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**EXECUTIVE COUNCIL**  
**Thirteenth Ordinary Session**  
**24 – 28 June 2008**  
**Sharm El-Sheikh, EGYPT**

**EX.CL/447 (XIII)**

**REPORT OF THE AFRICAN COMMITTEE OF EXPERTS  
ON THE RIGHTS AND WELFARE OF THE CHILD**

## REPORT OF THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD

### INTRODUCTION

1. The Heads of State and Government of the Organization of African Unity, in 1990, adopted the African Charter on the Rights and Welfare of the Child. The Charter makes provision for a number of rights, but also duties, of the child. It came into force in 1999, and to date it has been ratified by 41 African countries.
2. Articles 32 to 45 of the Charter lay down the establishment and duties of the African Committee of Experts on the Rights and Welfare of the Child. The Committee consists of eleven members, who were elected for the first time by the 37th Summit of the Heads of State and Government of the Organization of African Unity held in Lusaka, Zambia in July 2001.
3. The objective of the Committee is to protect and promote the rights enshrined by the Charter. Accordingly it is responsible for monitoring the implementation of the Charter by States Parties. In this respect, Article 43 of the Charter stipulates that State Parties shall submit reports on the measures they have adopted which give effect to the provisions of the Charter.
4. Since its establishment, the Committee has carried out several activities to foster the rights of the child, including lobbying missions in a number of African countries to inquire about the status of children. It has also elaborated several working documents, including the rules of procedure, guidelines on the consideration of State Party reports, guidelines on the consideration of communications, and guidelines on observer status.
5. Furthermore, the Committee has held several meetings, the 10th of which took place from 25 to 27 October 2007 in Cairo, Egypt and the 11th from 26-28 May 2008 in Addis Ababa, Ethiopia.
6. The 10th Meeting of the Committee held in Cairo was guided by the need to enable Committee members to actively participate in the 2<sup>nd</sup> Pan-African Forum on Children held in Cairo, Egypt from 29 October to 2<sup>nd</sup> November 2007. The Forum gave rise to the adoption of the Call for Accelerated Action on the Implementation of the Plan of Action Towards « *Africa Fit for Children* » The Call identifies priority actions to be undertaken in favour of Children, and spells out the responsibilities of each stakeholder in this issue, notably the Committee. The latter moreover undertook, at the 11th meeting, to take the Call into account in its activities.
7. At the 11th Meeting, the Committee also recommended the organization of an African Summit on the Child. It adopted the theme of the 2009 Day of the African Child, deplored its lack of financial resources and expressed the wish to be granted an autonomous budget like other AU Commission institutions.
8. In this regard, the AU Commission can testify that the budget of the Committee is charged to the Department of Social Affairs. This, coupled with the

inadequate financial resources allocated to the Committee constitutes a major article for the performance of its duties. The Commission thus supports the recommendation for the Committee to have an autonomous budget and be further allocated adequate financial resources.

9. The Committee has just held its first pre-session in Addis Ababa, Ethiopia, from 29 to 31 May 2008, to consider reports submitted by States Parties, notably Egypt, Mauritius, Nigeria and Rwanda. The aim of the pre-session which recorded the participation of international and national organizations, was to enable the Committee to receive the contributions of these organizations which are active in the countries in order to make adequate preparations for the meeting with the countries concerned.

10. The Committee wishes to inform the Executive Council that the term of office of 4 Committee Members will expire at the end of July 2008. Therefore 4 new members will have to be elected. It pays tribute to the outgoing members for the services they rendered to the African child.

11. This report summarises the recommendations and decisions of the 10th and 11th meetings. It is presented in two parts :

1. Summary of the recommendations of the 10th Meeting
2. Summary of the recommendations of the 11th Meeting

#### **I. TENTH (10<sup>TH</sup>) MEETING OF THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD (ACERWC)**

12. The 10<sup>th</sup> Meeting of the African Committee of Experts on the Rights and Welfare of the Child was held at the Hilton Ramses Hotel, Cairo, Egypt from 25 to 27 October 2007. The Meeting was attended by eight Committee Members and representatives of UN Agencies, international and national organizations dealing with children issues.

13. After discussions, the following recommendations and decisions were adopted :

##### **I. Election of Bureau members**

14. The programme of work of the Meeting had included the election of the bureau. After debate, the Committee agreed to extend the mandate of the current bureau (which had ended) until the next meeting of the Committee.

##### **II. Adoption of the framework document on the list of issues for the consideration of State Party Reports**

15. The Committee assigned two members the task of preparing a draft framework document on the list of issues for the consideration of State Party report within the scope of implementation of the African Charter on the Rights and Welfare of the Child and observations according to specific areas. After the presentation of the draft, the document was discussed and adopted pending some amendments.

**III. Preparation of the pre-session for the consideration of State Party reports**

16. The Committee decided to organize the pre-session for the consideration of reports presented by the following States Parties ; Egypt, Mauritius, Nigeria and Rwanda in pursuance of the implementation of the African Charter on the Rights and Welfare of the Child.

17. This pre-session will be composed not only of Committee members but also of representatives of international organizations and Regional Economic Communities interested in the matter as well as national NGOs that are intervening in the field and resource persons chosen by the Committee.

**IV. AU Award on Children's Champions 2008**

18. It was agreed at the 9th meeting that every two years an award will be given to persons championing the rights of the child.

19. Due to a number of constraints and problems faced during the first award it is necessary to make minute preparations for the next award ceremony. A document has to be prepared in this respect to enlighten on how the first award was conferred and the problems faced.

20. It was agreed that the next award be given to an organization working on the defense and promotion of children's rights and that the award should not be linked to a theme.

**V. Consideration of the Committee by the African Union audit**

21. Due to the difficulties faced by the Committee, Mr. Zoungana, Committee Chairperson had met the Chairperson of the African Union Commission who confirmed to him that the Committee will be taken into account during the general audit of the African Union Commission. On this score, the representative of the African Union informed the meeting that the audit was underway.

22. Considering the urgency of the matter, the Committee members asked Mr. Zoungana to send a letter rapidly to the Chairperson of the African Union Commission to remind him of his commitment to take into account the Committee's problems in the audit.

**II. ELEVENTH (11<sup>TH</sup>) MEETING OF THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD (ACERWC)**

23. The 11<sup>th</sup> Meeting of the African Committee of Experts on the Rights and Welfare of the Child was held at the AU Conference Centre, Addis Ababa, Ethiopia, from 26 to 28 May 2008.

24. Eight members of the Committee as well as representatives of UN Agencies, international and national organizations dealing with children issues attended the meeting.

25. After discussions the following decisions and recommendations were adopted

**I. Consideration of the Committee by the AU audit**

26. The Committee Members observed that despite the letter sent by the Committee Chairperson, the Committee was not taken into account in the audit. Written observations by the Committee Chairperson on the audit report were forwarded to the Cabinet of the Chairperson of the African Union Commission. Committee members once more reiterated their wish for the Committee to be taken into consideration in the AU audit.

