

African Union Convention on Ending Violence Against Women and Girls

(AUCEVAWG/ Convention)

Frequently Asked Questions

A critical analysis of the AU Convention on Ending Violence Against Women and Girls, examining its claims, gaps, and implications for women's rights across Africa.



1 *This is the first time that state obligations to end violence against women and girls have been comprehensively addressed in an international African legal instrument.*

FALSE

FACT

Comprehensive normative standards and state obligations in relation to **violence against women and girls (VAWG)** already existed within the **African Union (AU)** legal normative framework, most notably within the Protocol to the African Charter on People and Human Rights on the Rights of Women in Africa (**Maputo Protocol**) and the African Charter on the Rights and Welfare of the Child (**ACRWC**).

Key protections in the Maputo Protocol include:

- **Article 4:** state obligations to legislate against VAWG, prevent, prosecute and punish VAWG, protect those at risk and provide services and reparations;
- **Articles 2(1)(b), 2(2) and 5:** elimination of harmful practices;
- **Article 3(4):** state obligations to end sexual, verbal, and all other forms of violence against women and girls;
- **Article 4(2)(g):** Prevention and punishment of trafficking in women and girls;
- **Article 6(b):** prohibition of child marriage;



- **Article 8:** access to justice;
- **Article 11:** protection of women and girls in armed conflict from violence;
- **Article 12:** protection of girls from sexual harassment in educational institutions;
- **Article 13(c):** protection of women from sexual harassment in the workplace;
- **Article 22(b):** freedom from violence for elderly women; and
- **Article 23(b):** freedom from violence for women with disabilities.

Article 1, on definitions, already provides comprehensive definitions of **VAW, harmful practices, and discrimination against women.**

The ACRWC creates the following rights in relation to violence against children, amongst others:

- **Article 15:** freedom from economic exploitation;
- **Article 16:** protection against abuse and torture;
- **Article 21:** protection against harmful social and cultural practices, including child marriage;
- **Article 22:** protection in armed conflict and a prohibition on the recruitment of children to partake in hostilities,
- **Article 26:** protection against discrimination and apartheid;
- **Article 27:** protection against sexual exploitation; and
- **Article 29:** protection against the abduction, sale and trafficking of children.



2

This is the first stand-alone, dedicated Africa-wide Convention that addresses VAWG.

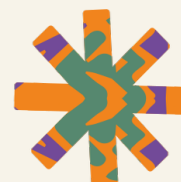


FACT

The adoption of CEVAWG represents a significant political milestone in the continent's collective efforts to address sexual and gender-based violence (SGBV). The adoption of a stand-alone regional instrument reflects a shared recognition among member states that VAWG remains pervasive across Africa, manifesting in domestic spaces, conflict and post-conflict contexts, migration settings, workplaces, and increasingly within digital environments/spaces.

However, in international law, what matters is the substantive content of the normative standards contained in a legal instrument rather than its form. Where the normative legal standards are weak or absent, it is immaterial whether they are included in a stand-alone SGBV/VAWG-specific Convention or as provisions within a treaty that addresses other protections in addition to SGBV.

In other words, comprehensive and substantive legal standards for ending SGBV/VAWG in a treaty that also contains other protections (e.g. the Maputo Protocol) is better than a stand-alone Convention with weak legal standards.



A stand-alone, dedicated Convention is a unique opportunity to provide specific rights protections implicated by SGBV and normative clarity on the nature and scope of state obligations to end VAWG*.

However, as explained throughout these FAQs, CEVAWG misses this specific opportunity to strengthen existing normative standards on VAWG. Therefore, being a stand-alone treaty in and of itself, is not an advancement.



*See, for example, the Council of Europe Convention on preventing and combating violence against women and domestic violence, also known as “the Istanbul Convention” 2011 accessed at <https://www.coe.int/en/web/istanbul-convention>, ; Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women (Belem do Para Convention) 1994 accessed at https://belemndopara.org/cim_mesecvi/about/.

