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**TWENTY-SECOND SESSION OF THE AFRICAN
COMMITTEE OF EXPERTS ON THE RIGHTS AND
WELFARE OF THE CHILD (ACERWC)
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REPORT

TWENTY-SECOND SESSION OF THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD (ACERWC)

I. INTRODUCTION

1. The Twenty-Second Session of the African Committee of Experts on the Rights and Welfare of the Child was held at the headquarters of the African Union Commission in Addis Ababa, Ethiopia, from 4 to 8 November 2013.

II. ATTENDANCE

2. The meeting was attended by ten of the eleven members of the ACERWC, representatives of the African Union Commission, Representatives of the UNOHCHR, UNCR, UN Children's Fund (UNICEF), the United Nations Commission for Human Rights (UNHCR), the High Commission for Refugees (UNHCR), Plan International, Save the Children, the International Committee of the Red Cross (ICRC), ChildFund International, African Child Policy Forum (ACPF), Mouvement Africain des Enfants et Jeunes Travailleurs (MAEJT), the African Network for Prevention and Protection Against Child Abuse and Neglect (ANPPCAN), the International Institute for Child Protection, Africa Wide Movement for Children (AMC), Panos Institute Southern Africa (PSAf), World Vision International, Retrak, Under the Same Sun, the Inner City Mission for Children, Inter African Committee (IAC), Africa Coalition on Maternal, Newborn & Child Health, the Community Law Centre, Defence for Children International Liberia (DCI-Liberia), Global Initiative to End All Corporal Punishment of Children, the Open Society Initiative for East Africa (OSIEA-Kenya), the Cameroon Coalition for the Rights of the Child (COCADE- Cameroon), the African Child Online Protection Education and Awareness Centre (ACOPEA), Wings Education and Media, Family For Every Child, and ECOWAS.

ITEM 1: OPENING CEREMONY

3. Two statements were made during the opening ceremony.

Statement by the Commissioner for Social Affairs of the African Union Commission

4. In his statement, Dr. Mustapha Sidiki Kaloko first welcomed delegates to the Twenty-Second Session of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC), particularly the four new recently elected members, while commending their predecessors for the work accomplished during their term of office. In addition, he highlighted the achievements of the Committee since 2002, when it began its activities. He stated that the increasing number of ratification, the Reports of State Parties, the decisions taken on communications (complaints), as well as increased collaboration with Agencies of the United Nations System and Civil Society Organizations (CSOs), were real indicators of the major achievements, and that it was important to note that 47 of the 54 Member States of the African Union had ratified the African Charter on the Rights and Welfare of the Child (ACRWC) thanks to the constant advocacy of the Committee. He also invited State Parties to fulfill their obligation under the Charter to submit their periodic reports which constitute an essential tool for the evaluation of the implementation of the Charter. The Commissioner for

Social Affairs expressed satisfaction over the relevance of the theme selected for the general discussion, «**Discrimination and Violence against Girls in Africa**», which focused on key issues and reaffirmed the willingness of the Commission to support the work of the Committee. In conclusion, he commended all partners for the significant support provided to the Committee.

Opening Statement by the Chairperson of the ACERWC

5. The Chairperson of the Committee, Dr Benyam Mezmur Dawit, informed the meeting of the allocation by the African Union of an autonomous budget for the ACERWC in 2014. He briefed participants on the activities of the ACERWC since its last session in April, which included mainly participation in the January Session of the Assembly of Heads of State and Government as well as the parallel events, and the orientation programme for new members held in September in Zimbabwe. In that regard, he thanked the Government of Zimbabwe and the partners involved in the preparation of the programme. He stated that no progress had been made in the area of ratification of the Charter, the last ratification to date being that of Swaziland and the signing by South Sudan.

6. He expressed the hope that the Charter would be universally ratified by all Member States, and that it would still be possible to achieve that before the end of 2014. In that regard, he informed participants about the campaign the Committee intended to launch for the universal ratification of the Charter, and for speeding up the submitting of reports on the Charter. He commended the close collaboration with Civil Society Organizations and invited the CSOs that had not yet made their collaboration with the Committee official to do so.

ITEM 2: CONSULTATIONS BETWEEN MEMEBERS OF THE COMMITTEE (CLOSED SESSION)

7. Prior to the consultations in closed session, the representative of the Office of the Legal Counsel of the African Union conducted the swearing in of three newly elected Committee members, namely:

- Mrs. Suzanne Aho-Assouma
- Mrs. Sidikou Alassane Moulaye
- Mr. Joseph Ndayisenga

8. In agreement with the representative of the Office of the Legal Counsel, it was decided that Mrs. Azza Ashmawy would be sworn in at the next session of the Committee.

9. After the swearing in of new members, the Committee met in closed session in order to amend the programme. The items to be considered during the day for general discussions for which presentations had not been confirmed, or which had been cancelled by the presenters were withdrawn from the programme. These included the presentation by the United Nations Population Fund (UNFPA), as well as that of the AU Peace and Security Department and of Human Rights Watch. The last presentation was to be replaced by a presentation on traditional practices that are harmful to the health of women and children by the Inter-African Committee on Traditional Practices. The presentation on the Day of the African Child 2013 would replace the item on the reports on missions and meetings attended by the Committee on Day 4.

ITEM 3: PROCEDURAL MATTERS

A. Adoption of the Agenda and the Programme of Work

10. The Agenda and Programme of Work were adopted as amended.

B. Organisation of Work

11. The Committee agreed to carry out its deliberations in open and closed sessions according to the Agenda.

ITEM 4: BRIEF PRESENTATIONS BY PARTNERS

12. Various Partners made statements on their work as it relates to that of the Committee.

13. The UNICEF Representative to the African Union and UN Economic Commission for Africa **Mrs Akila Aggoune** highlighted UNICEF's contribution to child rights and welfare in Africa through the continental mechanisms of the African Union Commission. She pointed out various platforms such as the Abuja+12 AU Special Summit, the International Conference on MNCH in Africa, the African Task Force on Food and Nutrition Development, the Africa Nutrition Security Partnership focusing on reduction of stunting and underweight among children, the positioning of children in the Declaration of the Tokyo International Conference on African Development and in the draft of the African Common Position on Post-2015 Development Agenda.