**II. Discussion on the Committee's budget**

27. Following the presentation by the Secretary of the budget allocated by the Commission to the Committee for 2008, the members deplored the small amount of financial resources allocated to the Committee and proposed that partners should be called upon to finance their activities for 2008.

- a) The Committee decided to carry over to 2009 the activities earmarked in the 2008 programme of work except for a few activities that will be carried out in 2008. In carrying out activities, those that could not be achieved in 2008 will be prioritized. The Committee decided to take into account the Call for Accelerated Action on the Implementation of the Plan of Action Towards Africa Fit for Children when carrying out these activities.
- b) The Committee set up a working group to prepare a draft plan of action for 2010-2015 to be presented at the 12<sup>th</sup> or 13<sup>th</sup> session of the Committee depending on the state of finalization. The Call for Accelerated Action will also be taken into consideration in the preparation of the Plan of Action.
- c) To be able to have enough resources to carry out its mission, the Committee expressed the wish to have an autonomous budget like other institutions of the AU Commission. The Committee itself will defend this budget before the Permanent Representatives' Committee.

**III. Theme of the Day of the African Child**

28. Several themes were proposed by Committee Members who finally, by consensus, agreed on the Call for Accelerated Action Towards Africa Fit for Children. Accordingly, the theme adopted for the Day of the African Child 2009 will be entitled: **Africa Fit for Children: Call for Accelerated Action Towards their Survival.**

#### **IV. Participation of Committee Members in International Meetings**

29. It was stressed that it would be useful for the Committee members to attend international meetings on children's rights, particularly meetings and conferences organized by the UN because it would be a great learning and information sharing experience. Members should then provide formal feedback on the meetings to other Committee members.

30. The membership of the Committee Chairperson on the board of the African Child Policy Forum (ACPF) was also discussed. Following debate on the soundness of such membership and above all its regularity with respect to the rules of procedure, it was decided that the Committee Chairperson should continue sitting on the ACPF Board.

#### **V. Collaboration with UN Committee on the Rights of the Child**

31. The Committee Chairperson informed members of the meeting he had with the Chairperson of the UN Committee on the Rights of the Child on the prospects of establishing collaboration links between the two bodies.

32. During discussions on this issue, Committee members appreciated the collaboration between the two institutions and requested that a framework be set up in this respect. The bureau was assigned to prepare terms of reference which will be discussed with the bureau of the UN Committee.

#### **VI. Recommendations of the 11th Meeting**

33. After discussions, the Committee adopted the following recommendations:

- Provide the Committee with an autonomous and adequate budget;
- Provide the Committee with the necessary resources to enable it to conveniently carry out its mission;
- Upgrade the status of the Committee;
- Give the Committee greater visibility;
- Encourage children to participate in the Committee's activities;
- Encourage States to ratify the Charter and to submit their reports in conformity with the provisions of the Charter;
- Popularize the Charter as is done with the UN Convention on the Rights of the Child;
- Organize an African Summit on the Child.

## VII. Election of the Bureau

34. Considering certain constraints including the absence of three members during this session and the departure of four members who are no longer eligible, the Committee members agreed to elect three bureau members. The others will be elected at the 12th Meeting with the arrival of four new members.

### **The newly elected members are:**

- Chairperson: Ms. Diakhaté Seynabou
- Deputy Chairperson: Ms. Koffi Marie Chantal Appoh
- Rapporteur: Ms. Boipelo Lucia Seiltamo

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**EX.CL/447 (XIII)-I**

**REPORT**

**TENTH (10<sup>TH</sup>) MEETING OF THE AFRICAN COMMITTEE OF  
EXPERTS  
ON THE RIGHTS AND WELFARE OF THE CHILD (ACERWC)  
25 – 27 OCTOBER 2007  
CAIRO – EGYPT**



## **I. INTRODUCTION**

1. The 10<sup>th</sup> Meeting of the African Committee of Experts on the Rights and Welfare of the Child was held at the Hilton Ramses Hotel, Cairo, Egypt from 25 to 27 October, 2007.

## **II. ATTENDANCE**

2. The meeting was attended by eight Members of the Committee as well as representatives of Organizations dealing with children issues: UNICEF, UN WFP, ICRC, ANPPCAN, Save the Children – Sweden-Nairobi, The African Child Policy Forum, the Institute for Human Rights and Development in Africa, CONGOC-Senegal, the Community Law Center of the University of Western Cape,

## **III. Agenda Item 1: OPENING CEREMONY**

### **a) Opening Remarks by the African Union (AU) Commissioner for Social Affairs**

3. Dr. Hassen El Hassen of the AU Cairo Office read the opening remarks on behalf of Adv. Bience P.Gawanas, the AU Commissioner for Social Affairs. The Commissioner apologized for not being able to participate in the meeting. She welcomed all participants to Cairo and wished the meeting fruitful deliberations. She informed the meeting that Mrs. Mariama Cisse who has been recruited as the Secretary to the Committee assumed duty last September. She added that another post of Senior Policy Officer has also been approved in the structure and will be filled shortly

4. She noted that the meeting was a special one as it preceded the Second Pan-African Forum on Children: Mid-Term Review which would take place in Cairo from 29 October to 2 November 2007 and in which the Committee Members are called upon to play an important role. She stated that an interactive session with the Committee has been included on the Agenda of the Forum and that Committee Members have been chosen to be discussants in the various Thematic Panel Discussions to be held during the Forum.

5. She highlighted that since the convening of the First Pan-African Forum, the situation of African children has not improved although there have been some progress in some areas. The African children are still confronted with many challenges and Governments have not included children related issues in their national priority programmes.

6. In conclusion, she called on the Committee to finalize the modalities with a view to expediting the consideration of the State Party reports, which were received. She reassured the Committee Members that the AU Commission has confidence in the Committee and that it takes the Committee's activities very seriously. She reaffirmed that the African Union would continue its support and collaboration with the Committee in the execution of its mandate. She then wished success to the meeting.

### **b) Statement by the Chairperson of the Committee**

7. Mr. Zoungrana Jean-Baptiste, the Chairperson of the Committee started his opening speech by welcoming the members of the committee and the attending partners. He then extended his thanks to the Egyptian authorities for the facilities it provided, and to the African Union Commission namely to Adv. Bience Gawanas, Commissioner for Social Affairs for having accepted to take part in the session.

8. He recalled the decision of the Executive Council ratified by the Conference of Heads of States and governments, which: “expressed its concern regarding the deterioration of the situation of children in the continent and reiterated the necessity to make Africa a place fit for children so that they may develop and prosper”. The Council also advised the Committee to get involved in the organization and the holding of the forum to evaluate the progress of the plan of action for the children, the reason for which, as President Zoungrana said, this session was convened to examine the path undertaken, the difficulties encountered, and to consider the strategic perspectives pertaining to the African child. He therefore recalled the main actions carried out by the Committee.

9. Mr. Zoungrana also recalled the works of the executive Council and his meeting with the African Commission’s Chairperson, after which a major gain has been recorded, namely the approval of the establishment of the Committee Secretariat, whose secretary Mrs. Cisse Mariama came into office. He also noted the commitment of the Chairperson of the Commission to include the more global question on childhood into the Heads of States' agenda and to ensure that the African Union auditors take into account the Committee problems.

