CENTER for REPRODUCTIVE RIGHTS

CENTER FOR REPRODUCTIVE RIGHTS; OBSERVER STATUS NO. 30

48TH ORDINARY SESSION OF THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD

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ORAL STATEMENT

Honourable Chairperson, Distinguished Members of the Committee, allow me to stand on existing protocol.

The Center for Reproductive Rights congratulates the Committee on its 48th Session and commends its continued leadership in advancing the rights and welfare of children and adolescents across the continent.

We draw the Committee's attention to the persistent, and in some contexts worsening, barriers to adolescents' realization of their sexual and reproductive health and rights under the African Children's Charter. Despite the Charter's protections, including the right to health and the right to access information, adolescents continue to be denied the information, services and autonomy they need to make informed decisions about their bodies, health and futures.

Restrictive laws, policies and social norms limit adolescents' access to accurate, age-appropriate information, leaving them vulnerable to exploitation, unintended pregnancy, HIV and other STIs.

We urge the Committee to call on States Parties to guarantee, in law and practice, access to comprehensive, factual and non-discriminatory SRHR information. Comprehensive sexuality education is one of the most effective tools we have, yet across the region it remains inconsistent, diluted or absent from curricula. States Parties should institutionalize it within national education systems, with curricula that are evidence-based, age-appropriate and rights-affirming.

Adolescents also face third-party consent requirements, provider bias, stigma, and geographic and financial barriers, which hit the most marginalized hardest.

Compounding this, the criminalization of consensual, non-exploitative sexual conduct among adolescents in many States pushes them away from services, ignores their evolving capacities, and increases the risk of unintended pregnancy and STI transmission.

We commend Kenya for a significant recent judicial development, in which the Center was honored to participate as a party. In HSO v ODPP, the High Court directed State agencies to distinguish consensual, non-exploitative adolescent peer relationships from abusive conduct, and to ensure adolescents can access SRH information and services without fear of criminalization. We urge the Committee to draw on this decision in its engagement with other States Parties.

Honourable Chairperson, the gap between the Charter's promise and its implementation persists largely because States Parties lack clear, authoritative guidance on their obligations regarding adolescent SRHR. We therefore call on the Committee to lead the development of a dedicated normative framework on adolescent sexual and reproductive health and rights, that gives States Parties interpretive clarity and offers children, civil society and National Human Rights Institutions an accountability tool.

We thank the Committee and reaffirm our readiness to support this work. Thank you.