3

This is the first legally binding instrument that creates state obligations on ending VAWG in Africa.

FALSE

FACT

There are existing AU standards that create clear, legally binding state obligations to end VAWG, including the Maputo Protocol (Articles 1-5, 8, 11-13, 22-23), the African Charter (Article 18(3)) and the ACRWC (Articles 15-16, 21-22, 26-27 and 29). Therefore, at the AU level, this is not the first legally binding instrument to create state obligations to end VAWG.

In addition, at the sub-regional level, the Southern African Development Community (SADC) Protocol on Gender and Development (Part six) and the Economic Community of West African States (ECOWAS) Supplementary Act Relating to Equality of Rights Between Women and Men for Sustainable Development in the ECOWAS Region (Chapter VII), provide comprehensive protections against SGBV.



4

The CEVAWG is a stronger legal instrument than the Maputo Protocol because it is a stand-alone Convention addressing VAWG, while the Maputo Protocol is only a Protocol to the African Charter on Human and Peoples' Rights (African Charter).

FALSE

FACT

This is a misconception. Both CEVAWG and the Maputo Protocol are treaties with equal binding legal force which require African governments to ratify them independently. The difference is that to ratify the Maputo Protocol, a state must be a party to the African Charter. The African Charter enjoys almost universal ratification with 54 of 55 African states having ratified it, with the exception of Morocco.



5

Is the Convention a survivor-centred instrument?

NOT ENTIRELY

FACT

The Convention breaks new ground by obligating state parties to prioritise ‘a victim-centred approach’ to preventing and responding to VAWG (Article 6(b)). Article 1(j) of the Convention defines this approach as ‘putting the rights and dignity of victims, including their well-being and safety, at the centre of all efforts to prevent and respond to violence against women and girls, without any discrimination’. Although use of ‘survivor’ or ‘victim/survivor’ would have been ~~preferable~~, in keeping with feminist and trauma-informed approaches that emphasise agency, resilience, and autonomy rather than victimhood, the inclusion of a binding obligation to adopt an approach that centres victims and survivors is, nonetheless, significant. It aligns, at least in part, with evolving international standards on survivor-centred responses, including those articulated in CEDAW General Recommendation 35 (para. 28) and UN Security Council Resolution 2467 (para. 16).

However, the Convention falls short of being fully survivor-centred. Survivors and their formal and informal groups, networks, and movements were not meaningfully consulted during the treaty negotiation process.

The Convention also does not consistently foreground survivors’ autonomy, informed consent, participation in decision-making, or leadership in the design, implementation, and evaluation of laws, policies, and services.



6

This Convention is the result of, and builds on, decades of feminist advocacy work in Africa

FALSE

FACT

While CEVAWG comes after many years of sustained advocacy efforts by human rights defenders, Civil Society Organisations (CSOs) and other grassroots movements, many CSOs, African citizens, feminist activists and human rights defenders who actively engage in efforts to end SGBV were surprised by the announcement that the AU had adopted CEVAWG.

In August 2025, a coalition of women's rights organisations and civil society partners working to end violence against women and girls conducted a survey of over **1,500 CSOs** across Africa*. The results revealed that only **33%** were aware that the Convention was being developed, while **93%** reported not having been engaged or consulted in the process.

This demonstrates that the extent of consultation carried out was far narrower than it should have been, falling short of the broad, inclusive, and participatory approach required for the legitimacy of such a treaty. The survey also found that most CSOs were not aware of the call or advocacy that led to the AU to adopt the resolution to start negotiating the treaty. Participatory legitimacy is essential in order for CEVAWG to represent the voices of women and girls on the continent, the very groups the Convention seeks to protect.

*The survey was conducted during a series of webinars in English, French and Arabic organized by Akina Mama Wa Afrika, initiative for Strategic Litigation in Africa and Fos Feminista between August and September 2025.