10. He congratulated the Committee members for their determination despite the insufficiency of means and the institutional difficulties that the Committee is encountering, and urged them to pursue their commitment. He recalled the Agenda of the present session and invited the participants to be assiduous, to have frank discussions and to present constructive suggestions.

11. Finally, the Chairperson reiterated his thanks to the African Union Commission, particularly to its Chairperson Alpha Omar Konare and to Adv. Gawanas, Commissioner for Social Affairs and to his department’s staff as well as to the partners.

#### **IV. Agenda Item 2: PROCEDURAL MATTERS**

##### **a) Consultation among Committee Members**

12. After the opening ceremony, Members of the Committee held a closed consultative meeting to discuss some procedural and administrative matters. With regard to the election of the Bureau, the Chairperson explained that in conformity to the African Charter on the Rights and Welfare of the Child and the Committee's Rules of Procedure, the Committee ought to elect a new Bureau. It was also highlighted that the mandate of some Committee Members was ending in 2008. After an extensive debate on the matter, it was decided that since some Members of the Committee were not present, the election of the Bureau should be deferred until their arrival.

13. The Committee also raised the issue of support to the Chairperson of the Committee. It was highlighted that the Chairperson of the Committee was invited to represent the Committee at different fora and that he was not getting any support from the AU Commission. An appeal was made to the AU Commission to provide financial support to the Chairperson to facilitate him in carrying out his responsibilities.

14. The Committee then reviewed at the Agenda and agreed that in absence of the Secretary General of the Hague Conference, who has already presented his apologies, his presentation on “The Conference & Modern Conventions of Hague on International Child Protection”, will be replaced by a presentation on “The Harmonization of Laws Related to Children”, which the African Child Policy Forum would present.

**b) Election of the Bureau**

15. After a lengthy debate on the matter, the Committee agreed to extend the mandate of the current Bureau until the next meeting of the Committee.

**c) Adoption of the Agenda and Programme of Work**

16. The Agenda and Programme of Work were adopted after amendment. The Agenda is annexed to the Report.

**V CONDUCT OF THE MEETING**

**Agenda Item 3: Brief Presentations by Partners**

17. The Representatives of the UN Agencies, NGOs and other Organizations were requested to introduce themselves and make a brief presentation on the activities of their Organizations.

18. Participants then introduced themselves

a) The representative of UNICEF confirmed that his Organization will continue to collaborate with the African Committee of Experts on the Rights and Welfare of the Child and the Social Affairs Department of the African Union Commission and reaffirmed that UNICEF will continue to support their efforts.

b) As for the representative of the Institute of Human Rights and Development that is based in Banjul he confirmed that his organization militates for the promotion of Human Rights and that this Institute will soon present a case before ACERWC. He specified that his organization solicit the status of observer in front of the Committee

c) ANPPCAN’s representative recalled the working relationships between the Committee and her organization. She specified that her Organization was involved in the draping of report on children

consultation which will be submitted to the second Pan African Forum on Children.

- d) The Community Law Center of University of Cape Town (South Africa) representative prepared a compilation of 12 articles published on the Charter and on the Committees' activities. Its representative specified that, together with other NGOs they have submitted a document to the UN CRC on "available resources on the rights of the child: an African perspective".
- e) The representative of International Red Cross Committee's highlighted that his institution collaborated with the AU Department of Social Affairs and the ACERWC. He declared that his organization wishes to increase this collaboration in accordance to the discussions that were held with the Committee's Chairperson in the margin of the AU Ordinary Summit in Accra in January 2007.
- f) CONGOC-Senegal's representative informed the meeting of the launching, in June 2007, of an initiative in support of the African Charter on the Rights and Welfare of the Child, which comprises some ten coalitions from West Africa.
- g) The representative of Save the Children presented his Institution and confirmed that, this Institution will collaborate with the Committee.

**Agenda Item 4: Presentation on the Harmonization of Laws on Children by the African Child Policy Forum (ACPF)**

19. Mr. David Mugawe of the ACPF presented to the Committee a study carried out by the ACPF on "in the best interest of the Child: Harmonizing: Laws in Eastern and Southern Africa.

20. After the presentation the following points were raised:

- a) The harmonization of laws should be accompanied by good Rules of Procedure well prepared;
- b) It is necessary not only to include the provisions in national legislation but also to implement them;
- c) Remarkable progresses were achieved at national level; it is necessary to coordinate and harmonize these activities;
- d) Laws differ from one country to another;
- e) Member States should harmonize the definition of the word "Child".

**Agenda Item 5: Overview on Article 31 of the African Charter on the Rights and Welfare of the Child presented by the Community Law Center of the University of Western Cape, South Africa**

21. Prof. Julia. Sloth-Nielsen and Mr. Mezmur Benyam of Community Law Center of the University of Western Cape, South Africa, presented an in-depth analysis on Article 31 of the African Charter on the Rights and Welfare of the Child (ACRWC) in particular on the duties of the African Child. In their conclusion they highlighted that:

- The Charter not only reflects an African normative consensus on children's rights but places children's rights within the African cultural context and also provides the responsibilities of children to their parents, communities and society as a whole.
- Even though the Charter's recognizes the duties of children, it does not lose focus of its initial recognition that "... the child, due to the needs of his physical and mental development requires particular care with regard to health, physical, mental, moral and social development and requires legal protection in conditions of freedom, dignity and security. Article 31 is therefore tailored to make it impossible to demand that the child undertakes his or her duties in such a way that violates his or her other rights under the Charter;
- The ACERWC requests State Parties to provide, in their reports, details on measures, programmes, policies, for the realization of African Unity that they have put in place to assist children to fulfill their duties as contemplated by Article 31;
- The ACERWC could ask the implementation of some of the duties contemplated in Article 31, such as the duty to promote the achievement of African unity;
- The ACERWC could promote the mainstreaming of Article 31 at regional levels where children could participate in the development of positive social, political and economic values in the achievement of African unity.

22. After the presentation the following points were raised:

- a) States should capitalize on the positive roles that children could play within their family and the community;
- b) Children should be able to play a role at national level with a view to them to take up their responsibilities;
- c) Children should receive a training and their capacities must be enhanced in order to enable them participate actively in meetings;

- d) Article 31 of the ACRWC should be reviewed in line with the other Articles of the Charter.

**Agenda Item 6: Report on the celebration of the Day of the African Child 2007 and theme for the June 2009 DAC**

23. In presenting the item, the AU Representative informed the meeting that the theme for the June 2007 Day of the African Child (DAC) was communicated to all AU Member States requesting them to submit reports on how this day is planned in their respective countries. However, no report was received. She added that at the AU Commission's level, the Chairperson of the Commission issued a statement on the theme: "Combat Against Child Trafficking" this message is posted on the AU Website.