14. She proposed that the Committee urges State Parties and partners to facilitate the participation of children in its future Sessions, as members of government delegations or representatives of children's mechanisms. She informed of UNICEF's follow up support for the submission of Initial State Party Reports to the Committee in 2013. She also mentioned that the joint collaboration strategy on traditional practices, involving six partners, was an effort towards the elimination of female genital mutilations and child marriage. She confirmed that UNICEF prepared a report on the commemoration of the 2013 Day of the African Child featuring more than 20 countries, and further noted the continued support towards the development of the General Comment on Article 6 of the ACRWC. She re-confirmed UNICEF's support to the review of the Committee's Strategic Plan 2011-2014 and the development of its Strategic Plan 2015-2019.

15. The Head of Communication Program of the Delegation of International Committee of the Red Cross (ICRC), **Mrs. Betel Hailu** recalled the collaboration between the ICRC and the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) that has been strengthened, over the past years, resulting in the undertaking of various activities. In the framework of further enhancing the existing collaboration and following the agreement reached with the Committee, the ICRC is organising during the 22nd Session of the Committee, a seminar on children in situations of armed conflicts. She also reiterated that ICRC hopes to share with the ACERWC, the institution's experience with the African States within the framework of ratification and implementation of international treaties and conventions, which are related to International Humanitarian Law.

16. The Representative of UNHCR to the AU and ECA, **Mr. Chrysantus Ache** commended the Committee for its focus during the Session on discrimination and violence against girls. He highlighted that birth registration of all children is a key protection tool in this regard, and was pleased to note the Committee's progress in developing a General Comment on Article 6 of the Charter. He noted that UNHCR has been supporting and will continue to support the Committee in these efforts, and also informed the Committee that UNHCR's Executive Committee recently adopted a conclusion on civil registration which reinforces birth registration as a global strategic priority for UNHCR.

17. The Executive Director of the African Child Policy Forum (ACPF), **Mr Theophane Nikyema**, indicated that he just joined ACPF and looked forward to working with the Committee. He added that his organisation is currently finalising "The Africa Report of Violence against children", that will be validated in November 2013 and hoped that this report will be used to inform action to prevent and respond to ongoing violence against children.

18. He informed the Committee that in 2013, his organisation is celebrating 10 years of its commitment to children in Africa and will be launching the 2013 African Report on Child Wellbeing: Towards Greater Accountability to Africa's Children, at a high level dialogue on promoting accountability towards children. All the major publications will be shared with the Committee in due course

19. The Director of the Community Law Centre, **Prof Jaap de Visser** congratulated the ACERWC on the revision of its Rules of Procedure, the enhancement of its protection mandate and on the development of the General Comment on Article 30 of the African Charter on the Rights and Welfare of the Child and is proud to have been able to assist the Committee with these efforts. The Centre also acknowledges the Committee's commitment to keep children's issues high on the agenda of African Union Member States through the celebration of the Day of the African Child.

20. He called upon the Committee to urge the Government of South Africa to take urgent measures to curb the spate of violent acts against children in South Africa. Finally, the Centre reconfirmed its commitment to work with the Committee to achieve its objective of an Africa fit for children.

21. The Chief Executive of Retrak, **Mr Diarmuid O 'Neill** presented the vision of his organisation that is to create a world where no child is forced to live on the streets. He added that Retrak has been working with street children in Ethiopia, Uganda, Malawi, Tanzania and Kenya for over a decade now and their passion is to help children return home again. The achievement rate is approximately 80% of children who are returned home and are still at home more than one year later. Retrak work is designed around the UN Convention of the Rights of the Child and also the African Charter on the Rights and Welfare of a Child specifically Article 4 – Best interests of a child and Articles 16, 17, 18, 19 & 20. In 2012 Retrak has worked with more than 10,000 highly vulnerable children, care givers and parents. When it is not possible to help a child return home then Retrak places them in foster care.

22. The Coordinator of the Africa Coalition on Maternal, Newborn & Child Health, **Mr Rotimi Sankore** highlighted the evidence from 2 scorecards (one regional, and one country level) illustrating the challenges faced in upholding key sections of the African Charter on Rights and Welfare of the Child. i.e Articles 2, 3, 11, 15, 16, 21 and 27. He added that these scorecards have been presented to the African Parliament and they are looking forward to collaborate with the ACERWC to address these challenges.

23. The Representative of Family for Every Child **Ms Francina Mhundwa** shared with the participants the vision of her organization that is to see every child growing up in a permanent, safe and caring family - and the determination to make this a reality. She added that there are currently 15 members on the Steering Committee plus the international NGO Every Child. Together these organisations have over 300 years of experience working directly with children, using diverse and innovative methodologies and approaches combining theoretical models and evidence informed practice guided by children.

24. The changes that they are jointly advocating on are mainly the protection of children, particularly those without adequate care, to be incorporated in the post-MDG agenda; global frameworks and guidance on child protection systems to effectively prevent separation and a response to the care needs of children, particularly those under the age of three; governments, donors and other institutions to actively promote the implementation of the international Guidelines for the Alternative Care of Children; models of social protection to be more effective in enabling parents and families to care for children and prevent children leaving home unnecessarily

25. The Africa Advocacy Director of Save the Children **Mr. Franco Wandabwa**, building on the theme of the Day of the African Child in 2010 on “Planning and Budgeting for the Wellbeing of Children; A collective responsibility”, recommended that the Committee further explores how to encourage States Parties to increase resource mobilization to allocate and spend sufficient public resources to key sectors of importance to children within open, inclusive and accountable governance frameworks by considering the following:

26. Hold a Day of Discussion on Article 1 to further discuss what legislative and other measures, including investment in children with the view of developing a General Comment on Article 1.

27. Continuously monitor States Parties investment in children, including resource mobilization, budget allocation and spending to key sectors of importance to children and how to strengthen transparent, participatory and accountable governance processes

28. Encourage a stronger focus on children’s rights, including investment in children and its linkages to open, inclusive and accountable governance, within other AU institutions and processes, including the African Peer Review Mechanism and the Pan-African Parliament, as well as with the Regional Economic Communities.