The history of the development of the Convention is also unclear. Save for the initial draft from South Africa when it held the chair of the AU in 2020, there are no publicly available preparatory works (travaux préparatoires) or publicly available reports on the consultation process that led to its development. Copies of the draft Convention were not made public during the drafting process and there was limited engagement with the draft treaty text at any point during the drafting process. Those who were consulted in closed-door meetings have reported that they were not allowed to leave with copies of the draft eConvention under discussion because there was a fear that anti-rights actors might infiltrate the process.

Between September and December 2024, a consultation platform on CEVAWG was available on the **NEPAD citizen engagement platform**. The survey sought to gather insights on what the treaty should contain. The call to participate in the survey was mainly circulated among institutions with access to the AU machinery, excluding many national-level and grassroots organisations and experts without such access and affiliation.

The Maputo Protocol, in contrast, was drafted from a broad-based consultative approach between the AU organs that included women's rights organisations and CSOs from the grassroots, national, regional and international levels, including negotiations of multiple drafts of the treaty text*. However, negotiation of this Convention was led primarily by the AU Chairpersons as Positive Masculinity Champions; the AU Special Envoy on Women Peace & Security; AU Women, Gender and Youth Directorate and the African Women Leaders Network with little to no wide consultations and engagement with various stakeholders.

*For example, there are multiple versions of the draft Maputo Protocol which evidences how the text of the treaty evolved through the negotiation process. See the Nouakchott Draft 1997 : Expert Meeting on the Preparation of a Draft Protocol to the African Charter on Human and Peoples' Rights Concerning the Rights of Women, Nouakchott, Islamic Republic of Mauritania, 12–14 April 1997); Kigali Draft: Draft Protocol to the African Charter on Women's Rights, 26th ordinary session of the African Commission on Human and Peoples Rights 1-15 November 1999 Kigali, Rwanda (Kigali Draft); 2001 Addis Ababa Draft : Report of the Meeting of Experts on the Draft Protocol to the African Charter on Human and Peoples' Rights on the rights of Women in Africa, Expt/Prot.Women/Rpt(I), Addis Ababa, Ethiopia, November 2001 (Report of the Meeting of Experts) in 2001; Draft with Comments by the NGO Forum, CAB/LEG/66.6/Rev.1. January 2003; and March 2003 Addis Ababa Draft: Draft Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, MIN/WOM. RTS/DRAFT.PROT(II)Rev.5, as adopted by the Meeting of Ministers, Addis Ababa, Ethiopia, 28 March 2003.

7

The Convention provides a more comprehensive and clear definition of VAWG than other legal instruments within the African Human Rights system.

FALSE

FACT

Save for the introduction of cyberspace as a new area for VAWG and femicide as a new form of VAWG, the definition of VAWG in CEVAWG does not expand on the existing rights or definitions contained in the Maputo Protocol. Importantly, CEVAWG fails to locate VAWG within its structural context and to provide substantive content to the rights of women and girls to be free from all forms of violence. Articles 2 (right to live free from violence) and 3 (scope) of CEVAWG, which should form the normative backbone of the Convention, do not clearly identify violence against women and girls as a violation of the right to equality and non-discrimination. Nor do they specifically link the right to be free from violence with other substantive rights, such as the rights to life, dignity, health, liberty, and security of person (African Charter on Human and Peoples' Rights, Arts. 4, 5, and 6; Maputo Protocol, Art. 4). In addition, CEVAWG conflates "women and girls", diluting the distinct protections due to each group. Article 21 of the ACRWC obliges states to prohibit child marriage and betrothal and to set the minimum age of marriage at 18. CEVAWG neither reaffirms this obligation nor adopts the ACRWC's explicit language of prohibition and sanction, effectively blurring the lines between child-specific and adult-specific protections. There is also no mention in the Convention of widespread forms of VAWG, including FGM, honour killings, conflict-related sexual violence, killings of sex workers, witchcraft-related murders, intimate partner violence, and Sexual Orientation, Gender Identity and Expression (SOGIE)-based violence, all of which are widely recognised as human rights violations.

