

Comparative Analysis Report: Maputo Protocol versus African Union Convention on Ending Violence against Women and Girls



FOS FEMINISTA

Executive Summary



Gender-based violence in the African Union (AU) is rooted in deep structural inequalities – patriarchy, economic insecurity, ethnic strife – and weak legal redressal systems. The AU Convention on Ending Violence against Women and Girls (CEVAWG, 2025) is the most recent legal framework adopted by the member countries to implement their commitment to preventing, addressing, and eliminating violence against women and girls (VAWG) in Africa. Two decades earlier, the AU established the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (Maputo Protocol, 2003), a landmark legal instrument that guarantees the human rights of women and girls in Africa.

This study is a comparative thematic analysis of the two instruments. It uses the Maputo Protocol as a benchmark to make a grounded evaluation of CEVAWG, since the Maputo Protocol is considered the most comprehensive, human rights–based legal document in Africa, offering concrete standards and mechanisms for monitoring and reporting state action or inaction under the African Human Rights System.

It is critical to make this comparison before the CEVAWG is ratified because the new continental instrument will influence national policy on VAWG. Through an article-by-article review across 24 thematic areas, the comparative tables evaluate which instrument has greater operational clarity. The Maputo Protocol demonstrates stronger normative and operational framing in 10 areas, particularly where rights-based language and explicit state obligations are essential. CEVAWG is stronger in 7 areas, mainly where it introduces contemporary themes absent in 2003. The instruments show equal or mixed strength in 7 areas.

Dilution of State Accountability

The main difference between the two instruments is in their language and tone. The Maputo Protocol uses explicit, rights-based language to articulate what states must do to address VAWG, giving governments limited space to avoid compliance. The tone of CEVAWG’s articles, in contrast, is neutral, and their wording is aspirational, procedural, and often ambiguous, reducing their scope and enforceability. For example, while the Maputo Protocol explicitly prohibits female genital mutilation (FGM) and child marriage, requiring states to implement legislative measures, CEVAWG makes vague mention of “changing negative norms and harmful practices” and does not require legal prohibition.

In the realm of preventive measures as well, the CEVAWG’s use of generic language dilutes protections. For example, Art. 11: Commitments stipulates that states must take measures to promote awareness, engage community actors, promote research, strengthen capacities, and encourage behavioural change. However, the article on preventive measures (Art. 10) does not specify how states should allocate resources and implement state interventions. In contrast, the Maputo Protocol





provides clear, multi-sectoral, programmatic strategies that are embedded across multiple articles. It obligates states to adopt measures to prevent violence (Art. 4(2)), run programmes and community education services to eliminate harmful practices (Art. 5), use of education systems to change norms and prevent violence (Art. 12), and ensure access to reproductive health information and services (Art. 14). It explicitly calls for allocating budgetary resources for eliminating violence against women (Art. 4(2)(i)) and reducing “military expenditure significantly in favour of spending on social development in general, and the promotion of women in particular” (Art. 10(3)). CEVAWG, therefore, has less normative strength and clarity than the Maputo Protocol.

Key Gaps in CEVAWG

CEVAWG fails to specifically mention core violations such as violence in educational settings, domestic violence, rape, trafficking, and gender-based violence. It gives minimal attention to gender-based discrimination – the structural cause of all forms of VAWG – mentioning it only a handful of times and never as a root cause requiring state action. It makes no reference to violence encountered by women in political and public life, hindering their participation in democratic processes. Other key omissions are abortion and reproductive health, which the Maputo Protocol frames as a human rights issue linked to autonomy, dignity, and freedom from discrimination under Art. 14(2)(c). Further, CEVAWG uses an age-restricted definition of women: female persons aged 18 and above; thus, adolescent and younger girls are excluded from articles that apply only to women. This definition of women in CEVAWG leads to a fragmentation of protections, since girls may be covered under some articles but not others. Adolescent girls (15–17) are at particularly high risk of many forms of violence (child marriage, FGM, sexual violence, trafficking, exploitation), but may fall through gaps where articles only mention “women”. The Maputo Protocol is more inclusive as its articles explicitly cover girls.

New Themes Introduced

Being the more current of the two frameworks, CEVAWG introduces new aspects of VAWG not mentioned in the Maputo Protocol. However, this recognition is often not backed by mandates for state action, leading to problematic framing. For example, it defines femicide as the gender-motivated killing of women and girls, making it the first African instrument to do so. However, it frames femicide under ‘African culture’, risking misinterpretation and potentially legitimizing it as a cultural rather than structural issue rooted in patriarchy and gender inequality. This problematic cultural framing extends to CEVAWG’s treatment of harmful practices generally, where it uses language of ‘changing negative norms’ rather than prohibiting rights violations.





Unlike the Maputo Protocol, CEVAWG explicitly addresses violence in the workplace, with Art. 8 and Art. 9 obliging states to address violence, discrimination, and harassment at work, including physical, sexual, psychological, and economic forms. However, the articles fail to explicitly prohibit child labour, which Art. 13(g) of the Maputo Protocol explicitly prohibits. CEVAWG mentions cyberspace as one of the sites of violence, but it does not explain how technology amplifies violence or specify state obligations to address it.

On access to justice, while CEVAWG introduces the first detailed victim-centred justice architecture (Art. 12), it does not guarantee free legal aid, avoids regulating customary and religious justice systems, fails to prohibit harmful evidentiary rules, and lacks AU-level oversight or data requirements, leaving implementation dependent on national will rather than regional accountability.

Thus, while CEVAWG advances the discourse by introducing key ideas critical to our changing world, its failure to mandate state interventions weakens its potential.

Modernizing the Discourse

CEVAWG modernizes the discourse on VAWG through its dedicated article on collaboration and coordination across state departments and with community actors (Art. 13), making it the first AU-wide instrument to introduce multisectoral coordination as a formal state obligation. It also recognizes the multiple, intersecting factors (personal, social, cultural, economic, political, and environmental) that exacerbate violence (Art. 7), aligning it with modern gender and human rights frameworks. Another significant addition is the protection of women human rights defenders, a group at heightened risk of violence and intimidation.

