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EXECUTIVE COUNCIL

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**CONSIDERATION OF THE STATUS OF ONE (1) MEMBER OF
THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND
WELFARE OF THE CHILD**

**CONSIDERATION OF THE STATUS OF ONE (1) MEMBER
OF THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS
AND WELFARE OF THE CHILD**

1. The Commission would like to inform the Executive Council of the membership of the African Committee of Experts on the Rights and Welfare of the Child (the ACEWRC).
2. The ACEWRC is established under Article 32 of the African Charter on the Rights and Welfare of the Child to promote and protect the rights and welfare of the child. It is composed of eleven (11) members of high moral standing, integrity, impartiality and competence in matters relating to the rights and welfare of the child. It should be noted that members of the ACEWRC serve in their personal capacity.
3. Regarding the term of office of the members of ACEWRC, Article 37 (1) and (2) of the African Charter on the Rights and Welfare of the Child provides as follows:
 1. The member (s) of the Committee shall be elected for a term of five years and may not be re-elected, however, the term of four of the members elected at the first election shall expire after two years and the term of the six others, after four years.
 2. Immediately after the first election, the Chairman of the Assembly of heads of State and Government of the Organization of African Unity shall draw lots to determine the names of those members referred to in sub-paragraph 1 of this Article.
4. The Commission would like to recall that during the Twenty Third Ordinary Session of the Executive Council, the Executive Council adopted decision EX.CL/Dec.776 (XXIII) wherein it requested the Commission to undertake a study on the measures required to ensure continuity of the membership of ACEWRC, including the possibility of the renewal of the mandate of the members for another term.
5. During the 37th Ordinary Session of the Assembly held in Lusaka, Zambia in July 2001, the Assembly elected the following members of the ACEWRC:

NO.	NAME	COUNTRY	TERM OF OFFICE
1.	Mme. Suzanne Aho	Togo	2 years from July 2001
2.	Mr. Dirus Diale Dore	Guinea	" " " " "
3.	Mr. Karabo Karabo Mohau	Lesotho	" " " " "
4.	Dr. Rebecca Mirembe Nyonyintono	Uganda	" " " " "
5.	Mr. Louis Pierre Robert Ahnee, CSE	Mauritius	4 years from July 2001
6.	Hon. Lady Justice Joyce Alouch, EBS	Kenya	" " " " "
7.	Mme. Nanitom Motoyam	Chad	" " " " "
8.	Mr. Startson Nsanzabaganwa	Rwanda	" " " " "
9.	Mr. Rodolphe Soh	Cameroon	" " " " "
10.	Dr. Lulu Tshiwula	South Africa	" " " " "
11.	Mme. Dior Fall Sow	Senegal	5 years from July 2001

6. Furthermore, during the election of four (4) members of the ACEWRC at the Twenty-Second Ordinary Session of the Executive Council held in Addis Ababa, Ethiopia in May 2013, the Executive Council elected the following four (4) members to the ACEWRC:

1.	Ms. Suzanne AHO-ASSOUMA	Togo	5 years from July 2013
2	Ms. Azza ASHMAWY	Egypt	" " " " "
3	Ms. Sidikou Aissatou Alassane MOULAYE	Niger	" " " " "
4	Mr. Joseph NDAYISENGA	Burundi	" " " " "

7. The Commission would like to draw the attention of the Executive Council that as can be seen from the tables above, **Ms. Suzanne AHO** (Togo) was elected as a member of the ACEWRC in 2001 and again in May 2013 as **Ms. Suzanne AHO-ASSOUMA (Togo)**.

8. The Executive Council should note that it is the view of the Commission that **Ms. Suzanne AHO-ASSOUMA** having been elected as a member of the ACEWRC in July 2001 (as Ms. Suzanne AHO) was **ineligible** for the elections in May 2013 in terms of Article 37 (1) of the African Charter on the Rights and Welfare of the Child and that her election by the Executive Council was therefore *void ab initio*.

9. The Commission would like to inform the Executive Council that the Commission through the Office of the Legal Counsel informed both Ms. Suzanne AHO-ASSOUMA and the Togolese Permanent Mission to the African Union on 13 February 2014 (BC/OLC/24.9/2939.14) and 10 March 2014 (BC/OLC.24.9/3037.14) respectively on the matter and that she can no longer serve as a member of the ACEWRC. It should be noted that the Commission indicated that it was an error on the part of the Commission (the Office of the Legal Counsel) to accept Ms. Suzanne AHO- ASSOUMA's candidature for the elections to the ACEWRC in May 2013. The Executive Council should take note that Ms. Suzanne ASSOUMA-AHO responded on 20 February 2013 to the effect that she had resigned in July 2002 from her position one year later after the election when she was appointed Minister.

10. Taking into account the provisions of Article 37 (1) of the African Charter on the Rights and Welfare of the Child, the Commission observes that Ms. Suzanne AHO-ASSOUMA will serve for more than five (5) years as she was elected for a term of two (2) years in July 2001 whereas in May 2013, she was elected for a term of five (5) years.

11. The Commission would like to make the following recommendations to the Executive Council:

- a) Declare a vacancy in respect of the post held by Ms. Suzanne AHO-ASSOUMA taking into account the provisions of Article 37 (1) of the African Charter on the Rights and Welfare of the Child;
- b) Urge the Commission to pay scrupulous attention when processing candidatures for elections to various organs of the Union

2014

Consideration of the status of one (1) member of the African committee of experts on the rights and welfare of the child

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