.

Civil Society Organisations and Activists

Civil society, community and civil-rights groups dey very important to make di rights of Nigerian women and girls become reality. Wen organisations wey get di same mind joinbodi, use different methods and pursue di same results, dem fit overcome di culture of shame, build local capacity and increase political will.

Wetin Oda Pipu Don Do Before –

Case Study: National Coalition of Civil Society to End Child Marriage in Nigeria (CSO-ECM) – Girls' Education

CSO-ECM na united network of non-governmental and civil society organisations wey commit to end early and forced marriage everywhere for Nigeria by 2030. Through local, state and federal branches, di coalition de coordinate organised push-push (advocacy), mobilise pipu for area/community level and influence goment policy to protect di basic rights of adolescent girls. One major part of di way dem de do tins na to present girls' education as important tool to delay marriage. Dem also de push make goment put di Child Rights Act and National Strategy to End Child Marriage into practice. As dem de work with respected community pipu, young pipu wey get voice and wives of traditional rulers, di joinbodi de question and change harmful beliefs wey society don hold for long. Dem also de push for policies wey allow pregnant or married girls go back to school and help build safer and more equal environment for di next generation.

Case Study: Women's Rights Advancement and Protection Alternative (WRAPA) – Change Harmful Culture

Between 2005 and 2017, WRAPA work with faith, religious and traditional cultural leaders to address di religious and cultural practices wey de drive child marriage for communities for North-West Nigeria. Togeda, dem develop one Khutba—a collection of sermons of di Prophet—wey correct some wrong beliefs wey de contribute to early and forced marriage. Dem translate di Khutba into local languages, and traditional leaders de use am. Altogeda, 105 mosques don de use dis Khutba during Friday prayers. As dem joinbodi with religious leaders to change harmful cultural beliefs, WRAPA also help to make sure say dem repair policy and law to make dem beta.

Case Study: Campaign Against Unwanted Pregnancy (CAUP) – Knowledge-Sharing

For di past 30 years, CAUP don de push-push for abortion-law to change for Nigeria. Di organisation meet editorial boards of major newspapers and train pipu wey de carry news (journalists) about di bad bad tins wey de happen wen abortion no follow safe medical standard. E organise large public meetings, educational events and community workshops on sexual health and women's rights. E establish Action Group for Adolescent Health, wey train medical students on sexual and reproductive health. CAUP also prepare guidelines for Nigerian Medical School Curriculum on Sexual Health and Reproductive Rights. Although di push-push never change Nigeria abortion laws, di work wey CAUP don do for many years de prepare ground for lawmakers to introduce beta law for National Assembly.

Different Ways to Solve Di Mata (Strategies)

- Open way for pipu to share wetin dem sabi. Train media pipu, community-based groups, medical workers, religious and cultural leaders, judges, prosecutors and lawyers.
- Make sure say we de monitor/check wetin politicians wey de lead us de tell/show us wetin dem de do for us or how dem de serve us and to make sure say dem no abuse pipu human rights.

- Make pipu wey dey power answer for wetin dem do. Make awa pipu joinbodi de campaign to challenge goment wen dem no fit show progress. Also, make pipu wey de push di mata de follow submit dia own report wey show wetin dem see for ground (shadow reports).
- Joinbodi with pipu wey de work with local communities and leaders to increase wetin dem sabi and how to take do wetin dem suppose do.
- Make di different groups and pipu wey de push di mata joinbodi for strong and beta action.
- Wen pipu de meet with policymakers and goment institutions to convince dem, make dem de involve cultural and religious leaders and pipu wey de defend human rights.
- Joinbodi with political leaders wey ready to carry/champion di mata, and publicly identify leaders wey refuse to answer for dia actions.

To Push Di Mata To Repair/Change Laws

To carry mata go court don become strong tool to protect human rights, change laws and make goments answer for dia actions. Courts get important role to make sure say goments do di work wey dem owe women and girls and to judge or punish dem if dem no do am as dem suppose. Push-push to repair or change law fit bring change wen dem join am with civil society work and steady activism.

Sometimes, court judgement fit show wetin oda judgement don achieve (establish legal precedent) and dat one fit bring change for society and policy. Dem de call dis one 'strategic litigation'—beta court case wey dem de use push wider change. Although many push-push/advocacy groups for Nigeria don use international law arrangement take campaign for change, only few don use strategic litigation so far.

