

CIVIL SOCIETY ORGANIZATIONS APPLAUD HIGH COURT DECISION TO RESTORE SAFE ABORTION STANDARDS AND GUIDELINES

Nairobi, 12 June 2019: We the undersigned civil society organizations applaud today's High Court decision to protect the lives of Kenyan girls and women by restoring Standards & Guidelines for reducing Morbidity & Mortality from unsafe abortion in Kenya.

Today's ruling is a commendable move towards a more humane, compassionate and rights-based approach to the reproductive health of women and adolescent girls. Also supporting and endorsing this move are from various organizations working towards the advancement and realization of women's and girls' rights globally.

The court's reinstatement of the Standards & Guidelines holds the State to its obligation of ensuring women's and girls' have the highest attainable standard of health as guaranteed in the Constitution.

The Ministry of Health [Standards and Guidelines on Reduction of Maternal Mortality from Unsafe Abortion, 2012](#), were developed to standardize services and improve the knowledge and skills of health care providers.

However, the Director of Medical Services in December 2013 arbitrarily withdrew the Standards and Guidelines, followed by a circular issued to stop the training of medical providers on how to offer safe abortion services.

The reinstatement will also allow health care workers to exercise their constitutional mandate pursuant to Article 26(4), which explicitly allows medical services providers to provide safe abortion when the health/life of the women is in danger, in cases of emergency or under any other written law.

Unsafe abortions are a leading cause of lifelong disabilities or death among women and adolescent girls, with at least seven women losing their lives daily from unsafe abortions. No longer will women and girls resort to cruel, inhumane treatment in the hands of untrained personnel – particularly when they qualify for access to safe abortion services.

Towards implementation of the Judgment, we demand urgent interventions on the following:

1. With immediate effect, the Ministry of Health must sign into policy and launch the restored [2012 Standards and Guidelines on reduction of maternal mortality from unsafe abortion](#) by regulating access to safe abortion within the ambit of the country's Constitution and other written laws. This must be complemented by nation-wide dissemination and implementation of accurate information on, access to safe abortion and post-abortion care in Kenya.
2. The Ministry of Health and County governments must meet their obligations, as articulated in international human rights law and echoed in the Constitution of Kenya

(2010), to ensure access to information and safe abortion services within the confines of the law in all health facilities.

3. Aware that health is a devolved function, jointly with County governments, the Ministry of Health must undertake holistic and immediate interventions for the realization of the broader sexual and reproductive health and rights for all as enshrined in Article 43(1) (a) of the Constitution of Kenya (2010), with a view to enhance uptake of dignified and quality health services.

Kenyan women, girls and their communities are counting on the government. We are confident in the Ministry's commitment to uphold the High Court Judgment and action the steps above urgently.

