



AFRICAN HISTORIES
AND MODERNITIES



Sexual and Reproductive Health and Rights of Women in Africa and the Caribbean

Linking the Two Regions

Edited by Zainab Monisola Olaitan
Tinuade Adekunbi Ojo · Shakira Maxwell

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African Histories and Modernities

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ISSN 2634-5773

African Histories and Modernities

ISBN 978-3-031-96028-4

<https://doi.org/10.1007/978-3-031-96029-1>

ISSN 2634-5781 (electronic)

ISBN 978-3-031-96029-1 (eBook)

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PREFACE

The discourse on the sexual and reproductive health and rights (SRHR) of women has evolved significantly. This is vivid in the adoption of instruments, including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1979 and the Programme of Action of the 1994 Cairo International Conference on Population and Development (ICPD). The latter is the first international agreement recognising the human rights of all individuals to sexual and reproductive health, coming off the back of previous international human rights conferences such as the 1968 Tehran Conference and the various conferences on population and human rights before 1994. Thirty-one years since the landmark International Conference on Population and Development held in Cairo, the subject of sexual and reproductive health rights has become central to the discourse on protecting women's rights and ensuring access to health.

In Africa, the adoption of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) in 2003 is significant. Article 14 of the Protocol recognises and affirms reproductive health and the autonomy of women and girls, including the right to control one's fertility, childbirth, choice and access to contraceptives, self-protection and protection from sexually transmitted diseases, and the qualified right to safe abortion. This is complemented by other efforts made over the years, namely, the establishment of the African Commission on Human and Peoples' Rights Special Rapporteur on the Rights of Women in Africa (SRRWA); the adoption of the Maputo Plan of Action 2016–2030 and the AU Gender and Women Empowerment

Strategy (GEWE); the adoption of a resolution on the protection of all persons from violence and other human rights violations on the basis of one's real or imputed sexual orientation or gender identity (Resolution 275). Other instruments include clarifications that have been given to SRHR by treaty monitoring bodies such as General Comments 14 and 22 by the Committee on Economic, Social, and Cultural Rights; General Recommendation 24 by the CEDAW Committee; General Comments 1, 2, and 3 of the African Commission on Human and Peoples' Rights; and the works of the United Nations Special Rapporteurs on the right to health and violence against women.

In the Caribbean, instruments including the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (1994) have also upheld the human rights of women, in particular sexual and reproductive rights. Most of these instruments were adopted in the face of numerous restrictions placed on what women and girls can and cannot do with their bodies. For instance, only a few countries on the African continent and within the Caribbean have legalised abortion on demand. Countries such as Tanzania still conduct pregnancy tests on schoolgirls, and Jamaica has one of the most restrictive legislations on abortion in the Caribbean region with punitive sanctions for anyone seeking a termination. Examples such as these are testaments to the need for the increased protection of sexual and reproductive health rights. Additionally, the broad spectrum of SRHR issues creates a pertinent concern due to the treatment of these issues as independent rather than interconnected. It is important that the interconnectedness of SRHR issues such as maternal health, access to safe abortion, healthy sexuality, and family planning is not ignored due to a lack of proper understanding of the relationship that exists amongst them. Beyond conceptualisation, there is also a need for contextual analysis of sexual and reproductive health and rights within specific case studies. This case-specific contextualisation allows for a grounded understanding of SRHR issues, the challenges faced, progress made, opportunities, and given nuances.

In addition, the current socio-political landscape and attitudes towards sexual and reproductive rights, women's rights, and the rights of gender and sexual minorities establish the necessity for this book. This is in vivid recollection of the wave of regressive laws and policies by governments across the world that threatens the SRHR. The overturning of *Roe v Wade* in the United States, the attempt to reverse the ban on Female Genital Mutilation (FGM) in the Gambia, and the attempt to repeal the Violence

Against Persons Prohibition (VAPP) Act in Nigeria are examples of the recent surge in anti-rights legislation across the world. This book, therefore, becomes a necessity amid the current pushback against SRHR, as it establishes the importance of the protection of sexual and reproductive health and rights in the world. It is not only a timely intervention to address the limited literature on the conceptualisation and case-specific contextualisation of sexual and reproductive health and rights globally, but it also provides an understanding of SRHR as a collective and its different components. In doing so, it uses two similar yet different regions of the world, Africa and the Caribbean, as cases for its discussion of SRHR. The collection of chapters in the book brings out the interconnectedness and nuances between SRHR in Africa and the Caribbean to enable readers to connect the dots while also identifying points of divergence.