29. The Head of African Union Liaison & Pan Africa Program Office of Plan International, **Mr Chikezie Anyanwu**, presented the work of his organization in Africa that is guided by the vision for an Africa where children’s rights are fulfilled to have the opportunity to realize their own unique potential. He took this opportunity to congratulate the Committee for the consideration of the “Complimentary Reports” from Eritrea and Liberia. He added that Plan International will be joining the Committee in the preparations for the celebration of 25 years of the ACRWC, especially the proposed campaign on ‘Full Ratification and Increased State

Party Reporting by 2015. He ended by bringing to the attention of the Committee the two (2) reports that were published by Plan International ("A Girl's Right to say 'NO' to marriage' and 'In Double Jeopardy: Adolescent Girls and Disasters' respectively; both related to the 2014 Day of the African Child theme titled: A child friendly and compulsory education for all children in Africa.)

30. The East Africa Regional Advisor, Advocacy and Justice for Children of World Vision, **Ms Njeri Mwangi-Kinyoho** presented her organization which has a presence in over 24 African countries. She added that World Vision has a strong local level advocacy agenda which is premised on citizen empowerment and participation in local governance and in demanding better quality service delivery especially in the areas of Education and Health to communities including children.

31. They are working closely with governments to provide the necessary policy and legal frameworks that promote the wellbeing of children and ensure that the Rights of the Child are realised at all levels. She concluded by congratulating the Committee for taking up the Ratification Campaign and reaffirmed the commitment of her organization to monitoring and encouraging Member States to not only Ratify but also report on the progress they are making in ensuring that the rights and welfare of children are realised.

32. The Regional Communication and Office Manager of ChildFund International, **Ms. Tenagne Mekonnen** presented her organisation which is child-focused development and protection agency. She added that during the 75 years, ChildFund has success because it works through more than 600 local organizations within the 30 countries. As a children's organization, ChildFund is engaged in an advocacy campaign to 'Unlock Children's Potential' through investment in holistic, quality Early Childhood Development (ECD) programming. They are working to support innovations that promote ECD through addressing gender inequality in relations between caregivers, and gender socialization among young children. She ended by indicating that they set up a campaign "Free From Violence" (www.freefromviolence.org) to advocate to Governments for the inclusion of the prevention of violence and exploitation of children as one of the development priorities in the post 2015 agenda and to raise awareness at all levels of these issues.

33. The Senior Programme Officer, Media Development & ICTs Programme of Panos Institute Southern Africa (PSAf), **Mr Gillies C Kasongo** presented his organisation that is working in SADC to ensure that development processes are owned and driven by the most affected by development challenges. He said that PSAf believes Children are wired and or engineered with potential to contribute to development both for now and the future. However, there are challenges that hinder their full participation and contribution in development processes. PSAf seeks to contribute to the reduction of the high levels of these challenges identified through contributing to strengthening child protection systems and improving access to maternal, new born and child health services. The Strategic Plan for 2012 – 2016 of PSAf provides the necessary strategies and details for the ACERWC and others to consider. He ended by highlighting that PSAf has facilitated reporting and sharing of evidence and research on children's issues, promoting public accountability on the commitments of member states made to International and Continental Protocols on Children's Rights and supported community-based participation in public accountability and the protection of child rights through the media.

34. The representative of the AfricaWide Movement for Children (AMC), **Mr George Nyakora** presented his organization that was registered in Uganda as a Pan African Civil Society Organization and takes acknowledges and appreciates the significant and progressive commitments that have been made to Africa's children by the leaders of the continent within the auspices of the African Union. He added that AMC is cognisant of the positive but insufficient progress made towards the realisation of earlier targets. In this regard, AMC proposes to contribute to the attainment of the revised priorities by working closely with the ACERWC and AMC members and partner agencies on the continent and undertake initiatives to precipitate country and regional level actions and build momentum for the progressive realisation of the targets that are implicit in the 10 set priority actions. He also informed that AMC will elaborate a strategy for mobilising African child rights civil society organisations and actors to actively and proactively to contribute to the realisation of the renewed aspirations of the Africa Fit for Children Framework.

35. The Executive Director of the International Institute for Child Protection, **Mr Michael Oke-Davies** highlighted the resolution on Human Rights of children of parents sentenced to the death penalty or executed, adopted by the Human Rights Council on 15 March 2013 (A/HRC/22/L.18. The resolution calls upon States to provide those children with the protection and assistance they may require and with access to their parents and to all relevant information about the situation of their parents.

36. His organisation would like to draw attention to the commendable initiative of the African Committee on the Rights and Welfare of the Child that it is significant that Article 30 of the African Charter on the Rights and Welfare of the Child contains provisions of direct relevance to children of imprisoned parents. He has also recommended to include safeguards for children of imprisoned parents, based on the Bangkok Rules and the guiding principle of the best interest of the child. They would like to draw attention to the proposal made to this end in the "Essex Paper", a paper summarising the outcome and promoted.

37. The Chairperson of the ACERWC thanked all the Partners for their contribution and looked forward to work closely with them and receive their application for observers' status to the ACERWC.

ITEM 5: PRESENTATION OF THE CSO FORUM RECOMMENDATIONS ON THE ACRWC

38. Recommendations of the 8th Forum of the CSOs held in Addis Ababa, Ethiopia from 31st October to 2nd November 2013 on the ACRWC were presented to the ACERWC by **Mr Sidikou Moussa**, the Chairperson of the CSO Forum. The Forum discussed issues relating to the theme of the Day of the African Child 2013: Eliminating Harmful Social and Cultural Practices Affecting Children: Our Collective Responsibility.

39. The Forum recommended to the Committee:

- To ensure that State Parties harmonise the common law or civil law and customary law taking into account the provisions of the African Charter on the Rights and Welfare of the Child.

- To make sure that State Parties without laws protecting children from child marriages should enact such laws and focus should be on enforcement of the laws.
- Further called upon the Committee to ensure that the State Parties recognise the link between formal and informal systems protecting children, taking into account the interests of the child victims and families. Prosecution of offenders alone may not end child marriages.
- To urge State Parties to ensure that all marriages, including those contracted under customary law, are registered.
- To engage State Parties to focus on behaviour change initiatives such as educational and awareness campaigns of communities.