Conclusion

While CEVAWG modernizes the discourse through its recognition of contemporary realities, it consistently adopts technical, descriptive, or optional language that avoids mandating clear state action or specifying clear operative frameworks. The study concludes that the lack of clear articulation of institutional obligations and enforcement requirements in CEVAWG risks lowering the AU's existing standards for addressing VAWG. The shift from the normative, rights-affirming language of the Maputo Protocol to the more neutral or procedural framing in CEVAWG dilutes state responsibility and increases the risk of governments claiming compliance without delivering meaningful change. As member states consider ratification, these gaps must be addressed to ensure that CEVAWG complements and advances, rather than regresses from, Africa's established human rights commitments on ending violence against women and girls.





Introduction

Violence against women and girls (VAWG) is one of the most widespread and persistent human rights violations globally. Across Africa, it continues to be deeply rooted in structural inequalities, patriarchal norms, ethnic conflict, displacement, economic precarity, and weak accountability systems. Despite important progressive legal and policy changes at the national and regional levels, women and girls across the continent continue to face high levels of physical, sexual, psychological, economic, and technology-facilitated violence, and often have limited access to justice, protection, and redress. In response to these realities, the [African Union \(AU\) Convention on Ending Violence against Women and Girls \(CEVAWG, February 2025\)](#) represents the continent's latest effort to establish a unified, legally binding framework to prevent, address, and eliminate violence in all its forms. As the member states consider ratification, it is critical to examine how CEVAWG defines violence, articulates the state's obligations, and aligns with existing African human rights standards. This comparison matters because CEVAWG will directly influence national laws and policies, institutional arrangements, and budgetary priorities. It is essential to assess its strengths and gaps at this stage to ensure that a new continental instrument will strengthen protections and advance accountability rather than inadvertently lowering or diluting already established norms in Africa on VAWG.

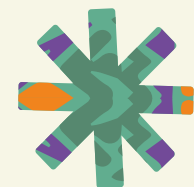
Why the Maputo Protocol Is a Relevant Benchmark

Adopted in July 2003, [the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa \(Maputo Protocol\)](#) is Africa's most comprehensive and explicitly rights-based treaty on women's rights, including the prevention and elimination of VAWG. It is widely recognized for its clarity, normative strength, and explicit articulation of state obligations, as well as for its established monitoring, reporting, and accountability mechanisms under the African Human Rights System, an AU-backed framework for the promotion and protection of human rights. The Maputo Protocol has provided a long-standing legal foundation with developed jurisprudence and interpretive guidance, offering concrete standards against which state action, or inaction, can be assessed. Using the Protocol as a benchmark allows for a grounded evaluation of CEVAWG – whether it maintains, strengthens, or weakens existing protections, and whether it builds on commitments that African governments have already made and, in many cases, ratified. While CEVAWG is intended to function as a stand-alone legal instrument, it has not yet achieved universal ratification and operates within an existing normative ecosystem shaped significantly by the Maputo Protocol. Comparing the two documents is therefore for the purposes of coherence, not substitution – to ensure that new normative developments reinforce, rather than fragment or dilute, Africa's established women's rights standards.



Approach

This analysis compares the substantive content, legal obligations, and operational framing of the Maputo Protocol and CEVAWG through an article-by-article review. It examines not only what each instrument covers but also how it uses language to define the responsibilities of governments. In international treaties, language is not neutral. The use of explicit wording helps specify the concrete duties of states and limits their ability to claim compliance by taking minimal or procedural action. Conversely, softer, more aspirational, or overly technical language can dilute government obligations and leave them room for inaction. Thus, clear language spells out clear-cut obligations and ensures meaningful accountability. The analysis does not assess legal provisions in isolation but instead focuses on how each document frames violence, responsibility, and rights. This perspective reveals shifts in emphasis – from rights-based obligations to procedural approaches – and how those shifts ultimately shape the scope and weight of state duties. The comparative tables that follow use colour coding to indicate the relative normative strengths of the two instruments:



Purple: indicates areas where the Maputo Protocol is stronger.

Green: indicates areas where CEVAWG is stronger.

Orange: reflects equal or mixed strength, where neither instrument clearly outperforms the other.

Dilution of State Accountability

Drawing on the full set of themes reviewed – ranging from definitions and forms of violence to preventive measures, protections, access to justice, data, and resourcing – the analysis presents a mixed but instructive picture. The Maputo Protocol is explicitly stronger in 10 areas, particularly where rights-based language and clear specification of state duties are essential. CEVAWG is stronger in six areas, mainly where it introduces newer themes or expands contextual recognition of violence. The instruments have equal or varying strengths in eight areas, where both acknowledge an issue but provide similar or incomplete operational clarity. Together, these findings offer critical insights into how CEVAWG can be strengthened to ensure that it complements, and does not regress from, Africa’s existing human rights commitments on ending VAWG.

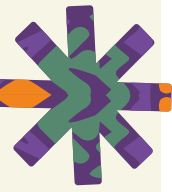




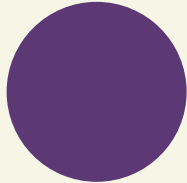
Theme / Type of Violence	Color Code
Gender-based violence	Dark Purple
Violence against women	Teal
Femicide	Teal
Cyberspace/Digital Violence	Teal
Harmful practices	Dark Purple
Female Genital Mutilation	Dark Purple
Positive masculinity	Dark Purple
Violence within Marriage/Domestic Violence/Marital Rape	Orange
Rape	Dark Purple
Violence in Conflict/Post-conflict Contexts	Orange
Economic violence	Orange
Psychological violence	Orange
Violence in the Workplace	Orange
Violence in Educational Settings	Dark Purple
Trafficking and Sexual Exploitation	Dark Purple
Multiple and Interconnected Factors That Exacerbate Violence against Women and Girls	Teal

Theme / Type of Violence	Color Code
Collaboration for Ending Violence	Teal
Women Human Rights Defenders	Teal
Access to justice	Orange
Preventive Measures	Dark Purple
Survivor Protection and Protection Measures	Dark Purple
Data Generation and Tracking Mechanisms	Orange
Budgeting	Dark Purple






Gender-based Violence against Women

	Maputo Protocol	CEVAWG
Article/quote	Preamble: "... to take concrete steps to give greater attention to the human rights of women in order to eliminate all forms of discrimination and of gender-based violence against women"	CEVAWG makes no explicit reference to gender-based violence against women (GBV), narrowing its framing exclusively to VAWG and thereby excluding broader GBV realities
Tone and language	Explicit naming of GBV; strong framing of human rights; vocabulary describing violence as structural and systemic	Neutral, depoliticized phrasing ("violence against women and girls"); omission of GBV weakens the discourse; violence framed as a social problem rather than a gendered power relation
Comparative analysis summary	Maputo Protocol is stronger: CEVAWG's omission of GBV creates a gap in human rights terminology and structural interpretation. The shift marks a move from naming oppression to neutral description	