8

Does the Convention set new benchmarks and advance existing legal standards on the protection of women and girls from violence in Africa?

NOT SUBSTANTIVELY

FACT

Although the Convention names and defines emerging forms of violence such as violence in cyberspace (Article 1(b)) and femicide (Article 1(d)), the definitions are narrow and limited in scope. The Convention also does not include any state obligations to address cyberspace violence and femicide.

Cyberspace

the reference to violence in cyberspace is not situated within the wider framework of technology-facilitated gender-based violence (TFGBV), which encompasses a wider range of abuses that disproportionately affect women and girls.

Femicide

the focus on femicide is underdeveloped, as it fails to capture the structural and systemic drivers of gender-related killings of women and girls, which require a more comprehensive framework that addresses prevention, accountability and state responsibility.

Further, the Convention excludes widespread forms of VAWG in the African context, such as Female Genital Mutilation (FGM), child marriage and conflict-related sexual violence.





Some positive advancements include the following:

- The Convention embraces positive masculinity and the role of men and boys in ending VAWG (Articles 1(h) and 4(b));
- It calls on States to foster a coordinated approach to ending VAWG (Articles 4(a) and 13);
- It recognises the need to protect women and girls from violence in the workplace (Articles 8-9);
- It acknowledges the key role of women and girls human rights defenders and women's organizations in preventing and responding to VAWG and affirms states' responsibility to protect and engage with them (Articles 1(m) and 11(2));
- It recognises access to justice and state obligations to strengthen laws to criminalise VAWG, ensure justice, protection, and support services for survivors, promote education and awareness and allocate resources for enforcement.

While the Convention articulates these important issues that are necessary to end VAWG, much of this content is not framed as legal entitlements or rights, but as objectives, principles, guidelines or strategies.

9

Does the Convention complement existing human rights frameworks?

NO

FACT

CEVAWG misses a unique opportunity to align, complement and strengthen existing human rights standards on SGBV/VAWG, including the AU Charter and the Maputo Protocol, as well as other existing international human rights standards.

It fails to do so by:

- Providing a comprehensive framing of the right to be free from violence, linked to the spheres or contexts in which this violation occurs. Contrary to existing standards, it adopts a fragmentary approach that separates the substantive right to be free from violence from the spheres and contexts in which it occurs – whether in public or private.
- Failing to specifically provide for human rights that are implicated by VAWG, such as the right to life, integrity, security, life, health, dignity, freedom from cruel, inhuman and degrading treatment, among others.
- Failing to comprehensively articulate the nature and scope of state obligations. It does not frame state obligations to end VAWG within the well-established framework of due diligence state responsibility to prevent, protect, prosecute, punish and provide adequate remedy for SGBV/VAWG. The Convention frames state obligations in a few thematic areas (SGBV/VAWG), which fail to comprehensively capture the full and robust range of state obligations in the context of VAWG. This limits the convention's ability to substantively cover all critical aspects of state obligations that would apply across all contexts of VAWG, including those that may not have been specifically mentioned, such as conflict-related SGBV. This failure is contrary to legal normative developments, which have clearly articulated the nature and scope of state obligations, including the Maputo Protocol and the African Commission on Human and Peoples' Rights Guidelines on Addressing Sexual Violence Against Women (Niamey Guidelines).

The Convention misses the opportunity to develop normative standards consistent with the jurisprudence of the ACHPR, the African Court of Human and Peoples' Rights, and the African Committee of Experts on the Rights and Welfare of the Child.

For the complete comparative analysis between the Maputo Protocol and CEVAWG

<https://aucevawg.org/maputo-protocol-vs-au-convention-pdf/>



10

Does the Convention strengthen accountability and implementation mechanisms?

