

African Union, African Regional Bodies

## African Union Convention on Ending Violence Against Women and Girls

Legislation as at 16 February 2025

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PDF created on 11 June 2025 at 13:29.

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FRBR URI: /akn/aa-au/act/convention/african-union/2025/ending-violence/eng@2025-02-16

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African Union

# African Union Convention on Ending Violence Against Women and Girls

[Published on 16 February 2025](#)

**Assented to on 16 February 2025**

**Commencement date unknown**

*[This is the version of this document from 16 February 2025.]*

**WE, THE HEADS OF STATE AND GOVERNMENT OF THE MEMBER STATES OF THE AFRICAN UNION:**

**RECALLING** the Constitutive Act of the African Union, the African Charter on Human and Peoples' Rights, and its Protocols, including the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, the African Charter on the Rights and Welfare of the Child, the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, and the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa;

**RECALLING FURTHER** declarations, resolutions, and decisions of the Assembly of Heads of State and Government, the Executive Council, the African Union Peace and Security Council, the African Commission on Human and Peoples' Rights, and the African Court on Human and Peoples' Rights, and taking note of other African Union initiatives and commitments on gender equality and ending violence against women and girls;

**RECALLING** Decision Assembly/AU/Dec.865(XXXV), adopted by the 36<sup>th</sup> Ordinary Session of the Assembly of Heads of State and Government, held in Addis Ababa, Ethiopia, from 18 to 19 February 2025, whereby the Assembly requested Member States, supported by the African Union Commission, to negotiate an African Union Convention on Ending Violence Against Women and Girls;

**AFFIRMING FURTHER** the African Union Agenda 2063, the Solemn Declaration on Gender Equality in Africa, and the African Union Strategy for Gender Equality and Women's Empowerment (2018-2028);

**ACKNOWLEDGING** global, continental, and regional instruments on gender equality, non-discrimination, and ending violence against women and girls, as well as the continuous efforts of African countries to end violence against women and girls;

**CONVINCED** that violence against women and girls results from systemic, multiple, and interconnected forms of inequality and discrimination, including unequal power relations between men and women, which continue to impact and affect women and girls in Africa;

**AWARE** that violence against women and girls manifests in different forms, including femicide, and occurs in public and private spheres, and in cyberspace, in times of peace, armed conflict, transition, post-conflict, disaster and post-disaster situations, and may constitute a violation of international humanitarian law;

**CONCERNED** that violence against women and girls is a violation of their human rights and fundamental freedoms, and prevents their enjoyment of such rights and freedoms in all spheres of life, including undermining the achievement of holistic and sustainable development;

**NOTING** the inter-generational and evolving nature of violence against women and girls in Africa and its interconnection with multiple forms of inequality and discrimination relating to race, ethnicity, nationality, age, disability, marital and socio-economic status, geographic location, and religion;

**ACKNOWLEDGING** the importance of initiatives on positive masculinity and the role of men and boys in promoting gender equality and preventing, responding to, and ending violence against women and girls;

**BEING AWARE** that, in general, violence against women and girls continues unabated in Africa, despite the existence of global, continental, and regional instruments;

**FIRMLY CONVINCED** that all forms of violence and discrimination against women and girls must be condemned and ended;

**HAVE AGREED AS FOLLOWS:**

## **Article 1 – Definitions**

For the purpose of this Convention:

- a) **“Court”** means a court of competent jurisdiction;
- b) **“Cyberspace”** means a digital medium of communication and interaction of global or interconnected systems;
- c) **“Family”** means a natural and fundamental group or unit of society as defined or provided for by a State Party;
- d) **“Femicide”** means the killing of women and girls because of their gender, including killings by intimate partners, members of a family, or a community;
- e) **“Gender”** means the roles, duties and responsibilities that are culturally or socially ascribed to a particular gender;
- f) **“Girl”** means a female person below the age of 18 years;
- g) **“Harmful Practices”** means all behaviour, attitudes, and practices that negatively affect the rights of women and girls to live free from all forms of violence and enjoy their human rights and fundamental freedoms;
- h) **“Positive Masculinity”** means a societal approach that develops transformed mindsets, behaviors, and attitudes among men and boys, to respect, promote, and protect the rights and empowerment of women and girls, including equality non-discrimination, non-violence, conflict resolution, and healthy relationships with women and girls;
- i) **“Safe Home”** means a place or a centre that provides shelter, care, protection, and support services for the safety of victims;
- j) **“Victim-Centred Approach”** means 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;
- k) **“Violence Against Women and Girls”** means all acts perpetrated against women and girls that cause or could cause them verbal, emotional, physical, sexual, psychological, or economic harm, including the threat to take such acts, or to undertake the imposition of arbitrary restrictions on, or deprivation of, fundamental freedoms in the private and public spheres, or in cyberspace, in times of peace, armed conflict, transition, post-conflict, disaster, and post-disaster situations;
- l) **“Women”** means a female person of 18 years of age and above; and
- m) **“Women and Girls Human Rights Defender”** means a national of a State Party who, individually or in association with others, acts or seeks to promote, realise, and protect human rights and fundamental freedoms, at the local, national, regional, and international levels.

## **Article 2 – Right to live free from violence**

Every woman and girl has the right to be free from all forms of violence, which right is indivisible from and interdependent with other human rights and fundamental freedoms.

### **Article 3 – Scope**

This Convention shall apply:

- a) to all forms of violence against women and girls, in public and private spheres, and in cyberspace; and
- b) in times of peace, armed conflict, transition, post-conflict, disaster, and postdisaster situations.

### **Article 4 – Objectives**

The objectives of this Convention are to:

- a) prescribe an enabling environment for ending violence against women and girls by establishing and strengthening coordination mechanisms among government agencies, civil society organisations, and international partners to ensure:
  - i. a holistic and coordinated response to violence against women and girls, through the provision of integrated services for victims and survivors; and
  - ii. systematic collection and use of gender-disaggregated data on violence against women and girls, including by age, to inform normative and policy-making measures, monitoring, and evaluation.
- b) provide preventive measures to end violence against women and girls by ensuring the participation of boys, girls, men, and women from families, communities, cultural, and religious institutions, in changing negative norms and harmful practices to promote gender equality and women’s empowerment in all aspects of development.
- c) provide comprehensive support services to victims and their families, including:
  - i. emergency services for victims and their families; and
  - ii. counselling and therapeutic programmes for victims and perpetrators.
- d) enhance enforcement mechanisms relating to health, social welfare, and the justice system to effectively respond to cases of violence against women and girls.

### **Article 5 – State obligations on ending violence against aomen and girls**

States Parties shall:

- a) enact and enforce laws that fight all forms of violence against women and girls in the private and public spheres, and in cyberspace;
- b) ensure that the criminal justice system is designed to provide effective forensic, case management, prosecutorial, and legal services to victims;
- c) conduct periodic censuses and surveys to inform the development of judicial and administrative policies that support evidence-based laws, plans, and strategies to end all forms of violence against women and girls; and
- d) use gender-responsive budgeting to implement this Convention.

### **Article 6 – Guiding principles**

The following principles shall guide States Parties in the interpretation, implementation, reporting, and enforcement of this Convention:

- a) the human rights and fundamental freedoms of women and girls shall be respected and upheld;

- b) a victim-centred approach shall be prioritised in ensuring access to justice, preventive and protective support services, and the provision of comprehensive healthcare, legal, educational, and other services;
- c) multistakeholder and bottom-up approaches shall be adopted to prevent and effectively address the causes of violence against women and girls, and to develop sustainable and inclusive solutions that empower and protect women and girls;
- d) equality of opportunity and equal application of the law shall be guaranteed to all women and girls, irrespective of background, status, age, ethnicity, religion, language, or disability; and
- e) positive masculinity and African values and norms shall be promoted and used to prevent and eradicate all forms of violence against women and girls.