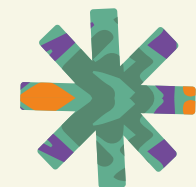


Violence against Women and Girls

	Maputo Protocol	CEVAWG
Article/quote	Art. 1(j): “Violence against women’ means all acts perpetrated against women which cause or could cause them physical, sexual, psychological, and economic harm, including the threat to take such acts; or to undertake the imposition of arbitrary restrictions on or deprivation of fundamental freedoms in private or public life in peace time and during situations of armed conflicts or of war”	Art. 1(k) expanded the definition in the Maputo Protocol Art 1(j) to add a spatial dimension: “... 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”
Tone and language	Broad recognition of multiple forms of harm; traditional public/private framing	Expands scope to include digital and post-conflict contexts; introduces modern spatial language
Comparative analysis summary	CEVAWG is stronger: expansive framing adds digital and post-conflict dimensions, modernizing the discourse on VAWG	



Femicide



	Maputo Protocol	CEVAWG
Article/ quote	Not explicitly mentioned. The Maputo Protocol does not use the term “femicide” or “feminicide”. However, its broad definition of violence (in Art. 1(j)), covering acts causing death or physical, sexual, psychological, or economic harm, encompasses killings of women and girls	CEVAWG explicitly defines femicide as the gender-related killing of a woman or girl (Art. 1). It is referenced in three places: (1) the Preamble states are “aware” of increasing femicide (weak signalling of urgency; does not use strong language, such as “concerned” or “alarmed”); (2) Art. 1: Definitions provides a clear definition (stronger); and (3) In Art. 10: Prevention Measures, it is mentioned under measures that leverage “aspects of African culture and norms”, which is analytically problematic as femicide stems from patriarchy and gender inequality, not culture. CEVAWG does not establish mechanisms to document prevalence, track cases, or ensure states address femicide systematically
Tone and language	Implicit, rights-based framing; addresses lethal violence indirectly through protections and obligations; does not name or conceptualize femicide as a specific phenomenon	Explicit naming and modern definition; discursively progressive but operationally weak; Preamble language (“aware of”) lacks the urgency warranted given the high continental rates of femicide; misplaced framing of solutions under “African culture”, risking misinterpretation and dilution of structural causes
Comparative analysis summa	CEVAWG is stronger (but by definition only): CEVAWG is the first AU instrument to explicitly define femicide, marking an important acknowledgement of gender-motivated killings. However, the Preamble’s weak language (“aware of”) and the lack of urgency undermine the strength of the definition. The linkage of solutions to “African culture and norms” risks mis-framing femicide as cultural rather than structural and patriarchal. It does not specify clear obligations to document, track, or systemically address femicide. The Maputo Protocol does not name femicide but promotes stronger rights-based obligations that can be interpreted to include lethal violence more robustly.	



Cyberspace/Digital Violence



Maputo Protocol		CEVAWG
Article/ quote	None. The reason for the absence of the term “digital space” is temporal rather than conceptual: in 2003, technology-facilitated GBV (TGBV) was not yet widely recognized in public policy debates. The protection from “violence in private or public life” can be interpreted broadly, but there is no mention of technology or digital contexts	Cyberspace is referenced in Art. 1(k) as one of the sites where violence occurs; Art. 3(a) mentions the state’s duty to prevent violence “in cyberspace”. While CEVAWG names cyberspace explicitly, it does not have a comprehensive or transformative approach to TGBV
Tone and language	No digital or technology-specific provisions	Introduces cyberspace as a contemporary domain of violence; technocratic and regulatory tone; lacks linkage to autonomy, privacy, or broader human rights frameworks
Comparative analysis summary	CEVAWG is stronger (only by naming this form of violence): CEVAWG takes an important and timely step by explicitly recognizing cyberspace as a site where violence occurs, something the Maputo Protocol could not have anticipated in 2003. This recognition is a meaningful modernization and should be acknowledged as a positive development in a rapidly digitalizing world. However, CEVAWG’s framing remains limited. It treats cyberspace mainly as a location of violence, without addressing how technology actively perpetuates or amplifies harm. This falls short of UN Women’s definition of technology-facilitated VAWG (TF-VAWG) as any act committed or amplified through digital means that causes physical, sexual, psychological, economic, or social harm, and is rooted in power imbalances, patriarchy, and violations of autonomy, privacy, and freedom of expression. CEVAWG does not indicate these structural drivers and specifies no obligations for documentation, mechanisms for survivor protection, prevention strategies, or digital rights safeguards. Maputo Protocol, while silent on digital contexts for temporal reasons, has a stronger rights-based grounding.	



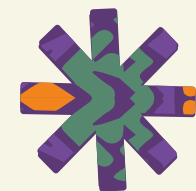
Harmful Practices



Maputo Protocol		CEVAWG
Article/ quote	Defined in Art. 1 and elaborated in Art. 5: Elimination of Harmful Practices – a full, binding article that explicitly prohibits female genital mutilation (FGM), scarification, and other harmful traditional practices; requires legislative measures backed by sanctions; and mandates public awareness, support services for victims, and protection for those at risk	Defined in Art. 1; mentions harmful practices in Art. 4: Objectives, focusing on “changing negative norms and harmful practices”; does not specify types (e.g., FGM, child marriage) or require legal prohibition
Tone and language	Explicit, prescriptive, and rights-based; frames harmful practices as violations requiring criminalization	Cultural and behavioural framing; soft, non-binding vocabulary
Comparative analysis summary	The Maputo Protocol is the stronger and more comprehensive instrument on harmful practices. It explicitly names and prohibits FGM and other violations, requiring states to act through law, policy, and protection mechanisms. CEVAWG, by contrast, re-frames harmful practices as cultural norms rather than rights violations, using softer, non-binding language that weakens accountability and risks legitimizing harmful traditions under the guise of “cultural sensitivity”	



