### List of Countries Which Have Signed, Ratified/Acceded to the Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa

**Liste des Pays qui ont signé, ratifié/adhéré Protocole à la Charte Africaine des Droits de l’Homme et des Peuples Relatif aux Droits de la Femme**

19/09/2023

<table>
<thead>
<tr>
<th>No</th>
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Total countries : 55
of signature : 49
of ratification : 44
of deposit : 44

Note
- Adopted in Maputo, Mozambique on 11 July 2003.
- Entered into force on 25 November 2005

ADDITIONALLY

RESERVATIONS AND DECLARATIONS ENTERED BY MEMBERS STATES ON THE PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND PEOPLES’ RIGHTS ON THE RIGHTS OF WOMEN IN AFRICA (2003)

Ethiopia

Reservations
1. The Federal Democratic Republic of Ethiopia does not consider itself bound by Article 6(c) of the Protocol.
2. The Federal Democratic Republic of Ethiopia does not consider itself to be bound by Article 6(d) of the Protocol that puts registration as a condition for recognition of marriage.
3. The Federal Democratic Republic of Ethiopia does not consider itself to be bound by Article 6(f) of the Protocol.
4. The Federal Democratic Republic of Ethiopia enters a reservation on article 7(a) of the Protocol that requires separation of spouses to be decided by judicial organs. The laws of Ethiopia that permit spouses to separate by agreement shall apply.
5. The Federal Democratic Republic of Ethiopia does not consider itself to be bound by Article 10(3) of the Protocol.
6. The Federal Democratic Republic of Ethiopia enters a reservation on Article 21(1) of the Protocol regarding the right of a widow to inherit her deceased spouse. The law of Ethiopia according to which spouses inherit each other if he/she is designated as a legatee by a will shall apply.
7. The Federal Democratic Republic of Ethiopia does not consider itself to be bound by Article 27 of the Protocol.

Declarations on the Protocol
1. Article 4 sub article 2(a) of the Protocol relating to the crime of rape shall be applied in accordance with Article 620 of the Criminal Code of Ethiopia.
2. Article 6(b) of the Protocol shall be applied in accordance with the family laws of Ethiopia that allows dispensation from the minimum age of marriage that is 18 years.
3. Article 6(j) of the Protocol shall be applied in accordance with the law of Ethiopia according to which income acquired during marriage is common property of the spouses and it is managed and disposed by their joint decision.
4. Article 7(d) of the Protocol that provides for the right of women to acquire equitable share from the common property in the marriage shall be applied in line with the laws of Ethiopia that provide for equal share of spouses on the common property.
5. Article 13(I) of the Protocol regarding the secondary responsibility of the private sector to contribute to the
The upbringing and development of children shall be applied in accordance with the laws of Ethiopia.

6. Article 14(b) of the Protocol in relation to the right of women to decide whether to have a child shall be applied based on the agreement of the spouses in the case of married women.

**Cameroon** entered the following declaration:

“The acceptance of the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in African should in no way be construed as endorsement, encouragement or promotion of homosexuality, abortion (except therapeutic abortion), genital mutilation, prostitution or any other practice which is not consistent with universal or African ethical and moral values, and which could be wrongly understood as arising from the rights of women to respect as a person or to free development of her personality.

Any interpretation of the present Protocol justifying such practices cannot be applied against the Government of Cameroon “.

**Kenya** entered the following reservations:

“The Government of the Republic of Kenya does not consider as binding upon itself the provisions of Article 10(3) and Article 14(2)(c) which is inconsistent with the provisions of the Laws of Kenya on health and reproductive rights.”

**Mauritius**

1. The Republic of Mauritius declares that it shall not take any legislative measures under 6(c) of the Protocol where these measures would be incompatible with provisions of the laws in force in Mauritius;
2. The Republic of Mauritius declares in relation to Article 9 of the Protocol that it shall use its best endeavors to ensure the equal participation of women in political life, in accordance with its Constitution;
3. The Republic of Mauritius declares that it shall not take any measures under Articles 4(2)(k), 10(2)(d) and 11(3) of the Protocol;
4. The Republic of Mauritius declares that it shall use its best endeavors to achieve the aims in Article 12(2) of the Protocol, in accordance with its Constitution, and the accession to the Protocol should not be regarded as an acceptance of positive discrimination by the Republic of Mauritius; and
5. The Republic of Mauritius declares that it shall not take any measures under Article 14(2)(c) of the protocol in relation to the authorization of medical abortion in cases of sexual assault, rape and incest whether the matter has not been reported to the police or where the pregnancy as exceeded its fourteenth week.

**Namibia** The Government of the Republic of Namibia has a reservation on Article 6 (d) of the Protocol, until legislation regarding the recording and registration of customary marriages is enacted.

**Rwanda** has a reservation on Article 14 (2) (c).

SADR has ratified with reservation as to the articles which contravene Islamic law and are incompatible with the Sahrawi Constitution and national:
- Article 2, paragraph (c).
- Article 6, paragraphs (a), (b), (c) and (e).
- Article 7, paragraphs (b) and (d).
- Article 8, paragraphs (d) and (e).
- Article 14, paragraph 1(a), (b), (c), and paragraph 2 (c).
- Article 19, paragraph (a)
- Article 21.

**South Africa** entered the following reservations/interpretative declarations:

**Reservations**
1. Article 4(j): does not find application in the Republic of South Africa as the death penalty has been abolished.
2. Article 6(d): South Africa does not consider itself bound by this Article that a marriage be recorded in writing and registered in accordance with national laws in order to be legally recognized.
3. Article 6(h): South Africa enters a reservation on this Article, which subjugated the equal rights of men and women with respect to the nationality of their children to national legislation and national security interests, on the basis that it may remove inherent rights of citizenship and nationality from children.

**Interpretative declarations**
1. Article 1(f): definition of “discrimination against women” in the Protocol has the same meaning and scope as provided for in and interpreted by the Constitution of South Africa from time to time.
2. Article 31: The South African Bill of Rights shall not be interpreted to offer less favorable protection of human rights than the protocol, which does not expressly provide for such limitations.

**Uganda** entered the following reservations:

1. Article 14(1)(a): In respect to the women’s right to control their fertility interpreted to mean; women entirely have the right to control their fertility regardless of their marital status.

2. Article 14(2)(c): interpreted in a way conferring an individual right to abortion or mandating a State Party to provide access thereto. The State is not bound by this clause unless permitted by domestic legislation expressly providing for abortion.

**Algeria**

Article 6

Article 7

Article 14