40. On State Party Reports, the CSOs Forum noted with grave concern that most countries that have ratified the African Charter on the Rights and Welfare of the Child have not reported to the Committee of Experts and urge them to urgently submit the outstanding reports.

41. In the event that State Parties fail to honour requests to submit their outstanding reports, called upon the Committee of Experts to set a deadline after which Civil Society Organisations must submit alternative / complementary reports on the situation of child's rights in their respective countries.

ITEM 6: INTRODUCTION TO THE OBJECTIVES AND FORMAT OF THE DISCUSSION

42. The Chair of the ACERWC, Dr Benyam Dawit Mezmur, started the Session explaining the theme of the discussion. The Chair stated that 'Discrimination and Violence against Girls in Africa' is the theme of the discussion of the 22nd Session. Explaining the motivation for choosing this theme, the Chair stated the gravity of the problem in Africa, the initiatives at the UN level and the need to maintain the momentum, and the emphasis given by the African Children's Charter as the main factors. He explained the discussion focuses not only on violence but discrimination as Discrimination against girls in Africa is one of the most pressing challenges facing the Continent. He also specifically explained the inspirations taken from Article 21, 11 and 5 of the African Children's Charter as they have explicitly address the concern of the girl child. With regard to the aspired way forward, the Chair indicated that declaration could be the outcome of this discussion and he gave the mandate to small team comprising of a representative from the Secretariat, the Committee and partners to work on the draft declaration.

ITEM 7: MESSAGE FROM MS MARTA SANTOS PAIS SPECIAL REPRESENTATIVE OF THE SECRETARY GENERAL ON VIOLENCE AGAINST CHILDREN

43. In her speech Dr Marta Santos, Special representative of the UN Secretary General on Violence against Children, addressed the forms and manifestations of violence and discrimination against girls. She accordingly stated the fact that a girl is often at a double disadvantage due to her gender and young age, she is at heightened risk of gender-based discrimination and violence. Dr Marta indicated that these violence and discrimination

against girls are manifested through physical, emotional and sexual violence, online and off line abuse. This clearly hampers the enjoyment of the girl's fundamental rights, compromise girls' development, health, education and self-esteem; and leave serious and irreversible consequences. In some cases, incidents of violence lead to death, including as a result of domestic violence, sexual abuse and exploitation, female genital mutilation, the so called honour killings, acid attacks, stoning or manifestations of violence associated with son preference.

44. She stated that despite their seriousness, incidents of violence against girls are often hidden and met with impunity. This is particularly the case when incidents are based on ill-perceptions or harmful beliefs, and target marginalized girls, exposed to social and structural discrimination, extreme vulnerability and tolerance of violence against them. She has also discussed the challenges that girls with disabilities, with albinism face.

45. In her speech, Dr Marta addressed the practices of the so called honour killings, deliberate neglect, child marriage, domestic violence and sexual abuse as forms of violence and discrimination against girls in Africa. The fact that countries around the world fail to have legislation setting the minimum age for marriage at 18 years for both girls and boys and lack of workable birth registration systems are raised as main concerns in her speech.

46. She concluded her speech by calling for interventions and policy responses addressing the gender dimension of violence, comprehensive legislative review to ensure that domestic legislations adequate protect girls from violence, prohibition of all violence and harmful practices against girls, removal of national legal provisions providing justification or allowing consent to violence against girls, invoking culture, tradition, honour or religion.

ITEM 8: UNICEF PRESENTATION ON “ADDRESSING FEMALE GENITAL MUTILATION AND CHILD MARRIAGE, A GENDER CONCERN: HOW TO OVERCOME THE CHALLENGE RELATED TO THE INTERPRETATION OF THE ISLAMIC THEORY AND PHILOSOPHY”

47. Mrs. Akila Aggoune, UNICEF Representative to the AU and UNECA, gave a presentation on “Female Genital Mutilation (FGM) and Child Marriages, A Gender Issue: How to overcome the challenge related to the interpretation of the Islamic theory and philosophy”. She stated that there was confusion concerning how the practices were linked to the Islamic interpretation of Hadith/Sunna practices recommended by the Prophet.

48. Concerning FGM, UNICEF publications with El Azhar University show the following: it is not a «fardth/wejib» obligation because it is not mentioned in the Koran. It should not be used as a means of beautification, particularly through ablation and any act causing prejudice to a human being is prohibited. It is not a «sunna» because there is no evidence of quotations used, which refer rather to the circumcision of boys, which is recommended medically. It is more of a social norm which should be eliminated on the basis of scientific proof of its harmful physical, psychological and social effects on girls and on the development of countries, in that the affected population will not be as productive as those that are not victims of FGM. Its medicalization is also a crime.

49. Concerning child marriages, contrary to the abusive interpretation, nowhere in Islamic law is an age fixed for marriage, but rather a standard to determine mental maturity and adequate judgment. There is a difference between reaching puberty and the capacity of the girl to manage a household, which requires that both the boy and the girl be mature and capable of assuming roles of responsibility incumbent on a husband and a wife. This is contrary to child marriage.

50. The two issues are reflected in the African Common Position on development post 2015, under the objective of parity, where the elimination of violence against women and children was retained, as well as harmful practices such as FGM and child marriage.

51. The presenter made recommendations for each practice to the Committee.

52. After the presentation, discussions focussed on the need to convince religious and traditional leaders that it was essential to carry out research and studies in order to understand and address adequately the root causes of the practices. FGM and child marriage are also considered as contributing to maternal mortality and morbidity. The lack of political will, the content and the impact of quality education to change mentalities, the shortcomings of the child protection system, the issue of polygamy and the need to focus on solutions were also raised. During the consideration of reports, the Committee should focus on measures taken by State Parties to combat violence against children in general and girls in particular, gender based statistics, and the challenges encountered. The Committee should also identify how the issue of FGM and child marriage are positioned in the social and economic development national programmes.

53. The problems of access to justice, social services, the participation of children and sexual tourism and pornography were also discussed.

ITEM 9: PRESENTATION OF THE WOMEN, GENDER AND DEVELOPMENT DIRECTORATE OF THE AFRICAN UNION COMMISSION ON “THE GIRL CHILD AND SEXUAL STEREOTYPES”.