Female Genital Mutilation



Maputo Protocol		CEVAWG
Article/ quote	Explicit and detailed (Art. 5b) prohibition, through legislative measures backed by sanctions, of all forms of FGM, scarification, and medicalization and para-medicalization of FGM and all other practices in order to eradicate them	No mention of FGM
Tone and language	Strong, action-oriented, and prescriptive; uses the language of prohibition and eradication; establishes clear state duties backed by sanctions	Complete omission of FGM; absence of explicit terminology or enforcement language
Comparative analysis summary	Maputo Protocol is stronger. CEVAWG's failure to name FGM dilutes Africa's strongest legal and political commitment to end one of the most harmful and discriminatory forms of GBV. The Maputo Protocol requires legislation with sanctions against FGM. CEVAWG makes no explicit mention of FGM or sanctions, and its uses non-binding language for harmful practices, weakening enforcement and reducing accountability	●

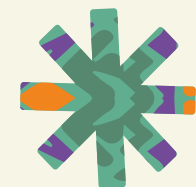


Child, Early, Forced Marriages and Unions

Maputo Protocol		CEVAWG
Article/ quote	Art. 6(b): “The minimum age of marriage for women shall be 18 years”; “States Parties ... shall enact appropriate national legislative measures to guarantee that no marriage shall take place without the free and full consent of both parties” (Art. 6(a)).	No mention of child, early, forced marriage (CEFM)
Tone and language	Clear, binding, and prescriptive; explicitly defines age and consent as legal requirements; establishes strong state obligation for legislative enforcement	Omission of CEFM; absence of strong language on age, consent, or prohibition; reflects a retreat from the human rights–based framing of the Maputo Protocol
Comparative analysis summary	The Maputo Protocol is stronger, as it explicitly outlaws child marriage, setting 18 years as the legal minimum age and requiring states to legislate and enforce this standard. CEVAWG fails to mention child or early marriage altogether, a major omission given its prevalence and link to violence, health risks, and denial of girls’ rights. By not including a clear prohibition, CEVAWG weakens continental protection frameworks and risks undermining the decades of progress achieved by Maputo Protocol in aligning African norms with global standards such as the Convention on the Rights of the Child and Convention on the Elimination of All Forms of Discrimination against Women	



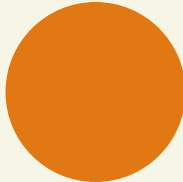
Positive Masculinity



	Maputo Protocol	CEVAWG
Article/ quote	No mention of men, boys, or positive masculinity; protection focuses on women and girls, with obligations placed solely on states; social norms and gender relations are not addressed in terms of engaging male actors or transforming masculinity	Mentioned in the Preamble; defined in Art. 1; mentioned in Art. 6: Guiding Principles but no elaboration on states' obligation in connection to prevention. Linking to African values can also be problematic
Tone and language	Does not conceptualize masculinity or engage men/boys; frames violence solely through rights and state accountability	Symbolic and normative but weak on operational detail; positions positive masculinity as an African value, potentially vague and politically contestable; does not provide guidance on engagement strategies, behavioural change, or state duties; strong rhetoric with weak implementation architecture
Comparative analysis summary	CEVAWG is stronger but not transformative: CEVAWG deserves recognition for introducing positive masculinity in the legal document, especially given the historical momentum from the three conferences on positive masculinity that informed its development. However, the framing is incomplete: CEVAWG does not articulate state obligations, does not embed positive masculinity within article 10 on prevention, and links it to African values – a framing that risks restrictive reinterpretation without clarifying the values. As a result, CEVAWG offers symbolic recognition without operational clarity, producing only a partial and uneven normative shift	

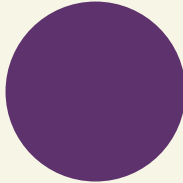


Violence within Marriage/Domestic Violence/Marital Rape

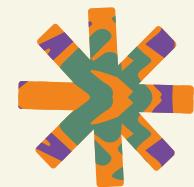
	Maputo Protocol (2003)	CEVAWG (2025)
Article/ quote	Neither domestic violence nor violence within marriage is explicitly named. Rape is referenced broadly as a form of violence, but marital rape is not explicitly mentioned	No mention of domestic violence, violence within marriage, or marital rape
Tone and language	Uses rights-based language with regard violence in private life; provides a broad protective framework but does not name domestic or marital violence explicitly; mentions rape generally but lets the marital dimension be implied rather than made explicit	Uses broad, thematic language without naming specific forms of domestic violence in private life; avoids explicit terms such as “domestic violence” or “marital rape”
Comparative analysis summary	Both instruments offer equally weak framing. They fail to explicitly name domestic violence, intimate-partner violence, or marital rape, resulting in significant gaps in clarity, protection, and implementation. The Maputo Protocol provides a broader rights-based foundation through its recognition of violence in private life and the mention of rape, but it still leaves marital violence and marital rape unnamed. CEVAWG’s framing is even less specific, offering only general references that do not clearly address violence occurring within marriage. Thus, neither instrument is stronger; both are weak in this area	





	Maputo Protocol (2003)	CEVAWG (2025)
Article/ quote	Mentioned in Art. 11(3) and Art. 14(2)(c)	No mention of rape
Tone and language	Explicit reference to rape and sexual violence; recognizes sexual violence as a human rights violation requiring protection and redress	No mention of rape or sexual violence in general; absence of explicit terminology weakens recognition of the offence and accountability
Comparative analysis summary	Maputo Protocol is stronger. CEVAWG does not mention rape or sexual violence broadly, marking a clear regression in human rights-based language	

Violence in Conflict/Post-conflict Contexts

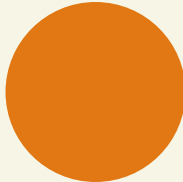


Maputo Protocol (2003)		CEVAWG (2025)
Article/ quote	Art. 11 strongly defines rape, sexual exploitation, and trafficking in women during armed conflict, and calls on states to protect women in situations of armed conflict, prosecute perpetrators, and support victims. Also, Art. 11(4) mentions the girl-child and stipulates that “no child is recruited as a soldier”	Art. 3(b) and Art. 7 refer to armed conflict and post-conflict situations. CEVAWG recognizes the need for protection and assistance but provides less detail on accountability or prosecution
Tone and language	Rights-based framing; uses strong verbs (“protect”, “prosecute”, “punish”) to reinforce accountability; emphasizes women’s protection as a duty of states	Broader, less prescriptive framing; uses institutional vocabulary (“contexts”, “situations”); reflects humanitarian rather than rights-based framing
Comparative analysis summary	Mixed framing, but Maputo Protocol is stronger. Both instruments acknowledge the prevalence of VAWG in conflicts, but CEVAWG’s treatment is less detailed and more institutional in tone. Maputo Protocol uses stronger, justice-oriented language, while CEVAWG tends towards procedural and humanitarian discourse	