NO

FACT

The Convention entrenches the implementation gaps that exist in the African Human Rights System, specifically:

Article 14 of the Convention designates the African Commission on Human and Peoples' Rights (Commission) as the implementing/monitoring mechanism. While this may appear procedurally consistent with the African human rights system, it presents substantial challenges. The Commission continues to face serious institutional weaknesses, particularly its restrictive interpretation of Article 59(1) of the African Charter, which enforces blanket secrecy on decisions and pleadings. This practice severely undermines transparency, limits access to justice and excludes victims from meaningful participation in holding governments accountable for gender-based violence.

Instead of addressing and strengthening the implementation framework, the Convention entrenches existing access to justice challenges by re-establishing limitations on access to the African Court by virtue of Article 34(6) of the African Court's Protocol (which requires states to deposit a declaration before individuals and CSOs can access the African Court to vindicate their rights). Further, it entrenches the system that requires or expects the Commission to refer cases to the African Court. Yet in practice, the Commission has only ever referred two instances of SGBV-related cases in the 19 years of the African Court's existence.

11

Is the Convention well placed to strengthen existing national legal frameworks on VAWG?

NO

FACT

The substantive weaknesses and legal uncertainty of the Convention make it weaker than most national legal frameworks on SGBV/VAWG. While an international treaty should set a high standard of progressive legal norms and clarity for national legal frameworks to aspire to, CEVAWG is likely to fall short of existing national legal standards.

- A majority of African countries have adopted progressive laws on ending SGBV. Platforms and research that map the trajectory of SGBV laws in Africa show a steady strengthening of SGBV laws in line with human rights standards.* For example, the Ibrahim Index of African Governance (IIAG) 's most recent 2024 index on Women's Equality in Africa shows that "Laws on violence against women" was the most improved indicator in the Women's Equality sub-category and the second most improved across the entire IIAG*. This shows countries' increasing commitment to strengthen laws as a way of protecting women and girls from SGBV.

*For example, platforms such as [Mo Ibrahim Index on Women's Equality](#); [Afrobarometer](#); [the UN Women Global Database on Violence against Women and Girls](#); [Social Institutions and Gender Index](#) See also evidence from research such as: Kageyama, M., Verani, A., Patel, P., Hegle, J. and Saul, J., 2023. Gender-based violence laws in ten African countries with high HIV prevalence and incidence among adolescent girls and young women. UC Davis journal of international law & policy, 29(2), p.59. ; Tripp, A.M., 2010. Legislating gender-based violence in post-conflict Africa. Journal of Peacebuilding & Development, 5(3), pp.7-20; Center for Reproductive Rights, Gender-Based Violence Laws In Sub-Saharan Africa, 2007.

*Mo Ibrahim Index of African Governance(IIAG) n 4 above.

- State practice in Africa shows that many governments report their attempts to fulfill their obligation under article 4 of the Maputo Protocol on VAWG fundamentally through enactment of laws*. Beyond substantive laws, many countries have strengthened their administrative and coordination measures for SGBV such as national action plans, strategies, or multi-sectoral guidelines to implement practical measures for preventing or responding to VAWG, for example Liberia, Zimbabwe, South Africa, Côte d'Ivoire and Eswatini*. Several states have set up mechanisms such as multi-sectoral agencies, inter-ministerial committees and special national agencies to coordinate the fight against VAW, SGBV one-stop centers and networks for providing support services for victims/survivors of SGBV/VAWG.

Despite these developments, there are legal barriers that have proven resistant to legal reform, such as marital rape, which remains exempted in many legal frameworks within Africa, acontextual definitions of consent in sexual violence cases which shift the evidential burden to the victim, and the increasing emboldened efforts to regress legal protections against harmful practices such as FGM*. CEVAWG missed an opportunity to provide authoritative legal normative clarity to guide Africa on such legal barriers. Evidence shows that the persisting challenge is not primarily weak laws but the lack of effective implementation mechanisms to move VAWG legal standards from law on paper (de jure) to rights in reality (de facto)*. As question 9 above shows, CEVAWG missed an opportunity to close the implementation gaps and strengthen the monitoring mechanism for VAWG in Africa.