54. **Mrs. Simone Ouattara** of the AUC Women, Gender and Development Directorate gave a presentation on: «The Girl Child and Sexual Stereotypes». In her presentation, she gave a definition of stereotypes, and specified that they are based on our cultural norms and beliefs, transmitted by the television, books, magazines, and social institutions. The objective of the stereotype is to establish a social difference between women and men, which poses an obstacle to achievement of gender equality and the empowerment of women. She then presented the institutional framework which prevents and combats gender stereotypes such as the African Charter on the Rights and Welfare of the Child (ACRWC), Growth and Economic Opportunities for Women (GrOW), and the Protocol to the African Charter on Human and Peoples’ Rights (ACHPR). She also presented the impacts on the physical and mental health of the girl child, particularly sexual abuse (rape and/or incest), prostitution, procuring, early and forced marriages and pregnancies, physical and psychological abuse rituals, and their impact at social level. In conclusion, she presented strategies to combat stereotypes including the adoption of measures to prohibit all forms of harmful practices against the girl child, the enactment of laws to change mentalities and the development of educational programmes.

55. After the presentation, discussions focused on the dynamics of change in societies, the challenges linked to the African identity, change in mentality and the involvement of girls and boys in the resolution of the issue of stereotypes, as well as on the lack of political will to combat gender based stereotypes.

ITEM 10: PRESENTATION OF PLAN INTERNATIONAL ON 'IN DOUBLE JEOPARDY – ADOLESCENT GIRLS AND DISASTERS'

56. **Hepzibah Beulahet** and **Nathalia Ngende**, from Plan International made a presentation on "In Double jeopardy – Adolescent Girls and Disasters". After a brief presentation on Plan International and its activities they explained the concerns of adolescent girls and disasters. They stated that for many adolescent girls, their vulnerability is both because they are female and young, and a major disaster simply add to the risks they face in their everyday lives. The presenters highlighted the impact of disaster on adolescent girls' health care, education, protection and participation.

57. They concluded the presentation with key recommendations to the ACERWC, which include: the increased involvement of the Committee in humanitarian actions within Africa, incorporating the component of Disaster Preparedness, resourcing and response in the reporting guidelines of state parties and encourage Governments to collect sex and age disaggregated data, to inform Emergency programme.

ITEM 11: PRESENTATION OF THE ICRC ON "DISCRIMINATION AND VIOLENCE AGAINST GIRLS IN CONFLICT AND POST-CONFLICT SITUATIONS"

58. **Mr. Vincent Ochilet**, Deputy Chief of the ICRC Delegation to the African Union gave a presentation on the theme: «Discrimination and Violence Against Girls during and after a Conflict Situation». His presentation showed the impact of armed conflicts on children who are killed, mutilated, imprisoned, raped, separated from their families, recruited as soldiers in armed forces or armed groups, pointing out that girls are the most exposed and vulnerable due to their age and gender.

59. He stated the reasons for violence against girls and women depending on whether they are used to destroy the unity of their communities, to inflict dishonour on a whole family or community, or to satisfy the belief of the aggressor whereby raping a virgin will protect them, or cure them from HIV. He highlighted the different forms that the involvement of children in armed conflict could take, either as child soldiers or followers. In post-conflict situations, he advocated taking into consideration of the particular condition of girls, who are often not included in Disarmament, Demobilization and Reintegration (DDR), programmes.

60. He recalled the legal framework for children in times of war, namely Protocol I of 8 June 1977 Additional to the Geneva Convention (Additional Protocol I), applicable to international armed conflicts, which stipulates that: "The Parties to the conflict shall take all feasible measures in order that children who have not attained the age of fifteen years do not take a direct part in hostilities...». In conclusion, he stressed the advocacy of the ICRC and its partners who are striving to have the age limit of 18 years accepted, as provided for in the Optional Protocol to the Convention on the Rights of the Child.

61. After the presentation by Plan International and the ICRC. The discussions focused on statistics on children who are victims of armed conflicts, care for children in the Democratic Republic of Congo, change of attitude, children used by armed groups in Mali, children born as a result of rape during conflicts, the percentage of the budget allocated to child protection during conflicts, synergy of action between stakeholders, the need for the Committee to collaborate with the AU Peace and Security Council, and the Disarmament, Demobilization and Resettlement (DDR) processes.

ITEM 12: PRESENTATION OF THE INTER-AFRICAN COMMITTEE ON TRADITIONAL PRACTICES: HARMFUL TRADITIONAL PRACTICES AFFECTING THE HEALTH OF WOMEN AND CHILDREN.

62. The presentation of the Inter-African Committee (IAC) was given by its Executive Director, Dr. Morissanda Kouyaté. It focused on «Harmful Traditional Practices Affecting the Health of Women and Children». He began his presentation by projecting a one minute sequence on the practice of excision. He mentioned the existence of over 13 000 harmful traditional practices in the Continent, and provided details, particularly on food taboos, fattening, breast ironing, the «Trokosi». He then touched on the need to combine efforts to put an end to such practices.

ITEM 13: PRESENTATION OF CHILDFUND: CHILD MARRIAGE AND PREGNANCY

63. **Ms Tizita Tadesse**, Child and Women Development program Officer at ChildFund Ethiopia, presented on 'the Role of ChildFund in fighting against Child Marriage, early and Unwanted Pregnancy'.

64. ChildFund recognizes that child marriage and early pregnancies are closely linked to negative social-cultural practices, norms, attitudes and perceptions towards girls, as well as biting economic hardships at individual, house hold and community level. ChildFund has focused its intervention efforts in the area of family and community strengthening. This has been done through activities geared at economic empowerment of vulnerable households, as well as a systems strengthening approach to child protection. This process involves understanding the strengths and weaknesses of a country's formal and informal child protection systems, with the aim of bridging systemic capacity gaps to improve access, quality and coordination of protection services for children.

65. She explained that the emphasis has been on developing a deeper understanding of social-cultural norms, attitudes and practices that encourage child marriages and early pregnancies; and engaging with existing community-based child protection mechanisms to address the issues. This action is premised on our belief that community-based child protection mechanisms offer a means of prevention and response on a large scale to diverse child protection issues, including child marriages and early pregnancies that arise at community level. In addition, they are potentially sustainable means of protecting children and promoting their wellbeing.