24. In the debate that followed, the following points were highlighted:

- a) Member States should be sensitized on the theme of the DAC. Strategies that could influence the submission of their reports must be elaborated;
- b) The AU Commission, the ACERWC and their partners should undertake advocacy and sensitization on activities related to the 2007 DAC;
- c) The NGOs and other Organizations could insure the follow-up of the celebrations of DAC with Member States at national level and request them to communicate their reports to the African Union Commission;
- d) A document on the theme of the DAC should be prepared and sent to Member States when communicating the theme to them;
- e) It was also pointed that since the celebration of DAC is conducted differently in each country, States could only be provided with guidelines on what is expected from them.

25. Regarding the 2009 DAC theme for the 2009 DAC, the Committee decided to await the outcome of the Second Pan-African Forum before making any proposal on the theme.

**Agenda Item 7: Status of the implementation of the recommendations of the 9<sup>th</sup> Meeting of the ACERWC**

26. The Representative of the AU Commission presented the report and highlighted the main recommendations related to each of the item discussed during the 9<sup>th</sup> Session of the ACERWC. She noted that many points from the ninth session had been incorporated in the Agenda of the 10<sup>th</sup> Meeting for follow-up action. She also informed the meeting that the Report of the ninth session was presented to the AU Council of Ministers held in Accra, Ghana in July 2007.

27. Concerning the lobbying mission for the ratification of the Charter, she explained that apart from Tunisia and the Republic of Congo the other countries to which note verbals were sent regarding the mission did not reply. She stressed that

there was need to devise strategies to urge the Member States to reply to the Committee's request.

28. In the ensuing debate, the following issues were raised:

- a) Concerning the lobbying mission, it was decided that apart from the note verbal sent by the AU Commission on the matter, the Chairperson of the Committee could write to the Ministry of Foreign Affairs as well and explain about the mission's objective. The AU Commission was requested to clarify the procedure and to ensure the follow up of the questions with the Chairperson of the Committee;
- b) The sensitization mission should be followed up even within Member States that ratified the African Charter in order to insure the follow up on the report of State Parties;
- b) It was also proposed that the Committee in collaboration with the Secretariat continues to follow up on resource mobilization, as some partners such as UNICEF and Save the Children were willing to support the Committee in the implementation of its activities;
- d) Concerning the issue of violence against children, it was recalled that during its last session, the Committee has proposed that the issue must be included on the Agenda of the AU Summit. The Chairperson explained that he raised the issue mentioned during his audience with the AU Commission and he was told that it was not possible to include the item on the Agenda of the Ghana Summit, as the Summit would deal with specific items. It was, therefore, decided that the Committee follow up on the matter and even raise it during the Forum.

**Agenda item 8:      Preparation of the Inter-Session of the Committee for the Second Pan-African Forum on Children: Mid-term review**

29. The theme on the preparation of the Inter-Session of the Committee for the Second Pan-African Forum on children - Mid-term review, made its subject of discussion during which the members of the Committee decided to grab this opportunity to bring to light the committee and its activities.

30. It was therefore agreed that a 30-min presentation on the committee be made and that the remaining time be devoted to the debates. Chairperson Zoungana, having already prepared a report to this end, proposed to present it, and it was accepted. He first made a chronological account on the elaboration of the Charter before developing the provisions on the rights and welfare of the child as well as on the committee. He then tackled the difficulties encountered by the committee before drawing conclusions on the perspectives. The other members of the committee brought amendments to the document and proposed to Prof. Ebigbo Peter to assist M. Zoungana in order to improve it.

31. The Secretariat of the Committee recalled that, during the forum, panels shall be organized and that the members of the committee were identified to act as

facilitators. The meeting decided to appoint the following members to participate in the different panels:

- Prof. Peter Ebigbo: the panel on the participation of youth and children.
- M. Moussa Sissoko for the panel: improvement of chances for life.
- Ms Koffi Marie Chantal for: the panel Realization of the right to education.
- Dr. Assefa Bequele for the panel: Realization of the right to protection

**Agenda item 9:      Consideration of the draft framework for the list of Issues for the consideration of State Parties Reports (prepared by Mrs. Diakhate and Prof. Ebigbo)**

32. The list of issues examined and divided into three parts, namely: the general data about the country or context, the observations on the state of implementation of the African Charter on the Rights and Welfare of the Child and the observations by specific field. The document was adopted under few amendments.

**Agenda item 10:      Preparation of the pre-session for the consideration of State Parties Reports**

33. The discussions on the preparation of the pre-session for the consideration of State Parties Reports revolved around the procedure to be followed and the composition of the teams.

34. As for the procedure to be followed, the members of the committee decided to summon the pre-session before the 11<sup>th</sup> Ordinary Session of the Committee, more precisely in February. During this pre-session, four reports shall be examined and these are that of Egypt, Rwanda, Mauritius and Nigeria; as for the other reports received and not translated yet, these shall be the subject for another pre-session.

35. This pre-session shall be composed not only of the Committee members but also representatives of International and Regional organizations interested in the matter as well as NGOs that are intervening in the field and resource persons chosen by the committee. In this respect, the following teams have been formed:

- Report presented by Mauritius: Mrs. Pholo Momembessi, Professor Ebigbo Peter, Mr. Zoungrana Jean Batiste;
- Report of Rwanda: Mrs. Koffi Marie Chantal, Mr. Moussa Sissoko and Mrs. Dawlat Hassan;
- Report of Egypt: Mrs. Polo Napka, Mrs. Diaakhate Seynabou and Mrs. Seilthamo;
- Report of Nigeria: Dr. Assefa Bekele, Mme Koome Martha

36. The African Union Commission will contact the International and Regional organizations to request them nominate their representatives, as for NGOs, Mr. Moussa Sissoko, Dr. Assefa Bequele and Mr. Peter Ebigbo respectively members



of CONGAG, Child Rights Policy and ANPPCAN will consult each other rapidly to nominate the representatives to the pre-session.

37. As for the number of participants per team, it had been decided that each of them be composed of maximum 9 persons for reasons of efficiency.

38. As for the financing of this activity, partners shall be recalled to contribute in its achievement.

**Agenda Item 11: Consideration of the Plan of Action of the Committee (2005-2009) Priority activities for 2008 and resource mobilization**

39. The Committee examined the Plan of Action for the period 2005-2009 and identified the priority activities to be undertaken in 2008. During the identification of activities the following issues were raised:

- a) It was highlighted that it was important for the Committee to carry out investigation missions on cases of violation of Child Rights together with its mission. In addition to the missions, the Committee could obtain information from other sources and sensitization missions for the ratification of the Charter should also be undertaken;
- b) It was proposed that a report be prepared on the ACERWC. This Report will explain how and when the Committee was established, its mandate, what it has achieved so far and its future activities. The report could be up-dated periodically;
- c) Concerning the collaboration between the ACERWC and the UN Committee on the Rights of the Child, the meeting was informed that the African Committee was invited to a meeting organized by the UN Committee in Burkina Faso at the beginning of November 2007. The French-speaking Members of the Committee will participate to this meeting. The meeting also informed that the UN CRC was willing to collaborate and support the ACERWC and that a document had been prepared by Mr. Jaap Doek to that effect.