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Johannesburg, South Africa
Kingston, Jamaica

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ACKNOWLEDGEMENTS

This edited book collection brings together the research of individuals from across two different regions. Although thousands of miles of water separate many of us, the various contributions in this publication affirm that we share a deep history and connection. We, therefore, express our deep appreciation to the different authors who made contributions to this publication. Thank you for trusting us with your work and for your patience throughout the process. Our gratitude also goes to all the reviewers for providing meaningful comments from our concept note to the final output. Your suggestions allowed us to refine the work even further and have helped in the production of a truly solid piece on sexual and reproductive health and rights.

To our publisher, Palgrave Macmillan, we express our sincere appreciation for your commitment to bringing this work to fruition. Your confidence in recognising its value from the onset was heart-warming, and we are grateful for your commitment to seeing it to fruition.

To all those who continue to fight for the rights of all people to access safe sexual and reproductive health services, you continue to inspire us. You are the backbone of this work. Thank you for always being an inspiration to so many of us.

Praise for *Sexual and Reproductive Health and Rights of Women in Africa and the Caribbean*

“The women’s rights movement to improve the quality of life and survival of women and children migrated from communities to legislatures to classrooms and health facilities across the African diaspora. Despite advances, twenty-first-century efforts to roll back women’s reproductive choice in the developed and developing world make this tome timely. It celebrates the gains, articulates work still to be done on issues such as FGM, and emergence for the shadows of sexual assault. It should help advance dialogue between the sexes toward healthy, caring relationships that satisfy sexual desires without disrespect, abuse or violence.”

—Affette McCaw-Binns, MPH, PhD, [Retired] *Professor of Reproductive Health and Epidemiology, Department of Community Health and Psychiatry, Faculty of Medical Sciences, University of the West Indies (UWI), Mona, Jamaica*

“A timely and important book offering expansive insights into both regions. In an era facing a rise in conservative values and backlash against gender equality and women’s rights, this interdisciplinary work effectively demonstrates the interconnected yet distinct manifestations of these challenges across different contexts. I highly recommend this rich and insightful book.”

—Dr. Satang Nabaneh, Assistant Professor of Practice,
University of Dayton Center for Human Rights

“This book has made significant contribution to knowledge by addressing critical issues in relation to sexual and reproductive health and rights in African and the Caribbean. It adopts an interdisciplinary approach while highlighting contested issues in relation to SRHR. It provides nuanced discussion of SRHR issues in a captivating and rigorous manner. The book will be a good resource for policy makers, researchers, civil society groups and other stakeholders interested in matters related SRHR in Africa and the Caribbean.”

—Professor Ebenezer Durojaye, Acting Director, *Centre for Human Rights, University of Pretoria*

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ABBREVIATIONS

ABC	African, Caribbean, and Black
ACHPR	African Charter on Human and Peoples' Rights
ACHPR	African Commission on Human and Peoples' Rights
AIDS	Acquired Immunodeficiency Syndrome
ANC	Antenatal Care
ASRH	Adolescent Sexual and Reproductive Health
AGYW	Adolescent Girls and Young Women
AMU	Arab Maghreb Union
ARHD	Adolescent Sexual Reproductive Health and Development
AU	African Union
AYSRRH	Adolescent and Youth Sexual Reproductive Health Rights
BOCIF	Basic Obstetric Care Initiative Facility
BTL	Bilateral Tubal Ligation
CAC	Comprehensive Abortion Care
CAPRI	Caribbean Policy Research Institute
CAR	Central African Republic
CHAL	Christian Health Association of Lesotho
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CESCR	Committee on Economic, Social and Cultural Rights
CENESEX	Center for Sexual Education
CFRN	Constitution of the Federal Republic of Nigeria
CPMDs	Common Perinatal Mental Disorders
CRPD	Convention on the Rights of Persons with Disabilities
CS	Caesarean Section
CSE	Comprehensive Sexuality Education
CSW	Commercial Sex Workers