66. She concluded her presentation by explaining the key areas of interventions including the provision of training, raising community awareness on protection needs, prevention,

response to issues of child protection specifically Gender Based Violence (GBV) in schools and high risk communities supported with evidence based research on GBV in schools.

67. A discussion was held after the presentations by ChildFund on the Role of ChildFund in fighting against Child Marriage, early and Unwanted Pregnancy and the Inter-African Committee on Harmful Traditional Practices. The discussion mainly focused on issues concerning the cause of Harmful Traditional Practices (HTPs), the need for advanced researches and studies to better understand and identify HTPs, psychological impact of FGM on children, the compensation of the actors in HTPs, on a mechanisms of reporting for children, mobilizing resources for communication for development, strategies to address the challenges of traditional practices including community based mobilization and contextualizing. In the discussion identifications of root causes appeared as the main strategy. Most of the participants identified gender stereotyping as the main cause for such practices to persist.

ITEM 14: PRESENTATION OF ACPF ON VIOLENCE AGAINST MOST VULNERABLE GIRLS

68. Dr Shimelis Tsegaye, the Head of Child Survival, Protection and Development at the African child Policy Forum (ACPF) identified the factors which aggravate violence against children in general and the girl child in particular. These include globalization, technology, culture, economy, family set up, religion and others. He stated that violence affects all children in one way or another, but not all children are affected by violence the same way. Violence is especially cruel and often more frequent when targeted at those groups of children who already find themselves disadvantaged and discriminated against in society. Due to a range of vulnerability factors including poverty, age, sex, living without parental care, disability, and a host of other factors, some groups of children experience violence in a more sustained and grave manner than others. Many of these vulnerability factors are intertwined and their effects may be more pronounced on a certain group of children than another.

69. With these factors in mind, the presenter focused on the special plight of five groups of girls: girls with disabilities, girls living and/or working on the street; girls heading households, girls living in residential care, and girl domestic workers. Shimelis highlighted some of the available evidence on the nature, causes and impact of violence perpetrated against these groups of girls and suggests possible solutions.

70. He then concluded his presentation by suggesting the way forward. These include:

- putting forward a political case against violence to ensure that child protection is put at the centre of national agendas
- making a business/economic case for child protection by showing the cost of inaction and the benefits of action in preventing/addressing violence, and
- Promoting a social case -around child protection and violence.

71. He also suggested engaging parents and parenting practices in violence and its prevention and response, implicating communities and their cultural practices in violence

and its prevention and response, working towards a rapprochement between the formal and the informal and moving towards a systems approach.

ITEM 15 : SPEECH BY THE OFFICE OF HIGH COMMISSIONER FOR HUMAN RIGHTS (OHCHR) ON THE UN REPORT PRELIMINARY REPORT ON ATTACKS AND DISCRIMINATION AGAINST PERSONS WITH ALBINISM

72. Ms Samira Mouaci from the UN Office of the High Commissioner for Human Rights (OHCHR) Regional Office for East Africa, Addis Ababa, made a speech on the UN preliminary report on attacks and discrimination against persons with albinism.

73. In her speech she stated the fact that the report was presented to the Human Rights Council during its last session (September 2013) pursuant to its resolution 23/13 of June 2013 and provides an overview of the most serious human rights violations faced by persons with albinism, primarily focusing on the ritual killings and attacks to which they are subjected. It also highlights the multiple forms of discrimination, stigma and social exclusion faced by persons with albinism, which occur across the globe.

74. She described the fact that the report invites African Union mechanisms to pay further attention to human rights violations committed against persons with albinism. She also added that impunity associated with attacks against persons with albinism is the main concern of the report. She concluded by presenting some recommendations including States to adopt specific measures to protect and preserve the rights to life, and to security of persons with albinism, as well as their right not to be subject to torture and ill-treatment. Moreover, perpetrators of such crimes must be brought to justice and access to legal counsel and appropriate remedies must be provided to victims and family members. The fight against impunity for these crimes must also aim at combating the stigma attached to persons with albinism through education and raising awareness about the condition of albinism.

ITEM 16: PRESENTATION OF ‘UNDER THE SAME SUN PRESENTATION ON ALBINISM’

75. Mr. Gamariel Mboya, Manager of Operations of UTSS, Dar es Salaam and Ms. Jayne Waithera, a UTSS agent presented on the Rights of Children with Albinism. They stated that Under The Same Sun works with children living with albinism, the genetic condition, (commonly known as “albinos”). In Tanzania, they sponsor hundreds of children at all educational levels. Their main goal is to educate children with albinism and also the society in which they live. The presenters described, the society currently stigmatizes, discriminates and in recorded instances, physically attacks (kills and mutilates) persons with albinism. These attacks, discrimination and stigma are based on centuries of erroneous witchcraft-influenced beliefs about albinism. As a result, they stated that, in Tanzania, hundreds of children with albinism have fled their homes and are now held at temporary shelters to avoid being attacked. The conditions at these shelters are unbearable. Children as young as age 3 are abandoned there, abused, and their human rights grossly violated. They concluded their presentations calling upon cooperation with the ACERWC in actualizing the human rights of

these displaced children with albinism. Moreover, they have called upon the Committee to investigate the situation of these children in their centres.

76. The discussion basically focused on the following points:

- the gravity of the challenges of children with albinism in Africa,
- the adequacy of the responses to the challenges of vulnerable children, including children with albinism, from the international community and national governments,
- issues related to educations and the effectiveness of inclusive education in addressing the challenges of children with disabilities,
- the role of the ACERWC in addressing the challenges that children with albinism are facing,
- The possibility of investigating the situation of children with albinism with the support of NGOs such as UTSS in Tanzania;
- The possibility of establishing a day of children with albinism at the African level; and
- the possibility of establishing a Day of Children with Albinism at the African level.
- It was agreed that the committee would review the efficacy of such a mission in the light of previous missions

ITEM 17: DISCUSSION ON THE WAY FORWARD (DECLARATION)

77. The Committee established a working group comprising members of the Committee, the Committee Secretariat and partners to finalize the draft declaration. The Committee then adopted the Declaration under the Condition that the comments are incorporated.

