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

## **REPORT OF THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD (ACERWC)**

### **INTRODUCTION**

It should be recalled that the 11-Member African Committee of Experts on the Rights and Welfare of the Child was established in conformity with Article 34 of the African Charter on the Rights and Welfare of the Child. The main task of the Committee is to ensure and monitor the implementation of the provisions of the African Charter by Member States. Since 2002, the African Committee has focused, among others, on popularizing the Charter and lobbying for more ratification from Member States. To-date only 38 Member States out of the 53 have ratified the African Charter. The Committee is therefore enhancing its effort in order to obtain more ratifications from Member States. In this regard, a special appeal is being made to Member States which have not yet done so, to adhere to the African Charter.

The African Committee is confronted with a big challenge as African children are the most disadvantaged in many ways. Their life-chances are limited; they are exposed to violence and HIV/AIDS infection; they are deprived of education; and they are affected by malnutrition. They remain the most vulnerable in all social, political and economic situations on the continent. It has become imperative therefore to give priority to children and address their plight. One way of tackling the issue is to ensure that Governments are complying with the obligations laid down in the legal instrument, the African Charter on the Rights and Welfare of the Child.

At its last meeting held in December 2005, the African Committee has managed to draw up a Plan of Action for 2005-2009 and adopt modalities for considering State Parties' reports. To-date, the Committee has received only three reports for consideration, namely, from Egypt, Mauritius and Rwanda. It is hoped that the Committee would start considering them very shortly. Other Member States, whose reports are due, are called upon to submit them as soon as possible.

Since the election of the new members in July 2005, the Committee had been functioning with only ten Members. The eleventh member was elected by the Khartoum Summit in January 2006 and would be sworn in at the next meeting of the Committee. With its full complement, the Committee would be able to be more proactive and function more effectively. Member States are urged to extend their full support to the Committee and its activities.

The present report highlights the recommendations adopted on the items discussed during the Seventh Meeting of the Committee held in Addis Ababa from 19-21 December, 2005. In presenting this report, the Committee calls on the Executive Council to give particular attention to children's issues and extend its support to the work of the Committee.

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

The 7<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 in Addis Ababa, Ethiopia from 19<sup>th</sup> to 21<sup>st</sup> December, 2005.

The meeting was attended by ten Members of the Committee as well as representatives from the UN Agencies, NGOs and other Organisations.

During the opening ceremony the six new Members of the Committee who were elected by the Sirte Summit in 2005 were sworn in.

After debating the items of the Agenda, the Committee made the following recommendations:

**i) Brainstorming Session on Cooperation and Interaction with Partners**

Under this item the Committee heard statements by: H.E. Madam Salamata Sawadogo, Chairperson of the African Commission on Human and Peoples' Rights; Ms. Mireille Affa'a Mindzie, Legal Officer, Institute for Human Rights and Development in Africa; and Ms Stella Ayo-Odongu, Programme Coordinator from the Uganda Child Rights NGO Network .

After debating on the presentations, the following recommendations were made:

- a) the NGOs and CSOs were carrying out commendable work in promoting the rights of the child;
- b) the Committee should therefore interact more with them;
- c) the NGOs and CSOs could advocate and lobby for the ratification of the African Charter as well as assist Member States in preparing the reports;
- d) the African Committee should develop a legal framework to see how to cooperate with partners and NGOs

**ii) Follow-up on the Plan of Action (2005-2009) – Proposal on Priority Projects**

The Committee considered the draft Plan of Action for 2005 to 2009 as presented by the Chairperson. After a detailed examination of the proposed activities and budget, the Committee made the following recommendations:

- a) The Secretariat of the Committee should scrutinize the document and come up with an organized Plan of Action;
- b) In this exercise, the Secretariat should highlight the value added of the Committee in promoting the African Charter on the Rights and Welfare of the Child;
- c) The document should also spell out clearly the contributions of the AU Commission;