The proposal of this collaboration with the UN CRC was accepted; however, it was clarified that this must not jeopardizes the specific mandates of ACERWC, which is to follow up on issues which are peculiar to Africa;

- c) Regarding resource mobilization, it was agreed that the Working Group, which was established during the eighth session to follow up on, this issue, should work out the Terms of Reference in collaboration with the Secretariat;
- d) Finally, it was agreed that the Chairperson, the Reporter and the Secretariat finalize the Plan of Action for 2008 and that they elaborate the modalities for mobilizing resources in order to implement it. In this regard,

the Committee informed the meeting that the Pan-African Parliament was ready to collaborate with the ACERWC and fund some of its activities.

**Agenda Item 12: Any other business**

**a) Organization of ACERWC Secretariat**

40. Concerning the theme of the Committee Secretariat's organization, it had been noted that one of the constraints that the Committee encountered was the absence of a Secretariat. The present nomination of a Secretary shall be a great contribution for the committee activities since the basic documents are established. Now, the recruitment of staff complement must proceed.

41. Discussions were pursued on a general framework, namely the Committee's operation, which is hindered by lack of resources. The committee members deplored the fact that they had never been associated to the elaboration of the committee's budget. It has been noted that it was due to lack of clarity on the committee's status. They have deplored the treatment reserved to the committee comparing to other African Union institutions and have confirmed the necessity to clarify this situation rapidly.

42. Mr. Zoungana recalled that the Chairperson of the African Union Commission has confirmed, during their meeting, that the General Audit of the AU Commission shall take the Committee's problems into account; consequently, the AU representative informed participants that the audit is going on. Due to the urgency, the committee members asked Mr. Zoungana to send rapidly a letter to the Chairperson of the African Union Commission to remind him of his commitment to take into account the committee's problems in the audit.

**b) Proposed Seminar on Committee Members Capacity building in Conflict Resolution**

43. The Chairperson informed the meeting that the Center for conflict resolution has organized, for Members of the Committee, a Seminar which will be held in Dakar from 25 to 29 November 2007. He added that a draft document and a Programme were sent to him to that effect.

44. During the debate it was highlighted that:

- a) Conflict resolution was not within the mandate of the Committee. Therefore, it was proposed that the title of the Seminar be changed to "Capacity building of Committee Members in matters of Child Protection in Conflict Situations" ;
- b) Some Committee Members announced that they would not be able to participate in the Seminar during that period. Two proposals were therefore made on the dates of the Seminar:
  - 4 – 7 December 2007; or
  - 22-25 January 2008

**c) AU Award on Children's Champions 2008**

45. The Representative of the AU Commission recalled that during the ninth meeting it was agreed that a prize for children champions be awarded every two years. However, the Committee did not agree on the modalities that were to be followed. There was need; therefore, for the Committee to brainstorm on the issue and come out with concrete proposals.

46. In the debate that followed, the following issues were raised:

- a) The Committee had taken part in the First AU Award and a number of constraints and problems were encountered. Hence, there was need to prepare adequately the next award;
- b) A document explaining how the First Award was conducted as well as the problems it encountered ought to be prepared;
- c) It was agreed that the next Award be given to an organization who works on the defense and promotion of child right and that the Award is not linked to a theme;
- d) The Secretariat was requested to come up with proposals on this issue.

**Agenda Item 13: Adoption of the Draft Report**

47. At the end of the deliberations the Reporter presented a general report, which was adopted subject to few amendments taken into consideration in this report.

**Agenda Item 14: Closing**

48. As the Agenda was thoroughly examined, the Chairperson of the Committee expressed thanks to Adv Bience Gawanas, Commissioner for Social Affairs for having at the closing ceremony of the 10<sup>th</sup> Session of ACERWC and asked her to be the spokesperson of the Committee within of the AU Commission. He also thanked all the members of the Committee for their diligence and active participation that allowed the work's success. He then thanked the partners for the interest they accorded to the Committee before giving the floor to the Commissioner for the Closing Speech.

49. Adv Gawanas, Bience, Commissioner for Social Affairs expressed her satisfaction for the 10th Session of the Committee subsequently to the 2<sup>nd</sup> Pan-African Forum on the future of children. She specified that this forum would allow the Committee to refine well its actions in favor of children. She also added that the conclusions of this forum would be presented during the UN Special Summit on Children. To conclude, the Commissioner thanked the members of the Committee for the work accomplished and Mr. Zoungrana, Jean-Baptiste for his seriousness in assuming his duties as a Chairperson. She also thanked partners for their support and ensured the members of the Committee of her availability to be their spokesperson within of the African Union Commission.

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**EX.CL/447 (XIII)-II**

**REPORT**

**ELEVENTH (11<sup>TH</sup>) MEETING OF THE AFRICAN COMMITTEE OF  
EXPERTS  
ON THE RIGHTS AND WELFARE OF THE CHILD (ACERWC)**

**26 - 28 MAY 2008  
ADDIS ABABA, ETHIOPIA**

## **I. INTRODUCTION**

1. The 11<sup>th</sup> Meeting of the African Committee of Experts on the Rights and Welfare of the Child was held at the AU Conference Centre, Addis Ababa, Ethiopia, from 26 to 28 May 2008.

## **II. ATTENDANCE**

2. The meeting was attended by eight Committee Members, the Embassy of Côte d'Ivoire, the Embassy of Burundi, COMESA as well as representatives of organizations dealing with children's issues: UNICEF, UNHCR, UN Human Rights Regional Office (OHCHR), International Organization for Migration (IOM), WFP, World Vision, the African Child Policy Forum, the Institute for Human Rights and Development in Africa, Plan International, Save the Children – Sweden, the National Coalition of Children's Associations and NGOs (CONAFE – Senegal), the Community Law Center of the University of Western Cape, International Federation of Human Rights (IFHR), Coalition to Stop the Use of Child Soldiers and ANPPCAN.

### **ITEM 1: OPENING CEREMONY**

#### **b) Opening Remarks by the African Union (AU) Commissioner for Social Affairs**

3. In her opening statement, H.E Adv. Bience Gawanas, Commissioner for Social Affairs, welcomed the Committee Members and the participants. She recalled that the African Committee of Experts on the Rights and Welfare of the Child was established within the framework of the African Charter on the Rights of the Child to ensure the promotion of the rights of children. She indicated that since its inception the Committee had undertaken a number of initiatives and that the Committee would soon start to consider the State parties reports. She pointed out that the first pre-session to consider State parties reports would follow the 11<sup>th</sup> Session of the ACERWC and called on Committee Members to ensure its success.

4. Referring to the agenda of the 11<sup>th</sup> Session, the Commissioner underscored the important items to be discussed such as the theme for the Day of the African Child, the Committee's budget for 2009 and the Plan of Action for 2010-2015. She indicated that the Committee should present a budget which is realistic and implementable.

5. She reminded Committee Members that they had the responsibility to ensure that children have a happy life by ensuring the implementation of the provisions of the African Charter. She added that it was in the same spirit that the Call for Accelerated Action Towards Africa Fit for Children was adopted. She recalled that the Call has assigned responsibilities to all stakeholders including the Committee. The Call should therefore serve as a reference document to the Committee.