ITEM 18: PRESENTATION ON STRENGTHENING FAMILIES IN AFRICA

78. Mrs Josephine Gitonga from Parenting in Africa Network (PAN) made a presentation on Strengthening Families in Africa. In her presentation she explained the vision, mission and values of her organization. She also presented the overall goals and aims of her organisation, Parenting in Africa Network.

79. She also informed the Committee about the thematic areas of the PAN which include advocacy, education, training, research, documentation and psychosocial support. Moreover, she presented the ongoing activities for 2013 as well as the annual theme on Teenagers with parenting responsibilities.

80. After the presentation, the discussion focused on how the training sessions are done, the strategies for involving men in the training sessions and the alternative channel used to convey their training according to the target groups.

ITEM 19: PRESENTATION ON CHILD PROTECTION SYSTEMS

81. Mrs Violet Odala from ACPF, Mrs Clare Feinstein from Save the Children and Mr Moussa Harouna from MAEJT, on behalf of the Inter-Agency comprising 13 agencies made a **Statement on Strengthening Child Protection Systems in sub-Saharan Africa**. In the

Statement, which was shared to the Committee, they stressed that fulfilment of the right to protection will directly contribute to the achievement of national socio-economic development and poverty reduction agendas in Africa. They stated that effective child protection depends on appropriate policies, legislation and regulations, as well as structures and implementation that depend on social acceptance and funding.

82. The Statement's Call to Action endorses strengthening protection systems that are integrated, child-centered, and guided by the best interests of the child. In the past, interventions often focused on a single issue or risk to children, but experience shows that an individual child can be confronted by multiple needs, violations and severity. Accordingly, the Agencies call for holistic approaches that acknowledge the complexity of children's problems and the need for a multi-disciplinary response. Child protection systems should be sensitive to context and environment; take full account of the child's role in the system; and create better coordination, engagement, and capacity of a wide range of actors, from children, youth and families, to traditional and faith leaders, to government, civil society and the private sector.

83. In conclusion, The Inter Agencies offered to support the ACERWC in 2014 in developing a framework for analysis of Member State reports and called on the ACERWC:

- to use the "systems lens" to analyse Member States reports submitted to them and in issuing the concluding observations and recommendations.
- to draft a General Comment on Strengthening Child Protection Systems in Africa – based on the articles in the African Charter for the Rights and Welfare of the Child that specifically address children's protection rights
- to take every opportunity to reinforce the message
- to analyse in 2014, 75% of Member State reports to the committee using the framework

84. After the Statement, the discussion focused on the need to have financial and human resources to implement the child protection system, addressing the issue of child justice, the challenge faced in the coordination of the system, the monitoring systems and standards and the creation of the political space on child protection

ITEM 20: PRESENTATION ON THE AFRICAN MULTI –SECTORAL STRATEGY AND PARTNERSHIP WITH AFRICA, HEALTH, HUMAN AND SOCIAL DEVELOPMENT (AFRI-DEV)

85. Mr Rotimi Sankore from Afri-Dev presented on Combining Rights and Development Approach to Health, Human & Social Development for Children. He began the presentation with a brief history of the multi-sectoral strategy from its development with the AUC / DSA in 2011, to its endorsement by the August 2013 first High Level Ministerial Multi-sectoral Consultation of African Ministers of Health and Non-health sectors which agreed on key multi-sectoral actions to take to advance girls, women's and children's health, rights and development.

86. The presentation included a partnership proposal to the ACERWC to support its work with accountability data and score cards reflecting continental and country progress on rights and welfare indicators for children's health, rights and development in tandem with

reporting cycle of countries on relevant Articles of the African Charter on the Rights and Welfare of the Child.

87. The presentation ended by underlining the linkages between rights and development goals, and how the work of the ACERWC in this regard will help accelerate the unfinished business of the MDGs and underpin African success for achievement of the post 2015 development agenda/ and AU Africa 2063 development agenda.

88. After the presentation the discussion focused on life expectation and the importance of investing in child protection system in health sector

ITEM 21: PRESENTATION ON INVESTING ON CHILDREN

89. Ulrika Cilliers and Susan Mbugua from Save the Children made a presentation on Investing in Africa's Children and on Children's Rights & Business Principles respectively. In their presentation, they stated limited investment of public resources into key sectors of importance to children with open, inclusive and accountable governance as one of the biggest barriers to realizing children's rights. The main reasons for the need to invest in Children emanate from the legal obligation and economic strategy for long-term sustainable development. Despite these facts, the presenters stated that a majority of countries in Africa fail to adequately invest in children.

90. In order to alleviate this challenge, the presenters indicated that governments need to mobilize resources and promote transparency and public participation as they are the cornerstones of effective and accountable governments. The presenters also highlighted the role the Committee played in this regard, which includes building on the theme of the Day of the African Child in 2010 on "Planning and Budgeting for the Wellbeing of Children; A collective responsibility". They suggested the Committee should further explore how it could encourage States Parties to increase resource mobilization to allocate and spend sufficient public resources to key sectors of importance to children within open, inclusive and accountable governance frameworks.

91. They concluded their presentation by explaining the development of children's rights and business principles framework which includes governments, CSOs and the Private Sector. They also discussed the role of the Committee in this regard.

92. After the presentation, the discussions focused on the following points the joint AU-EU strategy, the alignment of Save the Children initiative with NEPAD program, the sovereignty of State, the political will and the implication of private sector.

ITEM 22 : "MOBILISING AFRICAN CIVIL SOCIETY TO ADVANCE THE REALIZATION OF THE ACCELERATED CALL FOR ACTION TOWARD AN AFRICA FIT FOR CHILDREN"

93. Mr George Nyakora from African Wide Movement for Children (AMC), made a presentation on mobilizing African civil society to advance the realization of the accelerated call for action toward an Africa fit for children. In his presentation, he discussed the historical background and objectives of AMC.