*See analysis of state practice on GBV/VAWG from state reports on the African Charter and the Maputo Protocol as well as subsequent Concluding Observations and Recommendations by the African Commission on Human and People's Rights in Nekura Ruth, Article 4 'The rights to life, integrity and security of the person' in The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa: a commentary edited by Annika Rudman, Celestine Nyamu Musembi & Trésor Muhindo Makunya, 2023

*Ibid.

*See, for example, contestations over the FGM law in The Gambia: The Africa Report, Sheriff Bojang [The Gambia: Parliament upholds FGM ban but concerns over enforcement remain July 2024](#); and in Kenya's context: Daily Nation, Agatha Gichana [Dr Tatu Kamau: Give adult women choice of getting circumcised](#), December 2022; Kamau v Attorney General & 2 others; Equality Now & 9 others (Interested Parties); Katiba Institute, KELIN and ISLA (Amicus Curiae)

*What Works, Evidence Hub accessed at <https://www.whatworks.co.za/resources>; UN Women [Virtual Knowledge Center](#) to End Violence against women and girls ; Manjoo R 'Gaps and Challenges in State Responses in the Quest to Eliminate Violence Against Women, in Comparative Perspectives on Gender Violence: Lessons from Efforts Worldwide eds Goel and Goodmark, 2015; Anyidoho, N.A., Crawford, G. and Medie, P.A., 2021. The role of women's movements in the implementation of gender-based violence laws. Politics & Gender, 17(3), pp.427-453;

12

Does the Convention provide a comprehensive definition of femicide and steps towards its prevention?

NO

FACT

The explicit reference to femicide in CEVAWG (Articles 1(d) and 11(b)(i)) represents normative progress. By naming it, the Convention acknowledges that the killing of women and girls is not an isolated act but the culmination of structural gender inequality. This recognition marks a departure from the silence of earlier African instruments that subsumed such killings under “violence against women.” However, CEVAWG’s definition of femicide is narrow and fails to reflect the range of gender-related killings prevalent in African contexts. The definition omits critical categories such as honour killings, conflict-related killings, killings of sex workers, deaths arising from harmful practices, witchcraft-related murders, intimate partner killings, and SOGIE-based killings. These omissions obscure the continuum between gender discrimination and lethal violence, limiting the Convention’s ability to serve as a transformative legal instrument. Without recognising femicide as part of a broader system of control, CEVAWG risks treating it as an exceptional act rather than the most extreme manifestation of gender-based oppression and VAWG. Moreover, the Convention does not provide clear state obligations with regard to femicide.



13

Does the Convention provide protection against harmful practices against women and girls?

YES, BUT NOT SUBSTANTIVELY

FACT

The Convention defines harmful practices (Article 1(g)) but fails to substantively address their scope and systemic nature. While CEVAWG makes general reference to harmful practices, it omits explicit mention of FGM — a striking silence given its prevalence and long-standing recognition as a gross human rights violation in Africa. This omission represents a regression from the Maputo Protocol (Article 5), which unequivocally prohibits FGM, mandates states to criminalise it, and frames such acts as violations of women's dignity and bodily integrity. The absence of FGM from CEVAWG weakens the legal and moral clarity previously established by regional consensus and signals retreat from a firmly held African position that FGM is incompatible with human rights. Harmful practices must be treated as structural and systemic, not cultural anomalies. In many African contexts, FGM, child marriage, widowhood rites, and other practices are embedded within patriarchal systems that regulate women's sexuality, bodily autonomy, social worth, and participation in society. CEVAWG's lack of substantive provisions on harmful practices represents a missed opportunity to build on the stronger normative framework established by the Maputo Protocol.



14 *Does the Convention address plural legal systems?*

NO

FACT

The Convention does not provide normative guidance on how states should navigate plural or intersecting customary, religious and statutory legal systems, even though it acknowledges the influence of African customs and traditions in shaping responses to violence against women and girls. This is another missed opportunity.