CXC	Caribbean Examinations Council
DALYs	Disability-Adjusted Life Years
DREAMS	Determined, Resilient, Empowered, AIDS-Free, Mentored, and Safe Women
DRC	Democratic Republic of the Congo
DVA	Domestic Violence Act
EAC	East African Community
EAG	Early Adolescent Girls
ECCAS	Economic Community of Central African States
ECOWAS	Economic Community of West African States
EmOC	Emergency Obstetric Care
ESD	Early Sexual Debut
FGD	Focus Group Discussion
FGM	Female Genital Mutilation
FMoH	Federal Ministry of Health
FP	Family Planning
FSW	Female Sex Workers
GBV	Gender-Based Violence
GBVIMS	Gender-Based Violence Information Management System
GEM	Gender and Media Initiative
GDP	Gross Domestic Product
GM	Generation Malawi
GNU	Government of National Unity
HDI	Human Development Index
HEP	Health Extension Program
HIPs	High-Impact Practices in Family Planning
HIV	Human Immunodeficiency Virus
HRD	Human Rights Defenders
HRPs	Human Rights Perspectives
ICCPR	International Covenant on Civil and Political Rights
ICPD	International Conference on Population and Development
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICPD PoA	International Conference on Population and Development, Programme of Action
IDPs	Internally Displaced Persons
IDW	Internally Displaced Women
IDMC	Internal Displacement Monitoring Centre
IEC	Information, Educational, or Communication
IGAD	Intergovernmental Authority on Development
INGOs	International Non-Governmental Organizations
IOM	International Organization of Migration

IPPF	International Planned Parenthood Foundation
IPV	Intimate Partner Violence
ISCAP	Islamic State’s Central Africa Province
IUD	Intrauterine Device
IBOCIF	Intrauterine Basic Obstetric Care Initiative Facility
IRC	International Rescue Committee
JBCL	Jamaica Birth Control League
JFPA	Jamaica Family Planning Association
JFPL	Jamaica Family Planning League
KAPAL	Key Affected Populations Alliance of Lesotho
KDHS	Kenya Demographic Health Survey
KELIN	Kenya Legal & Ethical Issues Network
LBW	Low Birth Weight
LCDZ	Leonard Cheshire Disability Zimbabwe
LGBTI	Lesbian, Gay, Bisexual, Transgender, and Intersex
LGBTQ+	Lesbian, Gay, Bisexual, Transgender, and Queer (or questioning)
LMICs	Low- and Middle-Income Countries
LNA	Libyan National Army
LRA	Lord’s Resistance Army
LSS	Life-Saving Skills
MDGs	Millennium Development Goals
MoH	Ministry of Health
MoHCDGEC	Ministry of Health, Community Development, Gender, Elderly, and Children
mHealth	Mobile health
MCH	Maternal Child Health
MHH	Menstrual Health and Hygiene
MHM	Menstrual Hygiene Management
MHP	Menstrual Health Products
MMR	Maternal and Mortality Ratio
MSM	Men Having Sex with Men
MTBA	More Than Brides Alliance
MTP	Medical Termination of Pregnancy
MRCZ	Medical Research Council of Zimbabwe
NAC	National AIDS Commission
NFPB	National Family Planning Board
NDHS	National Demographic and Health Surveys
NGO	Non-Governmental Organization
NHA	National Health Act
NHP	National Health Policy
NHRIs	National Human Rights Institutions

NPA-VAWC	National Plan of Action for the Prevention and Eradication of Violence Against Women and Children
NPC	National Population Commission
NPIDP	National Policy on Internally Displacement Persons
NPPSD	National Population Policy for Sustainable Development
PEPFAR	President's Emergency Fund for AIDS Relief
PLWHIV	Persons Living with HIV
PPD	Postpartum Disorder
PSEA	Protection from Sexual Exploitation and Abuse
PTB	Preterm Birth
PTSD	Post-Traumatic Stress Disorder
PWDs	People with Disabilities
QED	Quality, Equity, and Dignity
QoC	Quality of Care
RBA	Rights-Based Approach
RECs	Regional Economic Communities
RENAMO	Resistência Nacional Moçambicana or Mozambican National Resistance
RGA	Rapid Gender Analysis
RH	Reproductive Health
RHS	Reproductive Health Survey
RSF	Rapid Support Forces
SADC	Southern African Development Community
SAF	Sudanese Armed Forces
SE	Sexuality Education
SEARCWL-UZ	Southern and Eastern African Regional Centre for Women's Law
SDGs	Sustainable Development Goals
SDM	Standard Days Method
SPSS	Statistical Package for the Social Sciences
SRH	Sexual and Reproductive Health
SRHR	Sexual and Reproductive Health and Rights
SSA	Sub-Saharan Africa
STD	Sexually Transmitted Disease
STI	Sexually Transmitted Infection
TB	Tuberculosis
TCCs	Thuthuzela Care Centres
TFR	Total Fertility Rates
UHC	Universal Health Coverage
UN	United Nations
UNCRPD	United Nations Convention on the Rights of Persons with Disabilities