Case Study – To Use Past Judgement as Example To Judge Case and Bring Change (Establishing Legal Precedent)

For 2009, some goment officials for Abuja do gbege wen make women suffer physical and sexual violence. Even after pipu complain many times to di authorities, di violence continue. For 2014, Dorothy Njemanze and three oda women carry di case go Economic Community of West African States (ECOWAS) Community Court of Justice. Dis regional court, wey ECOWAS Treaty establish, no need pipu to first finish all di legal steps for courts inside dia own country. For 2017, di Court give judgement in favour of di women for Dorothy Njemanze & 3 Others v Federal Republic of Nigeria (Suit No. ECW/CCJ/APP/17/14). Di Court decide say Nigeria fail to protect dem from unfair treatment because dem be women and say Nigeria violate Maputo Protocol.

Dis na di first time any international human-rights institution make one goment answer for failure to follow Maputo Protocol. Di judgement establish strong West African precedent for how regional courts fit handle gender discrimination and gender-based violence cases. E also show di special value of ECOWAS Court to pipu for Nigeria: unlike many regional and

international forums, pesin fit carry case go there direct even if dem neva finish every court step for Nigeria. Alliances for Africa, one of di organisations wey support di case, explain say e dey important to joinbodi with organisations wey get stronger experience to use dis kind special way carry case go court (strategic litigation).

Case Study – Nigeria Court Judgement for 2025 About Abortion for Pipu Wey Survive Sexual Attack or Rape

As dem de follow dis earlier court judgement wey show road for di region, Nigeria courts don begin change di situation. For June 2025, in RJIF v Attorney General of the Federation, Federal High Court for Abuja tok say to force survivors of sexual violence make dem carry di belle/pregnancy till dem born de go against dia right for constitution to good health for bodi and mind. Di judgement dey important for two reasons. First, togeda with di ECOWAS before-before judgement (precedent), e give Nigeria court power to make sure say Constitution protect pesin right to kampe bodi and mind wey concern good life, to choose weda to carry belle and born children and to get beta care during di process (reproductive healthcare). Second, e open road to argue say di parts of Criminal Code Act and Penal Code Act wey put serious limit for wetin law allow to take protect survivors of rape or sexual attack, no gel (violate) with di Constitution. Lawyers suppose consider how to build on top dis foundation wen dem de select cases to carry go court for special judgement (strategic litigation).

Before-Before (Earlier) Judgement by Regional Court on Abortion

To carry special case go court based on say dem do judge and win similar case for anoda court before (strategic litigation) fit work well-well for abortion because Nigeria courts never interpret di local laws reach di level wey go protect survivors. Although law neva support abortion except wen e de necessary to save di mother life, opportunity dey to expand wetin 'to preserve woman life' mean. Malawi get similar law, but Malawi Law Commission, through court judgement, tok say 'preservation of life' suppose include protection of pesin sound/kampe bodi and mind (mental and physical health). RJIF judgement open di same kind road inside Nigeria, especially for survivors of sexual violence.

Di way courts for Ghana, Kenya and Rwanda don judge cases come gree and tok/rule say women fit get safe abortion wen law allow am, fit also show Nigeria courts road for how to decide similar mata.

Steps to Follow and Things Wey We Suppose Think About Wen We Wan Use Court Case Take Bring Change

Di first step for strategic litigation na to identify suitable plaintiff—pesin wey go carry di case go court—wey get time and commitment to follow di case. Enough money and oda resources must dey to support di plaintiff and her lawyer, especially because di case fit take long. Di plaintiff must understand all di risks and prepare for serious public and media attention as many pipu go hear about di case.

E dey important make we choose court where di judgement go cover many areas and where dem fit get decision quick. For Nigeria, court cases fit take several years before dem finish.

Cases wey concern sexual and reproductive health and rights fit face extra problems. For example, shame and bad social label around family-planning care fit influence Nigeria court. Di personal religious beliefs of decision-makers fit also affect di result. For dat kind situation, regional or African continental courts fit provide beta road for strategic litigation.