6. In conclusion she indicated that the outcome of the 11<sup>th</sup> Session would be submitted to the 13<sup>th</sup> Session of the AU Executive Council, which will meet in Egypt in June 2008. She then thanked the four Committee Members whose terms of office would end in July 2008, namely, Mr. Zoungrana, Prof. Ebigbo, Dr. Bequele and Mrs.

Polo. She thanked them for the services rendered to the Committee and to Africa's children, and stated that they will be called upon should the need arise. She further stated that their names would be engraved in the records of the Committee and the Department of Social Affairs. Finally, she wished the meeting successful deliberations.

**(b) Statement by the Chairperson of the Committee**

7. In his opening statement, Mr. Zoungrana Jean-Baptiste, Chairperson of the Committee, first of all conveyed his gratitude to the Commissioner for Social Affairs for her brilliant re-election, and thanked the participants for having honoured the invitation.

8. He observed that the meeting was a follow-up to the Second Pan-African Forum held in Cairo, which adopted the Call for Accelerated Action on the Common Position towards « *Africa Fit for Children* », and that it would be important for each person to honour their commitments.

9. He then recalled the context in which the 11th Session was holding, notably situations of conflict in some African countries and the crisis arising from the high cost of living whose consequences impact on children.

10. Mr. Zoungrana Jean Baptiste however underscored the positive aspects of the unfavourable context. These include the holding of the Second International Colloquium on Gender-related Justice organized by the Ethiopian Government and UNICEF, and the Third Conference on the African Child organized by the African Child Policy Forum on Child Poverty in Africa whose organizers he praised for their commitment in favour of the African child. He also recalled the launch, on 11 May 2008, by some 200 organizations, of the Pan-African Movement on the Child.

11. In conclusion, the Chairperson informed participants that his term of office would end on 8 July 2008; this equally applies to those of Dr. Peter Ebigbo of Nigeria, Dr. Assefa Bequale of Ethiopia and Ms. Nakpa Polo of Togo. He expressed satisfaction with the results achieved, and thanked the AU for all the assistance and facilities he had enjoyed during his mandate. He finally invited members to thoroughly analyze the items on the agenda, and wished total success for the deliberations.

**ITEM 2: CONSULTATION AMONG COMMITTEE MEMBERS (Closed Session)**

12. Following the opening ceremony, the Committee Members met in camera to discuss urgent matters. The discussion in which the Commissioner participated covered three points:

- Election of bureau members: certain constraints were raised on this item, such as the absence from this session of 4 committee Members and the non possibility of re-electing 3 of the members present whose terms of office will soon end. Given the situation, the Committee members decided that for the present session, only the Chairperson, the 1st Deputy Chairperson and the Rapporteur would be elected for a two-year term of office. The other bureau members would be elected at the 12th Session with the arrival of new members;

- Collaboration with the UN Committee on the Rights of the Child: Committee Members agreed to treat this issue as an agenda item;
- Organization of a pre-session for the consideration of reports: Committee Members also agreed to treat this issue as an agenda item.

### **ITEM 3: PROCEDURAL MATTERS**

#### **(a) Adoption of the agenda and the Programme of Work**

13. Prof. Julia Slot who would have presented a paper on « *the Best Interest of the Child* » excused herself for a last minute constraint, and thus the paper was cancelled and replaced with one on the Call for Accelerated Action towards « *Africa Fit for Children* ».

14. Other items were proposed, and included cooperation with the UN Committee on the Rights of the Child and the organization of a pre-session.

15. The Chairperson presented the agenda and the programme of work, which were approved subject to the following amendments.

#### **(b) Organization of Work:**

16. The Committee agreed to conduct its deliberations as follows:

- The first day in open session
- The second day in closed session

### **ITEM 4: BRIEF PRESENTATIONS BY PARTNERS AND DISCUSSION**

17. The meeting heard brief presentations from the following partners: Institute of Human Rights and Development in Africa, Plan International, Save the Children – Sweden, Coalition to Stop the Use of Child Soldiers, CONAFE – Senegal, ANPPCAN, World Vision, African Child Policy Forum, Community Law Centre, IOM, UNHCR, COMESA, UNICEF, WFP, and IFHR. They all:

- Thanked the Committee for inviting them to participate in the meeting;
- Recalled the cooperation that exists between their organisations/institutions and the African Union Commission;
- Gave a brief on the structure and mandate of their organisations/institutions;
- Briefed the meeting on the activities carried out by their organisations/institutions in promoting the rights and welfare of children;
- Expressed their willingness to continue to work in close collaboration with the Committee and support its activities;

- Some of them expressed the willingness to obtain Observer Status with the Committee, namely the Institute for Human Rights and Development in Africa and Save the Children-Sweden.

**ITEM 5: PRESENTATION: “THE UN TEN YEAR CAPACITY BUILDING PROGRAMME”**

18. A presentation was made by Mr. Patrice Vahard, Regional Human Rights Adviser (Office of the High Commissioner for Human Rights) on the ‘The UN Ten Year Capacity Building Programme’. In brief, the presentation focused on: the partnership between African Union and the UN, looking at the framework of cooperation between the two organizations and the capacity building strategy as a guide in the UN’s support to the African Union; the UN Cluster approach to ensure an integrated thematic response; and the promotion of children’s rights as a cross-cutting and key issue.

19. Following the presentation, discussions took place: The main points highlighted in the discussions were that the Committee needs to continue to work towards improving the welfare of children in Africa, taking into account the importance of integrating other cross-cutting issues that affect the lives of African children. The Committee will be discussing common issues with partner organizations in order to improve their work and to see how they can be involved in the upcoming 2009 evaluation undertaken in different African countries by the UN Human Rights Council. Furthermore, the Committee will take full note of issues raised at this 11<sup>th</sup> session and take into account activities in the ten year capacity building programme so that they can play an active role in the promotion of children’s rights.

20. It was emphasized that the role of Regional Economic Communities is vital in the coordination of programmes in their countries of operation; they can maximize the resources that they have in order to work towards a faster achievement in their development activities. Civil society organizations are also particularly essential in the process of helping African communities to be more proactive in shaping the policies, which affect their lives. Nothing can be achieved successfully unless the beneficiaries are involved in mapping out their own needs and requirements.

21. It is crucial that civil society organizations, agencies (donors, humanitarian agencies etc.) and bilateral organizations find ways of putting their resources together to work towards having one agenda on human rights and other matters to ensure effective achievement of goals.