UNDR	Universal Declaration of Human Rights
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNHRC	United Nations Human Rights Council
UNIA	Universal Negro Improvement Association
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
VJH	Victoria Jubilee Hospital
WASH	Water, Sanitation, and Hygiene
WHO	World Health Organization
WWDs	Women with disabilities

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INTRODUCTION

There has been a wave of regressive laws and policies by governments across the world that threaten sexual and reproductive rights, women's rights, and the rights of gender and sexual minorities. The attempt to reverse the ban on female genital mutilation (FGM) in the Gambia, the attempt to repeal the Violence Against Persons Prohibition (VAPP) Act in Nigeria, and the overturning of *Roe v Wade* in the United States are examples of the recent surge in anti-rights legislation across the world. Sexual and reproductive health and rights are at a higher risk of being undermined by the anti-rights campaign. Issues such as access to safe abortion, reproductive rights, and sexual rights are coming under heavy scrutiny by governments globally. This edited book, *Sexual and Reproductive Health and Rights of Women in Africa and the Caribbean Region: Linking the Two Regions*, therefore, becomes a necessity amid the current pushback against SRHR. It aims to provide an understanding of the sexual and reproductive health and rights of women. It conceptualises and analyses relevant sexual and reproductive health rights issues (SRHR) in Africa and the Caribbean region. It focuses on providing historical, conceptual, and contextual understandings of SRHR issues in these regions while also examining linkages between sexual and reproductive health and rights in Africa and the Caribbean. It explores how this understanding can help support both regions in the protection of women's sexual and reproductive health and rights. It establishes the importance of the protection of sexual and reproductive health and rights in the world.

The main topics engage theoretical and contemporary issues, for example, limitations to the single use of courts as avenues for reducing obstetric

violence, abortion rights, maternal mortality, gender-based violence, and adolescent sexuality. The book presents diverse perspectives in the examination of SRHR issues by offering legal, socio-political, medical, and psychosocial frameworks for analysing and understanding sexual and reproductive health and rights. Considering the multifaceted nature of SRHR, the book uses a multi-sectoral approach to understand and analyse SRHR in Africa and the Caribbean. It features a rights-based analysis, a health-based analysis, a conceptual analysis, a literature analysis, a systematic review, and so on to explore the nuances around SRHR. Also, the chapter contributors were drawn from different sectors to enrich the multi-sectoral approach adopted in the book. Practically, the book contributes to discourse and strategies to protect the sexual and reproductive health and rights of women and men to improve both women's and men's quality of life/well-being and also to achieve gender equality. This is particularly relevant in light of the current socio-political landscape and attitudes towards sexual and reproductive rights, women's rights, and the rights of gender and sexual minorities. It focuses on re-echoing the significance of SRHR for development. In the face of the numerous attempts by governments and states to undermine individual rights, it calls for a collaborative and multi-sectoral approach to protect the progress that has been made while clamouring for better protection of sexual and reproductive health and rights. The book has both academic and policy significance, making it suitable for academics, policy researchers, and healthcare practitioners working on sexual and reproductive health and rights in Africa and the Caribbean.

STRUCTURE

The book covers different themes around the sexual and reproductive health and rights of women in Africa and the Caribbean to provide a holistic understanding. These themes focus on descriptive, contextual, and analytical approaches to understanding SRHR across the two regions. Chapter 1, "Sexual and Reproductive Health and Rights in Africa and the Caribbean", by Zainab Monisola Olaitan, Tinuade Adekunbi Ojo, and Shakira Maxwell, sets the scene on the sexual and reproductive health and rights of women in Africa and the Caribbean. It provides a general context on the SRHR of women in Africa and women in the Caribbean to establish the status quo in the different regions. It examines global policies and frameworks that have been adopted on SRHR while emphasising the