V. New Ways Wey Pipu Don Begin Use

Different organisations don form one joinbodi/coalition. BAOBAB for Women's Human Rights de do di work, while Akina Mama wa Afrika de support am with money wey Amplify Change de give dem. Members of dis joinbodi include National Human Rights Commission; National Institute for Legislative and Democratic Studies; Initiative for Research, Innovation and Advocacy in Development; and Inter-Party Advisory Council. From October 2025 to September 2027, di joinbodi/coalition de coordinate two-year work to take push and make sure say goment repair or change law and Constitution so dat Maputo Protocol go become real-life experience for women and girls for Nigeria. Di main ways wey dem de use include to shuk mouth, raise voice and push di mata go reach pipu wey get power to change am (advocacy), gather many pipu with strong voices to push di same mata (movement building) and share knowledge make pipu sabi di koko so dat awa political leaders go answer for dia actions and to make sure say goment put di Protocol into practice. Di joinbodi/coalition don already meet and discuss with important pipu wey get hand for di mata such as bodi dem wey de oversee di Constitution, experts wey de make laws and political-party leaders. As dem de join hand with di pipu dem, di work de benefit from pipu wey sabi how goment office (institution) and law arrangements de work and dem de also mobilise pipu including politician dem.

Table Wey Show How We Fit Change Important Messages Make Pipu Understand and Support Dem

To answer and handle di concerns of pipu wey no support sexual and reproductive health and rights mata, di joinbodi/coalition don tell pipu wey get voice and de push di mata to change how dem de present dia message make dem fit work well with cultural and religious leaders and lawmakers. Di approach na to push quick changes for Constitution and oda laws wey fit improve di lives of women and girls, even as dem sabi how di political situation wey concern di mata be.

From	To
Right to Decide About and Protect Your Own Bodi	Right Make Anybodi No Harm, Enter, Tamper with or Wunjor Your Bodi and Right to Live Safe
Sexual Health and Reproductive Rights	Care wey women suppose get wen dem get belle, wen dem born pikin and after dem born, make dem dey safe and make everybodi for di family dey well. (Safe Motherhood and Family Health)
End Harmful Practices	Protect di Special Value and Dignity of Every Pesin

Dis change of message na di koko because of di following important reasons:

- Wen pipu wey de push di message (advocates) focus on di right make nobodi harm pesin bodi and right to live safe, dem fit rely on Section 34 of Nigeria Constitution. Di Constitution give goment work/responsibility to protect pipu personal security make dem dey safe.
- Wen pipu wey de push di message focus on safe motherhood and family health, attention go move to women wey die because of pregnancy or childbirth— Important mata wey di whole country suppose put first and wey religious leaders also care about. Dis one fit make dem support di mata and dem fit join dia voice to push for care of pregnant women and mothers and proper care for di pikin.
- To focus on di special value and dignity of every pesin gel/gree with both law and values for awa tradition. E go support more voices to push make dem put VAPP Act into practice for every state and protect women and girls from FGM/C, child marriage, marriage by force and harm/gbege or wunjor for dem bodi.

Wetin We Suppose Do Next and Di Advice Wey We Give

To make Maputo Protocol become Nigeria law dey very important so dat women and girls for Nigeria fit fully enjoy dia rights, right make anybodi no harm, enter, tamper with or wunjor dia bodi and right to live safe. Change fit happen wen pipu work togeda across law, society and politics. Practical steps and advice wey we de give dey below.

For Pipu Wey De Make Law and Policy

- Write and present di law wey we de suggest to National Assembly make dem discuss am and decide weda to pass am into law to amend Penal Code Act and Criminal Code Act make dem for gel/gree with Article 14(2)(c) of Maputo Protocol. Add situations where law go allow abortion: wen pregnancy happen because of sexual attack, rape or incest; wen serious health problem dey for di unborn pikin; or wen di belle/pregnancy put di woman mental health for serious danger.
- Make how goment de put Gender Policy and VAPP Act into practice strong well-well. Make sure say Sexual Assault Referral Centres dey every state so dat survivors go get support and services wey dem need.
- Deal with new kinds of harm. Make laws wey go tackle harm wey women and girls de face more for internet. Dis one include:
 - use of internet take bully or threaten pesin;
 - use internet take follow and disturb pesin again and again;
 - to de share pesin private picture without permission; and
 - to use internet take insult, threaten or disturb pesin.

For Lawyers and Oda Pipu Wey De Do Law Work

- Carefully choose court cases wey fit bring change. Use di court judgements take set example wey oda courts fit follow and push goment to change policy.
- Expand di situations where law fit allow abortion to include wen di pregnancy put di pregnant pesin bodi or mental health for danger, or wen e fit cause serious money problem or affect how di pesin de live.
- Use Section 34 of di Constitution wey concern dignity of di human pesin to support di reasons wey show say women get right make anybodi no harm, enter, tamper with or wunyor dia bodi and dia right to live safe.