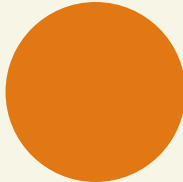
Economic Violence

Maputo Protocol		CEVAWG
Article/ quote	Mentioned as economic harm in Art. 1 in the definition of violence; includes economic harm as a form of physical, sexual, or psychological harm	Mentioned as economic harm in Art. 1 in the definition of violence – same formulation as in the Maputo Protocol
Tone and language	Recognizes economic violence as integral to the broader definition of GBV; connects economic harm to women’s material and social well-being	Repeats Maputo Protocol’s framing almost verbatim; neutral, definitional tone without further elaboration or emphasis
Comparative analysis summary	Equal framing: both Maputo Protocol and CEVAWG include economic violence within their definitions of violence. CEVAWG mirrors Maputo Protocol’s language closely, maintaining the same conceptual boundaries without expanding or diminishing the scope	



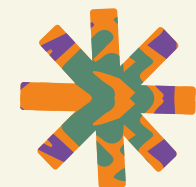


Psychological Violence

Maputo Protocol		CEVAWG
Article/ quote	Mentioned as psychological harm in Art 1 in the definition of “violence against women”	Mentioned as “psychological harm” in Art 1 in the definition of “violence against women”
Tone and language	Recognizes psychological violence as integral to the broader definition of GBV; connects psychological harm to women’s material and social well-being	Repeats Maputo Protocol’s framing almost verbatim; neutral, definitional tone without further elaboration or emphasis
Comparative analysis summary	Equal framing: Both Maputo Protocol and CEVAWG include psychological violence within their definitions of violence. CEVAWG mirrors Maputo Protocol’s language closely, maintaining the same conceptual boundaries without expanding or diminishing the scope	



Violence in the Workplace

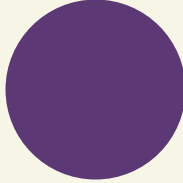


	Maputo Protocol	CEVAWG
Article/ quote	The Maputo Protocol does not have a dedicated article on workplace violence. However, protections are implied under Art. 13: Economic and Social Welfare Rights, which ensures the right to equal pay, training, and social benefits, implicitly supporting a safe and equal work environment. Art. 13(g) introduces a minimum age for work and prohibits the employment and exploitation of children, especially the girl-child	CEVAWG explicitly includes the world of work within its scope. It defines violence as acts occurring “in the private and public spheres” (Art. 1(k)), and in “the world of work” (Art. 8). Art. 8 and Art. 9 oblige states to address violence, discrimination, and harassment at work, including physical, sexual, psychological, and economic forms, though they are problematic as they do not prohibit child labour
Tone and language	No explicit reference to workplace violence; rights-based, dignity-centred framing; language implies protection through principles of equality and non-discrimination	Explicit reference to workplace violence, though no mention of child labour; technical and compliance-oriented tone; emphasizes regulation and enforcement mechanisms rather than structural power dynamics
Comparative analysis summary	Mixed Framing . The Maputo Protocol does not explicitly reference violence in the workplace, but its provisions on dignity, equality, and security implicitly extend protection to women in work environments. CEVAWG, by contrast, broadens the definition of violence to include the “world of work” but frames it in technocratic, compliance-oriented terms that overlook gendered power dynamics. It also makes only indirect reference to child labour, whereas Maputo Protocol explicitly prohibits it. CEVAWG’s framing, thus, risks diluting existing protections rather than strengthening them	





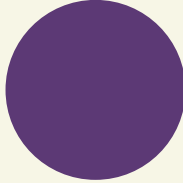
Violence in Educational Settings

Maputo Protocol		CEVAWG
Article/ quote	States should protect women, especially the girl-child, from all forms of abuse, including sexual harassment in schools and other educational institutions and implement sanctions against the perpetrators of such practices	No explicit mention of education – except for access to education services for victims – or violence in educational settings
Tone and language	Strong, transformative language linking education to equality and empowerment; recognizes discrimination in education as structural violence; explicitly protects pregnant girls and calls for curriculum reform	No reference to education; absence of language addressing school- related GBV; reflects a narrowing of human rights-based concern compared with Maputo's holistic framing
Comparative analysis summary	Maputo Protocol is stronger. It explicitly connects education to gender equality, protection, and empowerment, framing educational spaces as sites for transformation. CEVAWG's silence marks a significant omission, erasing education as a human rights-based and political arena in the struggle against violence and discrimination	





Trafficking and Sexual Exploitation

Maputo Protocol		CEVAWG
Article/ quote	Art. 4(2)(g) and Art. 11(3) require states to protect women from trafficking, sexual exploitation, and violence, including during armed conflict. Maputo Protocol emphasizes prevention, prosecution, and rehabilitation of victims. However, its framing of sexual exploitation is restricted to situations of armed conflict, leaving exploitation in other situations outside its scope	No explicit mention of trafficking or sexual exploitation, just a vague reference to exploitation
Tone and language	Explicit, justice-oriented language; frames trafficking and exploitation as violations of women's rights and dignity; calls for prevention, prosecution, and victim rehabilitation	No direct reference to trafficking or exploitation; general framing of violence omits specific attention to systemic exploitation of women
Comparative analysis summary	Maputo Protocol is stronger. It directly names trafficking and sexual exploitation as grave violations requiring protection, justice, and rehabilitation for victims, though its framing could have benefited from broadening the scope of sexual exploitation beyond armed conflict. CEVAWG's silence on trafficking represents a significant language omission, removing one of the clearest articulations of gendered exploitation from the continental framework	

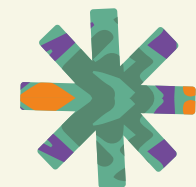


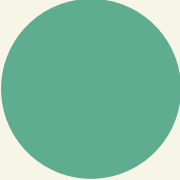
Multiple and Interconnected Factors That Exacerbate Violence against Women and Girls