### **Article 7 – State obligations on multiple and interconnected factors that exacerbate violence against women and girls**

1. States Parties shall take cognisance of the increased risk experienced by women and girls who face multiple forms of vulnerabilities, including but not limited to disability, health-related shocks, displacement, widowhood, and old age, in times of peace, armed conflict, transitional justice processes, post-conflict, and post-disaster situations.
2. Towards fulfilment of their obligations in paragraph 1 of this Article, States Parties shall:
  - a) adequately address, among others, the physical, psychological, social, healthcare, economic, security, rehabilitation, and reparation needs of victims;
  - b) ensure that women and girls have the right to be treated with dignity and respect and be protected from all forms of violence;
  - c) take measures to protect the rights of older women from all forms of violence and discrimination;
  - d) ensure special protection for women and girls who are stateless, internally displaced, asylum-seekers or refugees, by providing access to essential protective, preventive, legal and judicial services;
  - e) enact and enforce national laws specifically protecting women and girls with disabilities from all forms of violence, discrimination, and exploitation, and provide them with holistic and tailored support services; and
  - f) ensure the accountability of perpetrators of violence against women and girls, whether committed by State or non-State actors.

### **Article 8 – State obligations to end violence against women in the world of work**

States Parties shall:

- a) prohibit all forms of violence against women in the world of work;
- b) ensure that women have access to a safe and enabling work environment;
- c) undertake measures and programmes for the protection of women in the formal and informal economy, and in cyberspace, from all forms of violence; and
- d) promote appropriate labour practices, including equal pay for work of equal value, paid maternity and paternity leave, access to equal opportunities, skills development, access to childcare and other facilities, and equitable representation in leadership.

## **Article 9 – State obligations to protect girls in the world of work**

States Parties shall, in accordance with their national laws:

- a) protect girls from harmful labour practices and all other forms of violence;
- b) eliminate factors that compel girls to undertake harmful work;
- c) conduct surveys and reviews to assess the progress made towards ending violence against girls in the world of work.

## **Article 10 – Preventive measures**

States Parties shall:

- a) enact laws and adopt policies relating to all forms of violence against women and girls and put in place preventive and support measures and services that ensure:
  - i. women's and girls' human rights and fundamental freedoms are respected and protected by all duty-bearers;
  - ii. no customs, traditional or religious considerations are invoked to justify violence against women and girls;
  - iii. effective sanctions and remedies to protect women and girls against all forms of violence; and
  - iv. effective implementation and accountability mechanisms.
- b) adopt measures, and evidence-based programmes and strategies to:
  - i. 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;
  - ii. adopt, resource, and implement multisectoral and multidisciplinary campaigns for the promotion of public awareness on the nature, causes, consequences, and means of preventing violence against women and girls, in the public and private spheres, and in cyberspace;
  - iii. engage the media, including social media platforms and the advertising industry, to promote awareness of, and sensitivity to, violence against women and girls;
  - iv. build and strengthen the capacity of judges, magistrates, judicial officers, law enforcement officers, and other relevant duty bearers to prevent and address violence against women and girls.

## **Article 11 – Protection and support**

1. States Parties shall put in place protective and supportive interventions to end all forms of violence against women and girls and assist victims, by establishing minimum standards relating to:
  - a) gender-responsive reporting procedures, legal services, legal aid, protection orders, access to safe homes and centres, and immediate medical and psychosocial services for women and girls faced with actual or threat of violence; and
  - b) the design and procedures for the participation of women in all aspects of development, including measures to protect their assets and property rights, to reduce their vulnerability to further violence.
2. States Parties shall strengthen and engage with, and protect, women and girls human rights defenders and other women's organisations in the prevention and ending of all forms of violence against women and girls.

## **Article 12 – Access to justice**

States Parties shall enact and enforce national laws that ensure a victim-centred approach and effective access to justice and security for victims, including:

- a) adoption of fair and non-discriminatory procedures and rules of evidence;
- b) establishment of effective and responsive referral processes and procedural protections;
- c) effective and timely investigation, management, and hearing of cases of violence against women and girls, ensuring perpetrators are prosecuted and judgements rendered based on due process safeguards, fast-track pre-trial and trial processes, and dedicated special chambers within courts;
- d) measures to protect victims, dependents, and witnesses during the criminal justice process;
- e) protection of the victim's right to privacy, taking into account the principles and standards of confidentiality, data protection, and anonymity;
- f) provision of protection, occupation, and restitution orders, and compensation or reparation to victims; and
- g) appropriate rehabilitation programmes and punishment that promote behavioural change and eliminate recidivism.