For Civil Society Organisations and Oda Pipu Wey De Speak and Work for Change

- Build wide joinbodi wey include all di pipu and groups wey suppose get hand and voice for di mata, including goment pipu, civil society organisations, women's-rights organisations and private companies. Make dem work togeda to put beta international and regional agreements wey favour women inside Nigeria laws.
- To make political leaders ready to support di mata, make meeting and discussion with National Assembly members and oda top political leaders important mata wey dem suppose put first. Meet lawmakers early and work with respected pipu for di community, including religious leaders and young pipu. Push for more women to enter position as lawmakers so dat Nigeria go fit reach di minimum target of 35% (for di immediate past Gender Policy) or 50% women's political participation wey de inside di 2015 National Gender Policy. Tok to oda lawmakers and convince dem make dem support di mata and champion women's rights make anybodi no harm, enter, tamper with or wunyor dia bodi and dia right to live safe.
- Use public-education campaigns to change how pipu understand women rights make anybodi no harm, enter, tamper with or wunyor dia bodi and dia right to live safe. Educate lawmakers, media pipu, medical providers and religious leaders. Give women and girls everywhere for Nigeria di information, support and tins wey dem need to become strong well-well and stand gidigba for dia rights. Make discussion wey follow correct information and proof wey show say di information na true become important mata wey we put first. Dis one go help change how pipu de discuss di mata—to make sure say dem no de blame, shame and give women bad name, and to help women and girls get mind and believe say dem fit stand for dia rights, with power and control over dia life.
- Monitor and check how politicians de serve pipu, wetin dem promise, wetin dem don do and whether dem de respect pipu human rights. Use SOAWR shadow-reporting programme take submit correct report of wetin dem see for ground (report wey goment no put hand) so dat goment go answer for wetin e do or fail to do.