In the context of prevention, the Convention acknowledges that African customs, tradition and religion can influence the perpetration of violence against women and girls. Under its guiding principles (Article 6) CEVAWG calls on states to promote aspects of African culture and norms which encourage patterns of conduct that do not perpetuate women's and girls' vulnerability to violence, including femicide.

However, the convention does not provide normative standards on how African states can navigate plural legal systems to strengthen SGBV/VAWG prevention and response. While the Convention centers African values, customs, tradition and culture, it does not provide conceptual clarity for these ideas, which poses a risk because these frameworks may be used to justify SGBV including harmful practices.



The Convention also fails to explicitly acknowledge gender transformative measures as the normative standard for preventing VAWG*. Although the Convention's Preamble recognises the interconnectivity between VAWG and various forms of inequality and discrimination, the Convention does not clearly elaborate obligations that go beyond awareness raising and address root causes of VAWG including gendered power dynamics and structural inequalities. Instead, the lack of normative standards may reinforce dangerous narratives and stereotypes because it is unclear who determines what aspects of African culture and norms are appropriate.



* Approaches limited to awareness-raising or attitude change alone are ineffective, gender-transformative norm change as essential for prevention. Failure to address root causes (Ex, power imbalances, patriarchal norms, and unequal economic relations) leads to superficial interventions that do not reduce violence and may unintentionally entrench harmful stereotypes. See; UN Women — “A Framework to Underpin Action to Prevent Violence Against Women” (2020), WHO, UN Women, UNFPA — “RESPECT Women: Preventing Violence Against Women” (2019), UNFPA — “Addressing GBV Through Gender-Transformative Approaches” (2017), and African Union — “AU Strategy for Gender Equality & Women’s Empowerment 2018–2028”.

15

Does the Convention address plural legal systems?

FACT

The Convention's reference to the family as the "natural and fundamental unit of society" (Article 1(c)) is consistent with earlier human rights texts such as the Universal Declaration of Human Rights (1948, Art. 16). However, CEVAWG departs from feminist legal developments that challenge the patriarchal and exclusionary assumptions historically embedded in this concept. It leaves the definition of "family" to states, thereby allowing restrictive national interpretations that exclude non-traditional families such as women-headed households, same-sex partnerships, and extended kin networks. It ignores the reality that domestic spaces are often sites of violence against women and girls. This risks reinforcing patriarchal and exclusionary legal frameworks under the guise of sovereignty and culture.

This approach conflicts with Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) General Recommendation 21 (1994, para. 13), which recognises that unequal power relations within families perpetuate discrimination and violence, and with General Recommendation 29 (2013), which emphasises protecting women's rights in all forms of family relations, including de facto unions. By idealising the family as a site of harmony, CEVAWG overlooks the empirical reality that many forms of violence against women such as intimate partner violence, marital rape and dowry-related abuse occur within domestic settings.



16

Does the Convention establish coordination between many stakeholders?

NOT EXPLICITLY

FACT

Article 13 creates obligations for states to foster collaboration and cooperation with multiple stakeholders, engage in programs to end VAWG, and undertake bilateral and multilateral cooperation. This is an important provision because it provides a legal basis for institutionalising collaboration and multisectoral coordination frameworks to address SGBV/VAWG.

However, the language of the provision is weak and non-binding. The obligation to “foster” may mean efforts to “encourage” or “promote” which is a weaker standard than to “establish”. The provision lacks specificity about how coordination should be structured, funded, monitored, and enforced, which creates a risk that such collaboration may lack institutional power, political commitment, funding and accountability structures. Although the Convention creates obligations with regard to a “victim-centred approach” (Article 6(b)) and recognises the important role played by women and girl human rights defenders and women’s organisations in initiatives to end VAWG (Article 11(2)), it does not clearly require states to ensure their meaningful participation, nor does it provide measures to ensure their safety during such engagement.



