

ACHPR/Res.135 (XXXXIV)08: RESOLUTION ON MATERNAL MORTALITY IN AFRICA

The African Commission on Human and Peoples' Rights Meeting at its 44th Ordinary session held in Abuja, Federal Republic of Nigeria, from 10 - 24 November 2008

RECALLING that women's rights and the principle of non discrimination have been recognised and guaranteed in all international human rights instruments, notably the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination Against Women and its Optional Protocol, and all other international and regional conventions and covenants such as the African Charter on Human and Peoples' Rights relating to the rights of women;

RECALLING that women's rights to maternal health have been recognised and reaffirmed by the United Nations Plans of Action on Population and Development in 1994 and on Social Development in 1995 and have been enshrined in the Beijing Declaration and Platform for Action in 1995;

RECOGNISING that improving maternal and reproductive health is both a regional and international obligation enshrined in the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa and the Millennium Development Goals;

FURTHER RECALLING the commitments of the Heads of State and Governments in the Solemn Declaration on Gender Equality in Africa adopted during the 3rd Ordinary Session held in Addis Ababa, Ethiopia from 6-8 July 2004;

NOTING the commitments of the Heads of State and Governments in the Abuja Declaration on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases made during the African Summit on HIV/AIDS, Tuberculosis and Other Infectious Diseases in Abuja, Nigeria from 24-27 April 2001 to allocate 15% of their national budgets to health ;

STANDING by our Declaration on Economic, Social and Cultural Rights in Pretoria during our 36th Session in December 2004 that lack of political will, privatisation of essential services, failure to allocate sufficient resources and brain drain amongst other factors are at the centre of the non-realisation of economic, social and cultural rights in Africa including the right to enjoy the best attainable state of physical and mental health;

DEEPLY disturbed that Africa currently has the worst records of maternal deaths in the world accounting for more than two hundred and fifty thousand deaths annually;

CONCERNED that most member states of the African Union are not making progress in reducing the maternal mortality rates in their respective countries;

NOTING with concern that maternal mortality destroys the very foundation of the African family which according to article 18 of the African Charter on Human and Peoples' Rights is the "natural unit and basis of the society" and "the custodian of morals and traditional values recognised by the community";

CONSIDERING that the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa makes provision in article 14 for health and reproductive rights and in particular, obliges states to "establish and strengthen existing pre-natal, delivery and post-natal health and nutritional services for women during pregnancy and while they are breast-feeding";

APPRECIATING the great role women play in securing the future of the society and that pregnancy being a natural occurrence, every society should seek to protect the life of the mother and the child from conception, to delivery and beyond;

CONVINCED that preventable maternal mortality is a violation of the rights to life, health and dignity of women in Africa;

FIRMLY convinced that only through effective health institutions as well as strategic and sustained funding to the health sector that the problem of maternal mortality will be managed and finally reduced in Africa;

1. **DECLARES** that preventable maternal mortality in Africa is a violation of women's right to life, dignity and equality enshrined in the African Charter on Human and Peoples' Rights and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa;
2. **CALLS UPON** African Governments to individually and collectively address the issue of maternal mortality in accordance with the recommendations attached to this resolution.