Endnotes

- 1 AU (2003). *Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa* [Protocol to di African Charter on Human and Peoples' Rights about di Rights of Women for Africa]. Dem adopt am on 11 July 2003, and e start to work on 25 November 2005. E dey for here: <https://au.int/en/treaties/protocol-rights-women-africa>
- 2 SOAWR (2023). *Mapping 20 Years of Progress: Ratifying & Domesticating the Maputo Protocol* [To Show Di Progress Wey Dem Don Make for 20 Years: How Countries Don Ratify and Put Maputo Protocol Inside Dia Laws]. E dey for here: https://soawr.org/resources_posts/mapping-20-years-of-progress-ratifying-domesticating-the-maputo-protocol/ [We check am on 09 April 2026]
- 3 Durojaye, E. (2023). *Article 14: Health and Reproductive Rights* [Article 14: Health and Reproductive Rights]. Inside A. Rudman et al. (eds), *The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa: A Commentary* [Di Protocol to di African Charter on Human and Peoples' Rights about di Rights of Women for Africa: Explanation and Analysis]. Pretoria: University of Pretoria Press. E dey for here: https://www.pulp.up.ac.za/images/edocman/pulp-commentaries/protocol_to_ACHPR/Article_14.pdf
- 4 Consulate General of the Federal Republic of Nigeria (n.d.). *Our Government* [Our Goment]. E dey for here: <https://nigeriaconsulatnewyork.org/about-nigeria/our-government/> [We check am on 22 April 2026]
- 5 UNFPA (n.d.). *Nigeria Population 2025* [Nigeria Population for 2025]. E dey for here: <https://www.unfpa.org/data/world-population/NG> [We check am on 22 April 2026]
- 6 Consulate General of the Federal Republic of Nigeria (n.d.). *Our Government* [Our Goment].
- 7 Ibid. [Na di same source wey dey directly before dis one.]
- 8 Olomojobi, Y. and Oga, J. (2022). *Nigeria: Between Monist and Dualist State* [Nigeria: Between Country Wey In-ternational Agreement Fit Work Directly and Country Wey Must First Put Am Inside Im Law]. *International Journal of Legal Developments and Allied Issues* 8(4): 12–33. E dey for here: https://www.researchgate.net/publication/364314405_NIGERIA_BETWEEN_MONIST_AND_DUALIST_STATE
- 9 *Constitution of the Federal Republic of Nigeria 1999* [Constitution of di Federal Republic of Nigeria 1999]. E dey for here: <https://nigeriarights.gov.ng/files/constitution.pdf>
- 10 *Constitution of the Federal Republic of Nigeria 1999* [Constitution of di Federal Republic of Nigeria 1999]. E dey for here: <https://nigeriarights.gov.ng/files/constitution.pdf>
- 11 *Criminal Code Act 2004* [Criminal Code Law 2004] (na for southern states e de work). E dey for here: <https://lawsofnigeria.placng.org/laws/C38.pdf>; Center for Reproductive Rights (n.d.). *Nigeria's Abortion Provisions* [Di Parts of Nigeria Law Wey Concern Abortion]. E dey for here: <https://reproductiverights.org/maps/provision/nigerias-abortion-provisions/> [We check am on 9 April 2026]; Ipas Nigeria (2020). *Abortion Law and Policy in Nigeria* [Abortion Law and Policy for Nigeria]. E dey for here: <https://www.ipas.org/wp-content/uploads/2020/07/ALPNIGE15-AbortionLawNigeria.pdf>
- 12 *Penal Code Act 1960* [Penal Code Law 1960] (na for northern states e de work). E dey for here: <https://lawsofnigeria.placng.org/view2.php?sn=432>; Center for Reproductive Rights (n.d.). *Nigeria's Abortion Provisions* [Di Parts of Nigeria Law Wey Concern Abortion].
- 13 Love Matters (n.d.). *Abortion: Types and the Nigerian Law* [Abortion: Di Different Types and Nigeria Law]. E dey for here: <https://web.archive.org/web/20201128024619/https://lovematters.ng/pregnancy/unsure-about-being-pregnant-abortion-types-and-nigerian-law> [We check am on 9 April 2026]
- 14 *Violence Against Persons (Prohibition) Act 2015* [Law Wey Prohibit Violence Against Pipu 2015]. E dey for here: <http://www.refworld.org/docid/556d5eb14.html>
- 15 *Child Rights Act 2003* [Pikin Rights Law 2003]. E dey for here: <https://www.refworld.org/legal/legislation/natleg-bod/2003/105082>
- 16 *National Health Act 2014* [National Health Law 2014]. E dey for here: <https://scorecard.prb.org/wp-content/uploads/2019/06/Nigeria-National-Health-Act-2014.pdf>; Ilesanmi, O. S., Afolabi, A. A. and Adeoya, C. T. (2023). *Driving the Implementation of the National Health Act of Nigeria* [How to Push Make Dem Put Nigeria National Health Law into Practice]. *Pan African Medical Journal* 45:147. E dey for here: <https://pmc.ncbi.nlm.nih.gov/articles/PMC10589412/>
- 17 *National Health Insurance Act 2022* [National Health Insurance Law 2022]. E dey for here: <https://www.nhia.gov.ng/wp-content/uploads/2024/03/NHIA-Act-2022-Gazetted-Copy.pdf>
- 18 *National Gender Policy 2021–2026* [National Gender Policy 2021–2026]. E dey for here: <https://www.wrapanigeria.org/revised-2021-2026-national-gender-policy/>
- 19 UNFPA Nigeria (n.d.). *Gender-Based Violence* [Violence Wey Happen Because of Pesin Gender]. E dey for here: <https://nigeria.unfpa.org/en/topics/gender-based-violence-0> [We check am on 9 April 2026]
- 20 *Make Law Against Violence on Women: Serious Analysis of Nigeria New Violence Against Persons (Prohibition) Act, 2015*. *DePaul Journal of Women, Gender and the Law* 5. E dey for here: <https://via.library.depaul.edu/jwgl/>