17

How does the Convention protect the rights of women and girls who identify as gender diverse or as LGBTQI+?

IT DOES NOT

FACT

The Convention is silent on gender diverse persons and LGBTQI+ rights and adopts definitions of “women” and “girls” that are linked to biological sex (Articles 1(f) and (l)). In doing so, it fails to protect women and girls against violence related to sexual and gender identity.



18

Is this Convention fit for purpose?

NO

FACT

The Convention is not fit for purpose because its substantive weaknesses will significantly inhibit it from achieving its intended objective of ending all forms of violence against women and girls.

- CEVAWG is a regression from existing State obligations on VAWG: it fails to provide for the nature and scope of state obligations in alignment with the Maputo Protocol and existing international law standards.
- CEVAWG lacks a protection and accountability framework: while the Convention articulates important issues that are necessary to end SGBV/VAWG, much of this content is not framed as legal entitlements, but as objectives (article 4) or principles (article 6). It lacks clear legal entitlements, rights and clear state obligations that are framed in peremptory language.
- CEVAWG fails to create normative standards on gender-based discrimination as the root cause of SGBV/VAWG and the underlying structural drivers of such violence.
- CEVAWG has a weak structure and form that is inconsistent with treaty making which weakens the normative standards. Various CEVAWG provisions read like guidelines, national strategy/ action plan or policies.



- CEVAWG is not responsive to context: Although it names and defines emerging forms of violence such as violence in cyberspace and femicide, they are narrow and conceptually limited. For instance, the reference to violence in cyberspace is not framed within the comprehensive manifestation of Technology Facilitated Gender-Based Violence (TFGBV), which encompasses a wider range of abuses that disproportionately affect women and girls in the digital space. Similarly, the focus on femicide is underdeveloped, as it fails to capture the structural and systemic drivers of gender-related killings of women and girls which require a more comprehensive framework that addresses prevention, accountability, and state responsibility. Further, the convention excludes widespread forms of SGBV/VAWG in the African context such as such as FGM, child marriage and conflict-related sexual violence. The Convention is not responsive to the specific vulnerabilities of the girl child. These gaps show that the CEVAWG is not responsive to the lived realities of how African women and girls experience SGBV.
- CEVAWG contains language and framing that is often advanced by anti-rights actors to derogate from human rights protection in the fight to end SGB/VAWG. For example, centring “African values” without providing conceptual clarity is dangerous because this framing has historically been used to justify certain forms of SGBV/VAWG.



19

Any gaps within the Convention can be resolved through the safeguard clause (Article 15)

FALSE

FACT

While Article 15 (safeguard clause) is often presented as a corrective safeguard, it cannot cure the structural and normative weaknesses of the Convention itself. The safeguarding clause is open for interpretation and interpretation is contingent, political, and institution-dependent. If the law is weak, unclear, or regressive in its design, a saving clause cannot transform it into a strong and enforceable instrument. This has already been evidenced in the interpretation of the Maputo Protocol. Ambiguity does not self-correct; it must be litigated, clarified, and often contested over years. A clear legal framework against VAWG allows for legal certainty and justiciable rights that are not dependent on the institution interpreting the right. For this reason, a pause in ratification pending amendment is the preferred approach over reliance on the safeguarding clause.



20

Does criticism of the Convention signal rejection of the AU's efforts to end VAWG?

NO

FACT

Criticism of the Convention does not signal rejection of the AU's efforts to end VAWG. On the contrary, critical engagement is a reflection of deep investment in the success, legitimacy, and transformative potential of the Convention. Constructive criticism can help ensure that the Convention fully reflects international human rights standards, established treaty drafting principles, and the lived realities of women and girls across the African continent.





We therefore call for a pause of the ratification process, pending revision, to ensure that CEVAWG, in its entirety, is fit for purpose.

For more information visit:
www.aucevawg.com

or scan here