## **Article 13 – Collaboration and cooperation**

States Parties shall:

- a) foster collaboration and partnerships among government institutions, community support groups, civil society organisations, women's organisations, the private sector, labour movements, and other duty bearers to ensure an integrated response network that links community resources with law enforcement, healthcare providers, and judicial systems; and
- b) establish and strengthen bilateral and multilateral cooperation to end violence against women and girls.

## **Article 14 – Implementation**

1. States Parties shall ensure the implementation of this Convention and shall include, in their periodic reports to the African Commission on Human and Peoples' Rights, as required under Article 62 of the African Charter on Human and Peoples' Rights, the legislative and other measures undertaken to end all forms of violence against women and girls.
2. In the implementation of this Convention, the African Commission on Human and Peoples' Rights shall have the mandate to interpret the provisions of the Convention in accordance with the African Charter on Human and Peoples' Rights.
3. The African Commission on Human and Peoples' Rights may refer matters of interpretation and enforcement on any dispute arising from the application or implementation of this Convention to the African Court on Human and Peoples' Rights.
4. Where applicable, the African Court on Human and Peoples' Rights shall have the mandate to hear disputes arising from the application or implementation of this Convention.

## **Article 15 – Safeguard clause**

1. No provision in this Convention shall be interpreted as derogating from the principles and values contained in other relevant instruments for the realisation of ending all forms of violence against women and girls.

2. In the event of a contradiction between two or more provisions of this Convention, the interpretation that favours the realisation of ending all forms of violence against women and girls shall prevail.

### **Article 16 – Signature, ratification and accession**

1. This Convention shall be open to all Member States of the African Union for signature, ratification, or accession, in accordance with their respective constitutional or legislative procedures.
2. The instruments of ratification or accession shall be deposited with the Chairperson of the African Union Commission.

### **Article 17 – Entry into force**

1. This Convention shall enter into force thirty (30) days after the deposit of the instruments of ratification or accession by fifteen (15) Member States of the African Union.
2. The Chairperson of the African Union Commission shall notify Member States of the African Union of the entry into force of this Convention.

### **Article 18 – Amendment**

1. Any State Party may submit proposals for the amendment or revision of this Convention.
2. Proposals for amendment or revision shall be submitted to the Chairperson of the African Union Commission, who shall transmit the proposals to States Parties, within thirty (30) days of receipt thereof.
3. The Assembly, upon advice of the African Commission on Human and Peoples' Rights and recommendation of the Executive Council, shall examine these proposals within a period of one (1) year following notification of States Parties, in accordance with the provisions of Paragraph 2 of this Article.
4. The Assembly shall adopt the amendments in accordance with its Rules of Procedure.
5. The amendments or revisions shall enter into force in accordance with the provisions of Article 17 of this Convention.

### **Article 19 – Reservations**

1. A Member State of the African Union may, when ratifying or acceding to this Convention, submit, in writing, a reservation with respect to any provision of this Convention.
2. A reservation shall not be incompatible with the object and purpose of this Convention.
3. A reservation may be withdrawn at any time
4. The withdrawal of a reservation must be submitted, in writing, to the Chairperson of the African Union Commission, who shall notify other States Parties of the withdrawal accordingly.

### **Article 20 – Depositary**

1. The instruments of ratification or accession shall be deposited in accordance with Article 16(2) of this Convention.
2. Any State Party may withdraw from this Convention by giving a written notice of one (1) year in advance to the Chairperson of the African Union Commission.

3. The Chairperson of the African Union Commission shall notify the Member States of the African Union of any signature to this Convention and the deposit of an instrument of ratification or accession.
4. The Chairperson of the African Union Commission shall notify the States Parties of the requests for amendments or withdrawal from this Convention, as well as reservations thereon.
5. Upon entry into force of this Convention, the Chairperson of the African Union Commission shall register it with the Secretary-General of the United Nations, in accordance with Article 102 of the Charter of the United Nations.
6. This Convention, drawn up in six (6) original texts in the Arabic, English, French, Portuguese, Spanish and Kiswahili languages, all six (6) texts being equally authentic, shall be deposited with the Chairperson of the African Union Commission.
7. The Chairperson of the African Union Commission shall transmit a certified true copy of the Convention to each Member State of the African Union in its official language(s) or, upon request, in any of the other available official languages specified in paragraph 6 of this Article.