

AFRICAN UNION

African Committee of Experts on the Rights
and Welfare of the Child (ACERWC)



UNION AFRICAINE

Comité Africain d'Experts sur les Droits et le
Bien-être de l'Enfant (CAEDBE)

الاتحاد الأفريقي

"An Africa Fit for Children"

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RESOLUTION ON THE APPOINTMENT OF A SPECIAL RAPPORTEUR CHILDREN AND ARMED CONFLICT

The African Committee of Experts on the Rights and Welfare of the Child (ACERWC), meeting at its 30th Ordinary Session, held from 6 December to 12 December 2017, in Khartoum, Sudan:

Considering its mandate on the promotion of the rights and welfare of the child in Africa pursuant to the African Charter on the Rights and Welfare of the Child;

Recalling Article 38(1) of the African Children's Charter that authorises the ACERWC to establish its own Rules of Procedures, which the ACERWC developed and revised in 2013 and 2015 respectively;

Considering Rule 58 of the Revised Rules of Procedure, which allows the ACERWC to establish special mechanisms and assign specific tasks or mandates to either an individual member or group of members concerning the preparation of its sessions or the execution of special programs, studies and projects;

Mindful of the fact that the preamble of the Revised Rules of Procedure provides that "Special mechanisms" shall be understood to mean either special rapporteur, working group, study group, sub-committee or other subsidiary body established by the Committee with a specific mandate;

Considering the ACERWC's decision on the establishment of country and thematic based rapporteurs, adopted at its 28th ordinary Session held on 21 October – 1 November 2016 in Banjul, The Gambia;

Recalling the obligation of State Parties under articles 22, 23 and 25 of the Charter armed conflict, refugee children and separation from parents, respectively;

Cognizant of the fact that decade of protracted armed conflict had and continues to have devastating impact on the rights and welfare of children in Africa;

Reaffirming that States Parties to the Charter have responsibility to ensure respect for rules of international humanitarian law applicable in armed conflicts, which affect the child and ensure that no child takes a direct part in hostilities;

Further reaffirming that States Parties have an obligation to ensure the protection and care of children who are affected by armed conflicts, including internal conflicts, tensions and strife;

Decides to appoint Benyam Dawit Mezmur as Special Rapporteur on Children and Armed Conflict with effect from December 2017. The mandate of the Special Rapporteur will be to

1. Seek, receive, examine and act upon information on the situation of children in armed conflict from Governments, Civil Society Organizations and other stakeholders with the view of identifying legislative and administrative gaps in the protection and promotion of the rights of welfare of children in situations of armed conflict in Africa;
2. Submit reports on national practices, emerging trends and challenges of children in situations of armed conflict at Ordinary Sessions of the ACERWC;
3. Bring to the attention of the Committee grave violations and situations of serious concern in relation of the rights and welfare of children in the context of children and armed conflict, and call upon the Committee, States and other stakeholders to take necessary measures;
4. Undertake investigative and fact-finding missions of the Committee related to children and armed conflict and produce a report of the mission;
5. Cooperate and engage in dialogue for action with Member States, National human Rights Institutions, other African Union Organs, in particular the Peace and Security Council, relevant intergovernmental organisations, international and regional mechanisms, United Nations bodies, Offices and mechanisms such as UNICEF and the Special Representative of the Secretary General on Children and Armed Conflict, civil society organisations and other stakeholders on issues relating to the promotion and protection of the rights and welfare of children in the context of armed conflict;

6. Take the lead in the development of the ACERWC's documents, including General Comments and resolutions, related to children and armed conflict;
7. Set standards and develop effective strategies to better protect the rights and welfare of the child in situations of armed conflict in Africa;
8. Conduct activities to raise awareness on various challenges on the protection of children in armed conflict and best practices in area;
9. Report to the African Committee of Experts on the Rights and Welfare of the Child annually on the activities undertaken under the mandate, and;
10. In general serve as a focal point on children and armed conflict in Africa related issues.

Done in Khartoum, Sudan, December 2017.