



The Communiqué

23rd May 2016

Action Now: Kenya's unsafe abortion cases spirals out of control

We 150 participants drawn from government, Constitutional Commissions, Members of National Assembly, Civil Society Organizations, Reproductive Health Experts, communities, survivors of unsafe abortion, medical practitioners, and legal practitioners participating in a *Community and Policy Dialogue on Unsafe Abortion in Kenya* held in the past two days in Nairobi, Kenya state the following:

Acknowledging that

- ❖ Unsafe abortion remains one of the five leading causes of maternal morbidity and mortality in Kenya with close to half a million women undergoing unsafe abortions yearly

- ❖ Kenya has signed and ratified Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa that among other things provides and expands grounds for safe abortion.
- ❖ Although the Constitution of Kenya conditionally permits termination of pregnancy, the necessary legal and policy framework is yet to be put in place to give effect to the implementation of Articles 26(4) and 43 (1) (2) (3)
- ❖ Majority of the women who procure unsafe abortion are young and poor and end up with serious health complications or dead.
- ❖ Factors that push women to seek unsafe abortion services such as lack of information, comprehensive sexuality education, failure to access quality and affordable contraceptives of their choice are yet to be addressed.
- ❖ Comprehensive sexuality education that would significantly contribute to prevention of unintended and unplanned pregnancies is lacking, in schools and homes, thus exposing vulnerable girls and women to unwanted pregnancies and complications arising from unsafe abortion.

We Agree to

- ❖ Individually and collectively advocate for the enactment and implementation of legal and policy frameworks, including but not limited to the reinstatement of the *Policies, Standards and Guidelines for Reducing Maternal Morbidity and Mortality* that will ensure women who need safe legal abortion services are able to access them
- ❖ Advocate for the provision and implementation of age-appropriate comprehensive sexuality education
- ❖ Advocate for an adequate budgetary allocation to ensure realization of sexual and reproductive rights of women and girls as provided for in the Constitution of Kenya 2010, including access to quality, accessible, affordable and acceptable contraceptives.
- ❖ Monitor, evaluate and document the social and economic impact of unsafe abortion on individuals, families, health facilities, communities, to inform policy decisions and actions
- ❖ Create awareness among citizens and communities on the consequences of unsafe abortion and the need for comprehensive reproductive health services

We recommend to state and non-state actors

1. The provision of free and accessible safe abortion services to the extent permitted by the law and without stigmatization, discrimination, intimidation or victimisation of women in need of these services
2. The Ministry of Health immediately gazettes the *Policies, Standards and Guidelines for Reducing Maternal Morbidity and Mortality in Kenya* and develop a work plan for their implementation and dissemination
3. Parliament enacts laws and review other prohibitive laws and policies around abortion in order to provide the framework for the delivery of safe abortion services
4. Government of Kenya lifts its reservations on Article 14(2)(C) of the Maputo Protocol that require states to protect the reproductive rights of women by authorising medical abortion in cases of sexual assault, rape, incest, and where the continued pregnancy endangers the mental and physical health of the mother or the life of the mother or the foetus.

5. Age-appropriate comprehensive sexuality education be offered to all children in and out-of school. Parents and guardians need to be at the forefront to complement the work of teachers and other organizations on sexuality education.
6. Increase budgetary allocation to contraceptives, post abortion care, safe abortion and comprehensive sexuality education services including comprehensive post-rape care services in Kenya
7. State and non-state actors undertake regular studies to document the magnitude and impact of unsafe abortion and make the findings widely known and informative to policy development and implementation
8. Government, the media, and other stakeholders develop effective awareness programs on contraceptives, comprehensive sexuality education, and safe abortion, among others.
9. Contraceptive services and commodities that are acceptable, appropriate and user-friendly be available all-year-around and accessible to them regardless of their status in the society.

10. Government creates a conducive and supportive environment for continuous training of health workers and their provision of services
11. Create awareness on and provide comprehensive post-rape care services to all in need of these services.

Signed by

1. National Gender and Equality Commission (NGEC)
2. Kenya Parliamentary Human Rights Association (KEPHRA)
3. Kenya National Commission on Human Rights (KNCHR)
4. Federation of Women Lawyers (FIDA) Kenya
5. Katiba Institute
6. Bunge La Wamama Mashinani
7. TICAH (Trust for Indigenous Culture and Health)
8. Young Women Leadership Institute
9. Kenya Legal & Ethical Issues Network on HIV and AIDS (KELIN)
10. Center for Reproductive Rights
11. Ipas Africa Alliance
12. Physicians for Human Rights
13. HIVOS

14. Dr. Nehemiah Kimathi
15. Dr. John Nyamu

For more information, Please contact **Esther Waweru** on: **0732-625-543**