



**ACHPR**  
African Commission on  
Human and Peoples' Rights

# Oral Statement for the ACHPR Public Session

**BY AFYA NA HAKI INSTITUTE – OBS.554**

**Honourable Chairperson, distinguished Commissioners,**

I speak today on behalf of Afya na Haki, the convenor of the 3rd Annual Reproductive Justice Litigation Baraza, where the Kampala Charter on Decriminalising Sexual and Reproductive Health and Rights was adopted. That Charter was born out of a simple but profound recognition: **Africa's strong commitments to reproductive justice are being systematically undermined –not by accident, but by design.**

Africa today faces a stark choice. On one side stands this Commission's legacy, one of the most progressive human rights frameworks in the world. The African Charter, the Maputo Protocol, and the African Charter on the Rights and Welfare of the Child: these instruments affirm unequivocally that reproductive autonomy is inseparable from the rights to dignity, health, and equality. Article 14 of the Maputo Protocol, in particular, embodies a uniquely African consensus, rooted in ubuntu, that women must be empowered to make decisions over their own bodies.

On the other side stands a brutal reality: Colonial-era criminal codes still govern our bodies. Women and girls die from unsafe procedures while their governments cite "sovereignty" as justification for inaction.

But there is a third force at work—one we can no longer afford to ignore.

**Anti-rights actors, many backed by foreign funding and foreign ideologies, are now weaponizing the language of "African family values" to roll back the very rights this Commission has fought to establish. Let us be clear: *there is nothing African about letting women die from preventable causes. There is nothing traditional about colonial criminal codes written by European powers to control African bodies. There is nothing values-based about forcing children to carry pregnancies resulting from rape.***

**The rhetoric of "African values" is being deployed as a Trojan horse,** a calculated strategy to dismantle the Maputo Protocol, to justify reservations to Article 14, and to provide political cover for States that refuse to domesticate the very instruments they have ratified. These actors do not speak for Africa. They speak for an agenda that would return us to an era where women had no voice, no choice, and no recourse.

**True African values are found in ubuntu –in our communal ethic of care, in our recognition of human dignity, in our traditions of supporting women through all stages of life.** True African values are reflected in the Maputo Protocol, which 46 states have ratified because it represents our collective vision for gender justice. What is being peddled as "Tradition" is, in fact, a selective, distorted narrative designed to preserve patriarchal control and silence women's agency.

The Kampala Charter confronts this reality head-on. It is a demand for coherence, for justice, and for Africa to free itself from both colonial legacies and neo-colonial manipulation. **It is a demand for rigorous monitoring, documentation, and escalation to ensure State compliance with what already exists.**







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**We therefore call upon this Commission to:**

- Interrogate States maintaining criminal abortion laws during Article 62 reporting sessions and issue concluding observations that explicitly name non-compliance with General Comment No. 2, paragraphs 32 and 49.
- Revise State reporting guidelines to require detailed information on criminal laws affecting reproductive healthcare, prosecutions of women and providers, legislative reform timelines, and domestication barriers.
- Use the Article 55 communications procedure to address cases where criminalization has caused deaths, prosecutions, or denial of care, and issue urgent appeals under Rule 111 where violations of General Comment No. 2 are documented.

Honourable Commissioners, we cannot afford to wait. Every day of inaction costs African lives. Every day that colonial criminal codes remain on our books is a day we remain colonized. Every day that foreign-funded campaigns distort our fight for reproductive justice is a day we allow others to define our future.

Honourable Commissioners, the women and girls of Africa are looking to you. History will judge not by words spoken or frameworks drafted, but by lives saved and rights secured. This Commission has built a powerful legacy through the Maputo Protocol and General Comment No. 2. Now is the moment to ensure that legacy translates into lived reality for African women and girls. The frameworks exist. The path is clear. What remains is decisive action.

**The Kampala Charter** has charted the path forward. Afya na Haki and our allies stand ready to support this Commission in translating principle into practice, commitment into action, and the promise of the Maputo Protocol into the lived reality of African women and girls.

Thank you for your attention.

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