	Maputo Protocol	CEVAWG
Article/ quote	Although not explicitly mentioned, Maputo Protocol has distinct articles on widows' rights (Art. 20), disabilities (Art. 23), refugees and armed conflict (Art. 11), and women in distress (Art. 24)	Art. 7 requires states to address “multiple and interconnected factors that exacerbate violence”, such as social, cultural, economic, political, and environmental conditions, as well as discrimination based on age, disability, displacement, statelessness, or other status
Tone and language	Fragmented but rights-based framing; addresses specific vulnerable groups through separate articles; reflects an early-stage acknowledgement of intersectional realities, though without explicit conceptual language	Adopts an explicit intersectional lens, recognising that violence is exacerbated by the interaction of social, cultural, economic, political, and environmental factors alongside intersecting forms of discrimination (e.g. age, disability, displacement, statelessness). These factors are addressed collectively within a single provision (Art. 7), reflecting contemporary gender and human rights frameworks. However, descriptive and procedural tone without strong normative or binding language
Comparative analysis summary	<p>CEVAWG stronger. While the Maputo Protocol acknowledges diverse forms of vulnerability through separate, rights-based provisions, CEVAWG represents a conceptual advance by explicitly recognising the intersectional and compounding nature of inequalities that exacerbate violence against women and girls. This aligns CEVAWG with modern gender and human rights frameworks and marks one of its few areas of added normative clarity.</p> <p>However, this advancement remains largely conceptual rather than operational. The language in Article 7 is primarily descriptive and procedural, lacking binding obligations, enforcement measures, or accountability mechanisms to ensure that intersecting forms of discrimination are systematically addressed in law, policy, or practice.</p>	



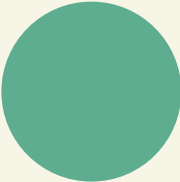
Collaboration for Ending Violence



	Maputo Protocol	CEVAWG
Article/ quote	No dedicated article on collaboration or cooperation. Maputo Protocol implies inter-sectoral action through obligations to “take appropriate measures” (Art. 4), but it does not define structured coordination mechanisms	Art. 13: Collaboration and Cooperation is a dedicated article on this subject. It requires states to establish coordinated, multi-sectoral systems to prevent, respond to, and eliminate violence. This includes cooperation between the justice, health, education, social welfare, and law enforcement departments; civil society; and community actors. It also obligates states to protect women human rights defenders (WHRDs)
Tone and language	Collaboration is implicit and undefined; emphasis on state duties rather than system design	Explicit, detailed, and institutional; frames collaboration as essential infrastructure; procedural, technical, and systems-oriented, reflecting modern governance approaches
Comparative analysis summary	CEVAWG is stronger, as it has the first AU-wide, dedicated article on collaboration and cooperation, establishing multi-sectoral coordination as a formal state obligation. Maputo Protocol provides strong normative commitments but lacks explicit collaboration architecture	



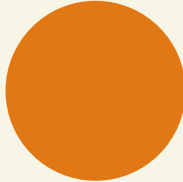
Women Human Rights Defenders

	Maputo Protocol	CEVAWG
Article/ quote	No explicit mention of WHRDs. Protection can be inferred through broader rights to dignity, security, non-discrimination, and participation (Art. 3, Art. 4, Art. 2, and Art. 9, respectively), but WHRDs are not named as a distinct group requiring protection	Explicit reference to “women and girls human rights defenders” (Art. 1 and Art. 11). CEVAWG recognizes WHRDs as a group at heightened risk of violence and intimidation, and requires states to take measures to safeguard their work, ensure their protection, and address reprisals
Tone and language	No linkage to activism, backlash, or targeted violence	Names WHRDs as a specific at-risk constituency; acknowledges backlash, intimidation, and reprisals tied to advocacy; signals awareness of shrinking civic space; however, protection is conditional upon implementation by national or state parties
Comparative analysis summary	CEVAWG is stronger, as it explicitly acknowledges WHRDs (for the first time in an AU legal instrument). This recognition aligns with current realities of backlash and shrinking civic space and situates WHRD protection within the broader framework of ending VAWG, though there is a lack of details on how states must operationalize this protection	





Access to Justice

	Maputo Protocol	CEVAWG
Article/ quote	Art. 8: Access to Justice and Equal Protection before the Law requires states to ensure women's effective access to justice, which includes equal protection, non-discrimination, legal remedies, and reform of discriminatory laws. Art. 4(2)(e) reinforces the duty to prosecute and punish perpetrators and protect victims	Art. 12: Access to Justice is a dedicated article. It requires states to ensure accessible, affordable, and victim-centred justice systems; timely investigations and prosecutions; fast-track processes and special chambers; privacy and data protection; protection orders, restitution, and compensation; coordinated services; specialized units; and rehabilitation and behaviour-change measures
Tone and language	Strongly rights-based; emphasizes equality, dignity, and structural discrimination; justice framed as a right and a site of transformation; less procedural detail and more normative strength	Technical, procedural, and systems-oriented; focuses on institutional performance and coordination; justice framed as service delivery rather than structural reform; modern operational vocabulary; less rights-based framing
Comparative analysis summary	Mixed framing. Maputo Protocol frames access to justice as a fundamental right rooted in equality and the dismantling of discriminatory systems, but it provides little operational guidance on how justice should be delivered. CEVAWG, by contrast, introduces the first detailed, victim-centred justice architecture, outlining procedures, protections, and coordinated services, though in largely technocratic terms. Despite this, CEVAWG leaves notable gaps: it does not guarantee free legal aid, treats intersectionality only implicitly, and avoids regulating customary and religious systems. It also fails to prohibit harmful evidentiary rules and lacks AU-level oversight or data requirements, making implementation dependent on national will rather than regional accountability	