- d) Strategies on how to raise funds should be developed;
- e) The document should also be reviewed in such a way that it would be easy to sell to partners. In this regard, a Roundtable with donors and partners could be envisaged, if necessary.

iii) **Follow-up on Modalities for handling State Party Reports**

In adopting the modalities for handling State Party reports as presented, the Committee agreed that:

- a) The AU Commission should utilize the same practice as other Committees to have reports of State Parties translated into the working languages of the Committee;
- b) Reports to be submitted by State Parties should be in conformity with the Guidelines on Reporting which has already been submitted to them;
- c) Supplementary reports to be submitted by State Parties should be called "Additional Report";
- d) NGOs should not be forced to submit reports. Article 69 of the Rules of Procedure should be applied.

iv) **Modalities for considering communications received (Article 44 of the African Charter on the Rights and Welfare of the Child)**

After a lengthy debate on this item it was agreed that:

- a) the AU Legal Counsel would come up with drafts on: procedures for considering communications as well as criteria for granting observer status which would be forwarded to all Committee Members for their consideration and inputs. The drafts should be ready by end of February 2006;
- b) Committee members would send their inputs to Mrs. Diakhate, a member of the Committee, to harmonize all inputs and send the documents back to the AU Commission;
- c) The drafts would be presented to the next meeting of the Committee or consideration

v) **Matters raised by Committee Members**

➤ **Fact Finding Mission to Northern Uganda**

After listening to the report presented by Dr. Assefa Bequele on his mission to Northern Uganda, the Committee commended him and agreed that::

- a) the AU Commission should also take note of the report;
- b) the AU Commission should take appropriate measures to implement the recommendations contained in the report including the transmission of the

report to the Government of Uganda and report back to the Committee of action taken.

➤ **Second Workshop on the Procedures of the ACERWC**

The Chairperson briefed the Committee on the Second Workshop on the Procedures of the ACERWC organized jointly by the Institute of Human Rights and Development in Africa and Save the Children – Sweden which he attended in Senegal in June, 2005. The outcome of the meeting was the establishment of a network of NGOs to promote the African Charter on the Rights and Welfare of the Child. The Committee highlighted the need for it to interact with partners. It was also proposed that the African Charter be reviewed to take on board new challenges which have emerged on the continent, such as HIV/AIDS and conflicts.

vi) **Theme of the Day of the African Child – June 2006**

The Committee decided that the theme for the June 2006 Day of the African Child would be “**Right to Protection: Stop Violence Against Children**”.

vii) **Any other business**

➤ **AU Awards on Children**

The Committee heard a brief on the AU Children’s Champions Award from the AU Commissioner for Social Affairs. After commending the initiative of the AU Commission, the Committee recommended that:

- a) the AU Commission should finalize the documents, have them translated and forward them to the Committee Members;
- b) Committee Members should send their inputs and proposals.

➤ **Coordination**

The Committee agreed that there was need to coordinate various reports, in particular, the reports sent to the UN Committee and that for the African Committee but that this should be done at national level.

➤ **Nomination of Rapporteurs for State Parties Reports**

The Committee nominated the following Committee Members as Rapporteurs to examine Reports received from the Republic of Mauritius and the Arab Republic of Egypt:

- Mauritius: Mme Pholo to be supported by Prof. Ebigbo
- Egypt: Mrs. Seithlhamo to be supported by Dr. Assefa

It was also agreed that the Secretariat would translate the reports into the working languages of the Committee and send them to Committee Members latest by February 2006.

➤ **Investigation**

After considering the need for the Committee to develop specific guidelines to enable it investigate measures taken to implement the provisions of the Charter by State Parties, it was agreed that Mrs. Polo in collaboration with Mr. Zoungrana would develop the draft guidelines for the consideration of the Committee at its next meeting.

**viii) Closing**

In her closing statement the AU Commissioner for Social Affairs assured the Committee of AU's continued support. She called on all partners as well as Committee Members to work in concert with the AU Commission to make Africa a place 'Fit for Children'.

2006

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

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