**ITEM 6: PRESENTATION ON THE: “Call for Accelerated Action on the Implementation of the Plan of Action Towards Africa Fit For Children”**

22. The Call for Accelerated Action on the Implementation of the Plan of Action Towards Africa Fit for Children was presented by the Representative of the AU Commission. She recalled the process which led to the adoption of the Call for Accelerated Action. She referred to the First Pan-African Forum on Children, which was held in Cairo, Egypt in 2001, the outcome of which was the Declaration and Plan of Action of Africa Fit for Children. She indicated that Africa Fit for Children was Africa’s contribution to the UN General Assembly Special Session on Children held in



May 2002. She pointed out that the Second Pan-African Forum on Children was held in Cairo, Egypt in October/November 2007, in implementation of a mandate given to the AU Commission in the Plan of Action of Africa Fit for Children as well as a Decision taken by the Assembly of Heads of State and Government in 2005. She recalled that the main objective of the Forum was to review and assess progress made by Member States in implementing commitments made in the Declaration and Plan of Action of Africa Fit for Children.

23. She stressed that the Call for Accelerated Action is a reaffirmation of the need to achieve the targets set in the 2001 Plan of Action. In this regard, the Call focuses on the priority topics, namely: Legislative and Policy Framework; Institutional Framework; Mobilizing and Leveraging Resources; Enhancing Life Chances; Overcoming HIV and AIDS, Realizing the Right to Education; Realizing the Right to Protection; and Realizing the Right to Participation and identifies priority actions under each topic. The presenter indicated that the value added of the Call was that it provides a monitoring and evaluation framework as well as spells out the roles and responsibilities of the AU Commission, Member States, and the African Committee of Experts on the Rights and Welfare of the Child as well as all other stakeholders. She called on the development partners to work in concert and continue to support the AU Commission and the African Committee in implementing the 2001 Plan of Action and the Call for Accelerated Action.

24. Finally, she informed the meeting that the Call for Accelerated Action was endorsed by the AU Executive Council and Assembly of Heads of State and Government in January/February 2008 and has been forwarded to all Member States and development partners. The Call was further presented to the UN General Assembly Commemorative High Level Plenary Meeting held in New York in December 2007 as Africa's contribution.

25. In the ensuing debate, the following points were raised:

- a) In line with the Plan of Action and the Call Towards Africa Fit for Children, the Nigerian Government has taken measures to develop a Nigeria Fit for Children;
- b) There is need for Governments to be guided by the Call for Accelerated Action when developing their national programmes on children;
- c) The Committee should capitalize as much as possible on the expertise of development partners in implementing the Call;
- d) There is need for the Committee to identify the priority areas and include them in its Plan of Action 2010 -2015;
- e) The Committee needs to take action urgently. It needs to identify the evaluation and monitoring process and actions required on each topic. Furthermore, success stories should be identified and disseminated as widely as possible;

- f) There was lack of information on the African Charter and the Committee. It was therefore necessary to work in collaboration with NGOs and CSOs in order to popularize them;
- g) Advocacy and raising of awareness were important in the implementation of the Plan of Action and the Call. The Committee should utilize all means and actors in the process;
- h) Governments should be held accountable. CSOs, NGOs and other stakeholders should be utilized to put pressure on Governments for the implementation of the Plan of Action and the Call;
- i) It was not enough for Member States to ratify the African Charter; they should also domesticate it;
- j) The Committee should include the Call in the reporting system. State Parties should be requested to also report on the implementation of commitments made in the Call for Accelerated Action;
- k) In order to sensitize Governments and create an impact, children's issues should be debated at the highest level. It is important therefore to include an item on children on the Agenda of the AU Assembly of Heads of State and Government;
- l) The AU Commission should be more committed to children's issues.

**ITEM 7: STATUS OF IMPLEMENTATION OF THE RECOMMENDATIONS OF THE 10<sup>TH</sup> MEETING OF THE ACERWC (Closed Session)**

26. The Secretary of the Committee presented a paper on the status of implementation of the following recommendations adopted at the 10th Session:

- (a) **Organization of the 1<sup>st</sup> pre-session to consider the State party reports** (Egypt, Nigeria, Mauritius and Rwanda) preparations have ended, and the pre-session is scheduled to take place from 29 to 31 May 2008, just after the 11<sup>th</sup> Session.
- (b) **Implementation of activities adopted for 2008 :**
  - Preparation of a study on the Committee highlighting its establishment, mandate and activities: on this item, the Secretary suggested that they contact the Community Law Centre which collaborates with the Committee and had already conducted research on this topic;
  - Investigation missions on cases of violation of the rights of the child and for the ratification of the Charter: the Secretary explained that the budget allocated by the Commission does not make it possible for these missions to be conducted, although contacts have been made with partners such as UNICEF towards the funding of these activities;

- On the issue of resource mobilization: the Commission allocated a total amount of \$180,000 for the Committee to finance its activities and 2 of its sessions, but this amount cannot cover the said activities. To overcome this shortage of financial resources, contacts were made with some partners who promised to finance certain activities. Financing prospects are also being explored on the basis of the African Union–European Union partnership agreement;
- Preparation of an annual work plan for 2008: the document was prepared and submitted to partners such as UNICEF, Plan International, Save the Children and the UN Ten Year Capacity Building Programme for the AU;
- Collaboration with the UN Committee on the Rights of the Child: this activity could not be carried out because of the insufficient budget allocated to the Committee. UNICEF was contacted and showed interest in the issue;

**(c) Consideration of the Committee under the AU Audit:**

- As agreed, the Committee Chairperson sent mail to the Chairperson of the Commission. Despite that, the report did not take the Committee's concerns into account. Written observations were sent before the extraordinary session of the Executive Council held in Arusha, which the Committee Chairperson could not attend because he did not receive his plane ticket in time. Committee members once more reiterated their wish for the Committee to be taken into consideration in the AU audit.

**(d) AU Award on Children's Champions 2008:**

- The 10<sup>th</sup> Session recommended that the organizers submit a report showing the obstacles faced at the 1<sup>st</sup> Session. The Secretary observed that the report had not yet been forwarded to her ;
- The Committee Members took note of the implementation of these recommendations and made proposals towards improving the services of the Secretariat so that it can better prepare missions and meetings in which they have to take part.

**ITEM 8: DISCUSSION ON THE COMMITTEE'S BUDGET**

27. To be able to have enough resources to carry out its mission, the Committee expressed the wish to have an autonomous budget like other institutions of the AU Commission.

**a) Implementation of 2008 Work Plan:**

28. The Secretary made the budget allocated a presentation on the programme highlighting the *activities* adopted, for their accomplishment and the source of funding (AU or partners). She recalled that the AU Commission had allocated the sum of \$180,000.00 to the Committee for 2008. The organization of this session and the pre-session cost \$70,000.00. Considering the small amount of financial resources available, the Committee members have to select the priority activities to be financed from the AU Commission budget *surplus*.

29. The members deplored the low amount of financial resources allocated to the Committee and proposed that partners should be called upon to finance their activities. After discussions, the Committee decided to prioritize the following activities:

- organization of the 12<sup>th</sup> session of the Committee;
- Official missions of the Committee members;
- carrying out the lobbying mission for the ratification of the Charter in the Democratic Republic of Congo.

**b) Preparation of 2009 budget**

30. The Committee decided to carry over to 2009 the activities earmarked in the 2008 work programme except for the training course for the Committee Secretary scheduled for this year. In carrying out activities, those that could not be achieved in 2008 will be prioritized. The Committee decided to take into account the Call for Accelerated Action on the Implementation of the Plan of Action Towards Africa Fit for Children when carrying out these activities.