- 21 SOAWR (2023). *Mapping 20 Years of Progress* [To Show Di Progress Wey Dem Don Make for 20 Years].
- 22 Equality Now (2023). *Regional Mapping and Assessment* [To Study and Assess Di Situation for Di Region].
- 23 Okeke, T., Anyaehie, U. and Ezenyeaku, C. (2012). *An Overview of Female Genital Mutilation in Nigeria* [General Explanation of Female Genital Mutilation for Nigeria]. *Annals of Medical and Health Sciences Research* 2(1): 70–73. E dey for here: <https://doi.org/10.4103/2141-9248.96942>
- 24 Federal Ministry of Health (2016). *Promoting the Health of Nigerians to Accelerate Socio-economic Development* [To Improve Nigerians Health So That Social and Economic Development Go Move Faster]. September. E dey for here: <https://naca.gov.ng/wp-content/uploads/2019/10/National-Health-Policy-Final-copy.pdf>
- 25 *National Policy & Plan of Action for the Elimination of Female Genital Mutilation in Nigeria 2021–2025* [National Policy and Action Plan to End Female Genital Mutilation for Nigeria 2021–2025]. E dey for here: <https://nigeria.unfpa.org/en/publications/national-policy-plan-action-elimination-female-genital-mutilation-nigeria-2021-2025>
- 26 UNICEF (2024). *Nigeria Takes Bold Steps to End Child Marriage and Protect the Rights of Children* [Nigeria Take Strong Steps to End Pikin Marriage and Protect Pikin Dem Rights]. 16 February. E dey for here: <https://www.unicef.org/nigeria/press-releases/nigeria-takes-bold-steps-end-child-marriage-and-protect-rights-children>
- 27 Equality Now (2023). *Regional Mapping and Assessment* [To Study and Assess Di Situation for Di Region].
- 28 Placng.org (n.d.). What Is the Special Seats Bill? [Wetin Be Special Seats Bill?]. E dey for here: <https://placng.org/specialseatsbill/> [We check am on 10 April 2026]
- 29 Ibid. [Na di same source wey dey directly before dis one.]
- 30 Equality Now (2023). *Regional Mapping and Assessment* [To Study and Assess Di Situation for Di Region].
- 31 Guttmacher Institute (2015). *Abortion in Nigeria* [Abortion for Nigeria]. Factsheet [Paper Wey Give Main Facts]. New York: Guttmacher Institute. E dey for here: <https://www.guttmacher.org/fact-sheet/abortion-nigeria>
- 32 SOAWR (2023). *Mapping 20 Years of Progress* [To Show Di Progress Wey Dem Don Make for 20 Years].
- 33 Guttmacher Institute (2015). *Abortion in Nigeria* [Abortion for Nigeria]. Factsheet [Paper Wey Give Main Facts]. New York: Guttmacher Institute. E dey for here: <https://www.guttmacher.org/fact-sheet/abortion-nigeria>
- 34 Adejumo, O. (2024). *Demystifying the Legal Restrictions on Abortion in Nigeria: Time to Change the Narrative* [To Explain Di Legal Restrictions on Abortion for Nigeria Make Pipu Understand Am: Time Don Reach to Change Di Way We De Talk Di Mata]. *African Human Rights Law Journal* 24(2): 559–578. E dey for here: <http://dx.doi.org/10.17159/1996-2096/2024/v24n2a7>
- 35 *Constitution of the Federal Republic of Nigeria 1999* [Constitution of di Federal Republic of Nigeria 1999] (as amended), Section 12 (wey require National Assembly to pass law before any international agreement fit get power as Nigeria law); see also Olomjobi, Y. and Oga, J. (2022). *Nigeria: Between Monist and Dualist State* [Nigeria: Between Country Wey International Agreement Fit Work Directly and Country Wey Must First Put Am Inside Im Law].
- 36 *Reproductive Justice Initiative Foundation (RJIF) v Attorney General of the Federation & Others*, Federal High Court, Abuja (Hon. Justice Olotu presiding), judgement wey court give for June 2025; Center for Reproductive Rights (2025). *Victory for Women's Rights: Nigerian Federal High Court Affirms Right to Safe Abortion for Survivors of Sexual Violence* [Victory for Women Rights: Nigeria Federal High Court Confirm Say Pipu Wey Survive Sexual Violence Get Right to Safe Abortion]. Press Release [Public Announcement]. 26 June. E dey for here: <https://reproductiverights.org/victory-womens-rights-nigerian-federal-high-court-affirms-right-safe-abortion-survivors-sexual-violence/>
- 37 Adejumo, O. (2024). *Demystifying the Legal Restrictions on Abortion in Nigeria* [To Explain Di Legal Restrictions on Abortion for Nigeria Make Pipu Understand Am].
- 38 Olanrewaju Oloyede, I. (2014). *Theologising the Mundane, Politicising the Divine: The Cross-Currents of Law, Religion and Politics in Nigeria* [To Join Everyday Mata with Religion and Join God Mata with Politics: How Law, Religion and Politics De Affect Each Oda for Nigeria]. *African Human Rights Law Journal* 14(1): 178–202. E dey for here: <https://www.ahrlj.up.ac.za/oloyede-i-o>
- 39 Durojaye, E. (2023). *Article 14: Health and Reproductive Rights* [Article 14: Health and Reproductive Rights].
- 40 Olanrewaju Oloyede, I. (2014). *Theologising the Mundane, Politicising the Divine* [To Join Everyday Mata with Religion and Join God Mata with Politics].
- 41 Adejumo, O. (2024). *Demystifying the Legal Restrictions on Abortion in Nigeria* [To Explain Di Legal Restrictions on Abortion for Nigeria Make Pipu Understand Am].