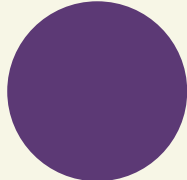


Preventive Measures

Maputo Protocol		CEVAWG
Article/ quote	While Maputo Protocol does not name prevention services as a stand-alone category, it effectively defines them across multiple articles. Prevention services are understood as state-led systems and interventions that deter violence before it occurs. Relevant articles and prevention service elements: Art. 4(2) obligates states to adopt measures to prevent violence, including creating institutional and programmatic services that protect women before harm occurs; Art. 5: Elimination of Harmful Practices requires states to run programmes and community education services to eliminate harmful practices such as FGM and child marriage; Art. 12: Right to Education and Training mandates the use of education systems to change norms and prevent violence; Art. 14: Health and Reproductive Rights ensures access to reproductive health information and services that reduce women’s vulnerability to violence	CEVAWG has a dedicated Art.10: Preventive Measures, but it does not define prevention services as concrete, resourced, state-delivered interventions. Art. 11: Protection and Support, commitments stipulates that states take measures to promote awareness, conduct sensitisation, engage community actors, promote research, strengthen capacities, and encourage behavioural change
Tone and language	Clear, multi-sectoral, and programmatic; defines prevention services as state-funded, state-obligated systems embedded in education, health, and community programmes and legal frameworks	Aspirational, descriptive, and optional in practice; acknowledges prevention but does not mandate it to services that states must provide
Comparative analysis summary	Maputo Protocol is stronger, as it embeds prevention across several articles, creating a multi-sectoral and operational framework that functions as a comprehensive prevention ecosystem. Prevention is treated as a state duty that must be exercised through specific services and interventions. Articles on harmful practices, education, health, and social norms collectively articulate what prevention entails in practice: school-based education, public awareness programmes, dismantling of discriminatory norms, community-level interventions, and structural reforms that address the root causes of violence. Because Maputo Protocol refers to prevention across multiple domains, it reinforces the idea that prevention services must be systemic, coordinated, and sustained, delivered through institutions that reach women and girls before violence occurs. Its tone is directive and action-oriented, with clear obligation language that minimizes ambiguity for states. CEVAWG, by contrast, consolidates prevention into a single article on preventive measures but offers a much narrower and less operational vision of prevention services. While CEVAWG emphasizes awareness, behavioural change, engagement with community actors, and strengthening capacity, it does not define the services that must accompany these commitments. There is no indication of which institutions must deliver prevention; no minimum service package; no obligations related to schools, health systems, or perpetrator-focused programmes; and no requirements for resources or national action plans. As a result, CEVAWG treats prevention as a broad aspiration rather than a concrete service framework. Its language is softer and more general, leaving significant room for governments to interpret “preventive measures” in minimal or symbolic ways. Maputo Protocol provides a coherent, multi-sectoral prevention services architecture, while CEVAWG offers broad preventive intentions with limited operational content. This structural weakness in CEVAWG’s article on prevention significantly reduces clarity on what states must do and ultimately weakens the instrument’s ability to drive meaningful prevention outcomes across the continent	

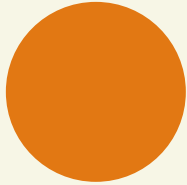


Survivor Protection and Protection Measures

	Maputo Protocol	CEVAWG
Article/quote	Maputo Protocol does not have a stand-alone category, but it effectively defines survivor protection across multiple articles: Art. 4: The Rights to Life, Integrity and Security of the Person requires states to protect women at risk, guarantee access to justice, and put in place effective mechanisms that ensure survivor safety; Art. 4(2)(f) obligates states to establish accessible services, such as counselling, rehabilitation, and shelters for survivors; Article 4(2)(a) mandates that police and justice institutions respond effectively, using procedures that safeguard the rights of survivors; Art. 8(f) requires states to remove stereotypes and discriminatory practices within judicial and administrative systems to ensure fair protection; Art. 25: Remedies calls on states to adopt legal, administrative, and institutional measures that guarantee women's protection and access to timely remedies	Art. 11: Protection and Support obligates states to put in place protective and supportive interventions for survivors, but it defines minimum standards broadly without detailing operational requirements or enforcement mechanisms. Art. 11(1)(a) lists gender-responsive reporting procedures, legal services, protection orders, safe homes, and medical and psychosocial services but does not specify service quality, accessibility, funding, or institutional responsibility. Art. 11(1)(b) links women's participation and property rights to reducing vulnerability, yet remains general and does not require states to enact specific protective measures
Tone and language	Uses a strong, directive, and obligations-driven tone, specifying state duties across justice, health, shelters, remedies, and institutional mechanisms; frames protection as mandatory, not optional, leaving little room for interpretative loopholes	Adopts a broader and softer tone, even when listing "minimum standards". The language ("shall put in place", "shall strengthen and engage") lacks operational clarity; does not define requirements for accessibility, funding, or oversight; and gives states wide discretion in implementation. Protection appears as a policy intention, not a clearly enforceable obligation
Comparative analysis summary	Maputo Protocol is stronger. Although both instruments commit to survivor protection, Maputo Protocol provides a much clearer and more actionable protection framework. Its articles specify what states must do—ensure access to justice, establish shelters and counselling services, regulate law enforcement procedures, remove discriminatory judicial practices, and provide timely remedies. The tone is explicit and binding, leaving little ambiguity about state obligations. CEVAWG's Art. 11, however, is broad and non-operational. While it outlines categories of support – reporting mechanisms, legal aid, safe homes, medical and psychosocial services – it does not define how these services must function, who must deliver them, how they should be funded, or what quality standards they should meet. It also lacks regulation of customary and religious justice systems, does not prohibit discriminatory evidentiary rules, and provides no mechanisms for accountability or oversight. Even the commitment to protect WHRDs and women's organizations is framed generally, without specifying obligations or safeguards. Thus, Maputo Protocol establishes a concrete protection architecture, whereas CEVAWG allows for wide variation and potential dilution, enabling governments to claim compliance without providing the comprehensive protection survivors need. The stronger, directive tone of Maputo Protocol translates directly to clearer state duties; CEVAWG's softer tone risks leaving protections uneven and insufficient	

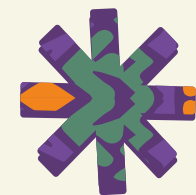


Data Generation and Tracking Mechanisms

	Maputo Protocol	CEVAWG
Article/ quote	No explicit article or clause refers to data collection, evidence generation, or systematic tracking of violence against women. Monitoring is implied through general state reporting obligations but not tied to data production	Data is referenced briefly in the Objectives section (Art. 4), noting the need to use “gender-disaggregated data on violence”. However, CEVAWG does not provide concrete mechanisms for data collection or tracking. There is no operational article mandating data collection, disaggregation, reporting, or monitoring
Tone and language	Broad, rights-based, and normative; no reference to evidence systems, indicators, or data architecture; monitoring limited to general state responsibilities	Aspirational but superficial; mentions data conceptually, not procedurally; no mechanisms for tracking, standardizing, or reporting data; tone is vague and non-operational
Comparative analysis summary	Mixed framing: Both Maputo Protocol and CEVAWFG have limited robust approaches to data tracking and generation. While CEVAWG mentions data in its objectives, it fails to translate this to obligations, mechanisms, or indicators and remains aspirational rather than actionable. Thus, it offers minimal practical advancement over Maputo Protocol	



