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MEDIA REPORT

Laws and Policies on Young People's Sexual and Reproductive Health and Rights in Africa

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1 Overview

On 11 September 2025, the Socio-Economic Rights Project at the Dullah Omar Institute convened a webinar on the laws and policies governing young people's sexual and reproductive health and rights in Africa. The discussion brought together experts from law, human rights and public health to examine how legal contradictions, restrictive policies, social norms and health-system practices affect adolescents' access to information, contraception, abortion services and respectful reproductive healthcare.

The speakers considered experiences from Malawi, Eswatini, Seychelles and Kenya, while drawing wider lessons for the continent. A consistent theme was that formal recognition of sexual and reproductive health and rights does not automatically translate into meaningful access. Gaps between constitutional commitments, legislation, policy and practice continue to restrict adolescents' autonomy and expose them to preventable harm.

1.1 Comparative legal and policy findings

Dr Godfrey Kangaude, Executive Director of the Nyale Institute in Malawi, presented a comparative assessment of Malawi and Eswatini. In Malawi, the Gender Equality Act expressly recognises sexual and reproductive health and rights, but contradictions across the Penal Code, the Marriage, Divorce and Family Relations Act, and abortion-related provisions create uncertainty and barriers for adolescents seeking services. In Eswatini, the Child Protection and Welfare Act and the Sexual Offences and Domestic Violence Act provide important child-protection safeguards, yet the legal framework also adopts a restrictive approach by criminalising all sexual activity involving persons under 18, including consensual activity between peers.

Across both countries, stigma and unclear rules on consent can prevent adolescents from seeking confidential care and can increase vulnerability to unsafe abortion and the denial of reproductive autonomy.

1.2 The Seychelles context

Dr Sindiso Nkomo of the Centre for Human Rights at the University of Pretoria examined Seychelles, where a progressive constitutional framework and the ratification of international treaties coexist with restrictive abortion provisions, parental-consent requirements for contraception and limited protection for sexual minorities. She noted that teenage pregnancy, gender-based violence and unsafe abortion remain serious concerns, influenced by cultural and religious norms and by the limited participation of young people in policy-making processes.

1.3 Public health and service-delivery concerns

Dr Sibusiso Mkwana of the University of the Witwatersrand's Reproductive Health and HIV Institute focused on the structural and institutional violence adolescents experience when seeking care. The denial of accurate information, harmful practices such as child marriage, and health-system barriers can themselves constitute forms of violence. Adolescents continue to face high levels of maternal mortality, HIV infection and gender-based violence, while obstetric violence remains under-reported despite its serious effects on dignity, trust and care-seeking.

Dr Anthony Ajayi of the African Population and Health Research Center shared evidence from Kenya and other settings on adolescents' experiences of obstetric violence. Verbal abuse, neglect and physical mistreatment in health facilities are often normalised within overstretched systems. These practices erode trust, discourage young people from seeking services and contribute to poor maternal and child health outcomes.

2 Conclusions and priorities

The webinar concluded that many African states have taken important steps to develop legal frameworks on sexual and reproductive health and rights, but contradictions in law, restrictive abortion regimes and persistent cultural stigma continue to deny adolescents meaningful access. Realising young people's rights requires both legal reform and a change in social norms, institutional culture and health-service delivery.

- Harmonise laws and policies so that they consistently protect adolescent autonomy, confidentiality and access to care.
- Decriminalise abortion and consensual sexual activity between adolescents in accordance with human rights and public-health standards.
- Expand access to contraception, accurate information and youth-friendly sexual and reproductive health services.
- Train healthcare providers in respectful, non-discriminatory and rights-based care.
- Strengthen accountability for violations and ensure that young people participate meaningfully in policy development.

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Given the need for regional integration to encourage development in Africa, the Institute also seeks to advance human rights and democracy in this broader context. Based on high quality research, the Institute engages in policy development, advocacy and educational initiatives, focusing on areas critical to the realisation of human rights and democracy in South Africa and Africa in general.