**c) Preparation of a Plan of Action for 2010-2015**

31. Ms. Diakhaté Seynabou, Mr. Moussa Sissoko, and Ms. Cisse Mariama were designated to prepare a draft plan of action for 2010-2015 to be presented at the 12<sup>th</sup> or 13<sup>th</sup> session of the Committee depending on the state of finalization. The Call for Accelerated Action will also be taken into consideration in the preparation of the Plan of Action.

**ITEM 9: THEME OF THE DAY OF THE AFRICAN CHILD**

32. Several themes were proposed by Committee Members who finally, by consensus, agreed on the Call for Accelerated Action Towards Africa Fit for Children. Accordingly, the theme adopted for the Day of the African Child 2009 will be entitled: **Africa Fit for Children: Call for Accelerated Action Towards their Survival.**

**ITEM 10: PARTICIPATION OF COMMITTEE MEMBERS IN INTERNATIONAL MEETINGS (Closed Session)**

33. The Chairperson started by mentioning that Committee Members need to have information in a timely manner concerning attendance of international meetings so that they can prepare adequately. It was stressed that it would be useful for the

Committee members to attend international meetings on children rights, particularly meetings and conferences organized by the UN because it would be a great learning and information sharing experience. Members should then provide formal feedback on the meetings to other Committee members.

34. He went on to say that representation of the Chairperson of the Committee as a board member of the African Child Policy Forum (ACPF) is of benefit to the Committee because the forum is an important arena for Committee's interaction with civil society organizations.

35. A point was raised on the role of the Chairperson of the Committee in the Council of the African Child Policy Forum.

36. It was then explained that the ACPF is a policy and advocacy centre that deals with policy research on the rights and welfare of the child and follows three principles: universalism, internationalism and Pan Africanism. The ACPF's work is guided by the UN Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child. The ACPF consists of institutional members (Plan International, African Union, Save the Children etc.) and individual members; the ACPF involves the Chair of the Convention on the Rights of the Child and the Chair of the African Charter or their proxies as standing members of the board of the ACPF so that the forum's work will continuously be geared towards and embody the values of the UN Convention and the African Charter.

37. It was noted that as of yet, the Committee's relationship with the ACPF has been positive and constructive and no conflict of interest has occurred.

38. An objection was made with regards to the Committee Chairperson's membership on the board of the ACPF and membership of the ACPF's Director on the Committee. It was emphasized that this situation was not ethical and could cause problems with the two parties influencing each other's decisions.

39. It was also mentioned that even though the issue of the Committee Chairperson's membership on the ACPF board should have initially been discussed with the other Committee members, there is no conflict of interest or problem because the collaboration with ACPF is complementary of the Committee's work and adds value to it.

40. It was concluded that unless there is an article in the Rules of Procedure of the Committee which prohibits the participation of the Chair in the ACPF board, then the next incoming Chairperson will continue to participate.

#### **ITEM 11: ORGANIZATION OF THE PRE-SESSION TO CONSIDER STATE PARTY REPORTS**

41. Following discussions, the Committee Members decided to organize the working session on the morning of 28 May 2008 to enable them exchange and harmonize their observations and comments on the various reports and to enable the rapporteurs to finalize the report.

**ITEM 12: COLLABORATION WITH THE UN COMMITTEE ON THE RIGHTS OF THE CHILD**

42. The Committee Chairperson recalled the paper presented by Mr. Jaap Doeck on collaboration between the two Committees and the meeting organized in Ouagadougou by the UN Committee on the follow-up of its recommendations, which was attended by some members of ACERWC. He then informed the Committee of the meeting he had with the Chairperson of the UN Committee during the meeting of the African Child Policy Forum held in Addis Ababa in May 2008. The meeting provided occasion to reiterate the need for such collaboration.

43. During discussions on this issue, Committee members appreciated the collaboration between the two institutions and requested that a framework be set up in this respect. The bureau was assigned to prepare terms of reference which will be discussed with the bureau of the UN Committee.

**ITEM 13: RECOMMENDATIONS**

44. After discussions, the Committee adopted the following recommendations:

- Provide the Committee with the necessary resources to enable it to conveniently carry out its mission;
- Upgrade the status of the Committee;
- Provide the Committee with an autonomous and adequate budget;
- Give the Committee greater visibility;
- Encourage children to participate in the Committee's activities;
- Encourage States to ratify the Charter and to submit their reports in conformity with the provisions of the Charter;
- Popularize the Charter as is done with the UN Convention on the Rights of the Child;
- Organize an African Summit on the Child.

**ITEM 14: ELECTION OF BUREAU MEMBERS:**

45. As agreed, the Committee members elected three bureau members. The newly elected members are:

- Chairperson: Ms. Diakhaté Seynabou
- Deputy Chairperson: Ms. Koffi Marie Chantal Appoh
- Rapporteur: Ms. Boipelo Lucia Seiltamo

**ITEM 15: ANY OTHER BUSINESS**

46. The following issues were raised under this item:

- Mr. Moussa Sissoko presented the terms of reference for the organization of a NGO Forum on the issue of children. Following discussions the Committee decided to study the document which will be considered as an avenue of reflection on the issue. The document should take account of the recently established Pan-African Movement on the Child;

- Collaboration with the African Commission on Human and Peoples' Rights (ACHPR). The Chairperson recalled that the idea had been expressed to designate a special rapporteur on violence against children. Since this proposal was not adopted, it would be useful for the Committee to cooperate with the ACHPR to benefit from the opportunities or information available to the various special rapporteurs of that institution;
- There was a proposal for reflection on the possibility of making Committee members responsible for specific themes;
- It was also proposed that the Committee should publish its own News Letter to give its actions greater visibility;
- It was observed that Ms. Pholo Mamosebi, a Committee member, had failed to attend two consecutive sessions of the Committee without justification; the Committee decided to send her a reminder in conformity with Article 14 of the Rules of Procedure;
- There was a proposal on the possibility for the Committee to have its own headquarters like other AU institutions: This proposal was deemed untimely, considering certain priorities the Committee has to tackle.

**ITEM 16:                    ADOPTION OF THE DRAFT REPORT**

47. After the rapporteur presented the report, a few proposals for amendments were made and the report was adopted, pending the taking into consideration of the said amendments.

**ITEM 17:                CLOSING CEREMONY**

48. In her closing statement, the Acting Director of the Department of Social Affairs thanked the participants for the work accomplished and stressed the need to implement the decisions. She also thanked the Committee Secretary who spared no effort for the success of the session, and wished participants a safe return journey.

49. In his closing speech, the out-going Committee Chairperson commended the decisions and recommendations adopted at the session and thanked participants for their contributions and the quality of the discussions. He equally thanked the AU Commission, his fellow committee members and the Secretary for the support they lent him during his term of office. While wishing the newly elected bureau total success, he declared the deliberations of the 11<sup>th</sup> Session of the Committee closed.





2008

# Report of the African committee of experts on the rights and welfare of the child

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