Budgeting



	Maputo Protocol	CEVAWG
Article/ quote	Art. 26(2) stipulates that states shall “undertake to adopt all necessary measures and in particular shall provide budgetary and other resources for the full and effective implementation of the rights herein recognised”. Also, Art. 4(2)(i) and Art. 10(3) refer, respectively, to allocating budgetary resources for eliminating violence against women and to reducing “military expenditure significantly in favour of spending on social development in general, and the promotion of women in particular.”	Art. 5(d) stipulates that states shall “use gender-responsive budgeting to implement this Convention.”
Tone and language	Normative, rights-affirming, and imperative language, positioning budgeting as a core state obligation (“shall provide budgetary and other resources”) and adopting a stronger, more assertive tone that situates resource allocation as fundamental to women’s rights	Technical and procedural language, framing budgeting as a management tool (“use gender-responsive budgeting”) and adopting a more administrative, implementation-focused tone. Gender-responsive budgeting (GRB) is an approach that is used to analyse and plan public budgets to reflect gender priorities, but it does not require governments to allocate specific funds to implement those priorities.
Comparative analysis summary	Maputo Protocol is stronger, as it imposes a clear, direct, and enforceable obligation on states to allocate budgets and other resources for the full implementation of women’s rights, including eliminating violence and reducing military spending in favour of social development. It treats financing as a core state duty, not an optional tool. CEVAWG weakens this obligation by replacing explicit budget commitments with a reference to GRB. GRB is a budgeting approach that analyses how budgets affect women and men; it does not require governments to allocate specific resources for prevention, protection, and services for survivors. CEVAWG allows states to claim compliance without providing actual funding. The result is a significant dilution of state responsibility. Maputo Protocol mandates resource allocation; CEVAWG offers a procedural framework that may or may not translate to real budgets. For activists and policymakers, this shift matters because it lowers accountability and creates space for under-funding essential measures to end VAWG	



Discussion

While this analysis focused on articles related to VAWG, there are equally significant divergences between the Maputo Protocol and CEVAWG in other areas not dealing with operational aspects. First is the definition of “women”. The Maputo Protocol adopts a broad, gender-based, and inclusive definition that explicitly covers girls and recognizes all female persons as rights holders. CEVAWG, however, uses an age-restricted and biological definition: Women are defined as female persons 18 years and above. This leads to the of protections and the exclusion of adolescent girls wherever articles apply only to women.

Another key area of difference is bodily autonomy, particularly access to abortion. The Maputo Protocol is globally recognized for its explicit guarantee of safe abortion under Art. 14(2)(c), anchoring reproductive choice within a human right-based framework of autonomy, dignity, and freedom from discrimination. CEVAWG, by contrast, omits any reference to abortion, sexual and reproductive health, or bodily autonomy, offering only generic language on “comprehensive healthcare” (Art. 6(b)), including in cases of rape, incest, or sexual assault. This represents a notable regression from the Maputo Protocol’s bold and rights-affirming stance.

Equally concerning is the way CEVAWG handles discrimination. While the Maputo Protocol repeatedly links the elimination of violence to dismantling all forms of discrimination, CEVAWG mentions discrimination only a handful of times, and never as a structural cause requiring state action. It, therefore, sidelines one of the most critical drivers of violence. For an instrument adopted two decades after the Maputo Protocol, this limited engagement with discrimination reflects a missed opportunity to reaffirm and strengthen continental commitments to gender equality.

Finally, CEVAWG makes no explicit reference to violence against women in political and public life, despite its centrality in African human rights-based advocacy and its recognition in global human rights standards. Violence encountered by women in the public sphere – including harassment, intimidation, online abuse, and exclusion from public decision-making – is a major barrier to women’s participation and democratic representation. Its omission further narrows the scope of protection envisioned by CEVAWG. Other key omissions include core violations such as FGM, child marriage, and rape

Together, these differences underscore a broader language shift: While the Maputo Protocol advances an expansive, rights-based vision, CEVAWG narrows definitions, fragments protections, and leaves critical aspects of autonomy, equality, political participation, and structural discrimination unaddressed. This reinforces the need to view the two instruments not only through the lens of violence but also through their wider implications for gender, identity, and bodily integrity





The review reveals a consistent pattern. The Maputo Protocol uses explicit, rights-based language that enhances state accountability, while CEVAWG introduces modern themes, but it frequently relies on softer, procedural, or ambiguous wording, creating gaps in clarity, scope, and enforceability. Clarity of language is key to ensuring that recommendations to states are properly implemented. Explicit articulation of the measures required to be taken by states for the protection of women and girls will make it difficult for governments to make excuses for non-compliance. There should be no second-guessing once the instrument is ratified.

Across nearly every theme where human rights vocabulary, structural analysis, or explicit obligations matter, the Maputo Protocol remains the stronger instrument. It clearly names forms of violence, such as FGM, child marriage, rape, and school-related violence, and anchors them in binding duties requiring legal reforms, sanctions, services, and resource allocation. Its tone signals an unequivocal expectation of action. CEVAWG brings notable innovations – explicit references to femicide, digital violence, intersectional risk factors, collaboration systems, and WHRDs. These advances reflect contemporary realities and the increasing types of violence. However, the document consistently adopts technical, descriptive, or optional language, avoiding articulation of specific prohibitions, institutional duties and obligations, detailed service standards, or clear enforcement requirements. This shift dilutes state responsibility and increases the risk of governments claiming compliance without delivering meaningful change.

Conclusion

The comparative analysis of the Maputo Protocol and CEVAWG, based on an article-by-article review, used the Maputo Protocol as a benchmark to evaluate CEVAWG and assess the new instrument's strengths and limitations. The study concludes that the shift from the normative, rights-affirming language of the Maputo Protocol to the more neutral or procedural framing in CEVAWG risks diluting the AU's existing standards for addressing VAWG. The lack of clear articulation of the state's duties leaves substantial space for interpretive flexibility and minimal implementation. The findings of the study offer critical insights into how the instrument can be improved to strengthen rather than fragment protections and enhance rather than reduce accountability.





FÒS FEMINISTA is an intersectional feminist organization centred on the rights and needs of women, girls, and gender diverse people in the Global South. We recognize that the ability to make free and informed decisions about sexual and reproductive health, including the ability to access safe and legal abortion, is central to gender equity and to the fulfilment of the human rights of women, girls, and all people who can become pregnant.

The report was prepared by:

Haya Solaiman (Global Advocacy Officer- Africa/SWANA, Fòs Feminista),
Fadekemi Akinfaderin (Chief Global Advocacy Officer, Fòs Feminista).
Design by Osaro Kessington Odigie-WCA (Consultant)



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