94. He stated the fact that AMC acknowledges and appreciates the significant and progressive commitments that have been made to Africa's children by the leaders of the continent within the auspices of the African Union. Key among these is the promise to engender an Africa that is "Fit for Children" (AFFC). The AFFC declaration and Plan of action focused on key areas/ targets including the overall legal and policy framework for protecting children's rights, the Institutional framework, mobilizing and leveraging resources, enhancing children's life chances, overcoming AIDS, realizing the children's right to education, realizing the children's right to protection; and realizing the right to participation of youth and children. He also discussed the progress towards the realization of the targets outlined in the AFFC Framework and the fact that it has been reviewed through the Call for Accelerated Action towards Africa Fit for Children and the Revised Plan of Action during the 3rd Pan African Forum on Children in November 2012. He also stated the 10 key priority areas of action that the revised Plan of action outlines.

95. Finally the AMC presentation elaborated a strategy for mobilizing African child rights civil society organizations and actors to actively and proactively contribute to the realization of the renewed aspirations of the Africa Fit for Children Framework. Furthermore, he proposed areas of partnership with the Committee including supporting joint missions to selected countries to mobilize and energize member states to fulfill their commitments under the AFFC framework and joint Commissioning of national level assessments and status reviews.

96. After the presentation the discussions focused on the collaboration between AMC and African CSO, the submission of alternative report by the AMC and the involvement of AMC in the ACERWC ratification campaign.

ITEM 23: DISCUSSION ON PLANNING FOR THE 25TH ANNIVERSARY OF THE ADOPTION OF THE CHARTER, AND LAUNCHING OF A CAMPAIGN FOR THE RATIFICATION OF THE CHARTER AND REPORTING UNDER THE ACRWC

97. Mr Ayalew Getachew, from the Secretariat of the ACERWC, made a brief presentation on the concept note for the universal ratification campaign developed under the title '25 years in 2015: A campaign for the universal ratification and reporting under the African Children's Charter'. In his presentation he stated the background and justifications of the ratifications and reporting campaign. The objectives of this campaign is promoting the ratification of the African Children's Charter by 2015 and mobilizing the widest political and social support to this end. Key activities and possibility of funding for partners were also part of the presentations. He also discussed the expected outputs of the campaign, which include all African States ratifying the African Children's Charter by 2015 and all State Parties submitting at least their initial reports to the Committee by 2015.

98. Based on the presentation a discussion was held on the theme. During the discussion, the major issues raised include: the committee to study and explore the most pressing child rights issues in Africa so that this can be launched in November 2015, using websites and social Medias to promote the ratification and reporting campaign and the possibility of using the Day of the African Child to promote the campaign. The Chair of the Committee asked the partners and CSOs to reflect their role in the implementation of the planned campaign.

All the partners and CSOs have pledged to employ their greatest effort in making the objectives of this campaign a reality. Accordingly, they committed themselves to contribute their financial and technical support for the campaign. The discussion ended with the following proposals as a way forward:

- Regional drivers should be part of this campaign,
- Using a person with high reputation and good will for the campaign,
- Ensuring child participation in the campaign,
- A road map consisting of a timeline and an output should be developed,
- The campaign should also focus on soliciting countries to withdraw their reservations,
- For the Committee to table the campaign as an agenda item for the coming Sessions,
- A campaign specialist/expert must be nominated, and
- A steering Committee consisting of the Secretariat of the Committee, African Child Policy Forum, RETRAK, Save the Children, Plan International, African Wide Movement for Children, Global Initiative to End all Corporal Punishment of Children and MAEJT to work on the campaign.

ITEM 24: REPORTS ON THE COMMEMORATION OF THE DAY OF THE AFRICAN CHILD - 16 JUNE 2013, THEME: HARMFUL SOCIAL AND CULTURAL PRACTICES AFFECTING CHILDREN: OUR COLLECTIVE RESPONSIBILITY

99. Mr. Anthony Mwangi, from UNICEF Liaison Office to the AU and UNECA, made a presentation on UNICEF Country Office Reports on the Commemoration of the Day of the African Child -2013 which theme was “Harmful Social and Cultural Practices Affecting Children: Our Collective Responsibility”. From his presentation, he indicated that 26 Unicef Offices submitted reports on the celebration of the Day of the African Child and noted that some countries do celebrate the DAC but do not report. He mentioned the involvement of high level government officials in the various countries, and also highlighted some key moments of celebrations giving as an example the celebration in Chad which was held in Guera and Mandoul Regions, two cities with high prevalence of FGM and rites of passage for girls. He stressed on the impact that such celebrations had in the various countries, for example Congo Brazzaville, where a study on “harmful social and cultural practices affecting children in Brazzaville” was released which revealed unknown practices.

100. He further explained that children issued a Statement at the Continental level urging treaty bodies, Member States and partners to take action against harmful practices. He also mentioned the instrumental role that media played to disseminate information and thus creating public awareness to thousands of people and also in shaping the DAC agenda. He listed some common practices under the harmful social and cultural practices. He pursued his presentation by displaying a video documentary on the celebration of the Day of the Africa Child 2013 at the AU Headquarters, where children expressed their concerns and their commitment to be involved in the fight against the harmful social and cultural practices.

101. After the presentation, the discussions focused on the possibility to post the report on the ACERWC web site, the involvement of the other AU Organs in Member States in the celebration of the DAC, the cause for the non-commemoration of the DAC in some countries, the follow up on the activities on the DAC, the possibility of listing the practice of HTP country by country, the involvement by other partners in the consolidation of the report.

102. The presentation of the report on the activities on the DAC shall be an agenda item for every November session.

ITEM 25: CONSIDERATION OF COMMUNICATIONS RECEIVED: GOVERNMENT OF SENEGAL VS. CENTER FOR HUMAN RIGHTS, UNIVERSITY OF PRETORIA & LA RENCONTREAFRICAINE POUR LA DEFENSE DES DROIT DE L'HOMME (RADDHO) (CLOSED SESSION)

103. The Secretariat informed the Committee that the Government of Senegal had, through a letter, asked for postponement of the consideration of the communication to the next session. After deliberations the Committee, with the concurrence of the complainants representative, who was present, acceded to the request and postponed the matter for the next session.

ITEM 26: BRIEFINGS BY COMMITTEE MEMBERS ON MEETINGS ATTENDED / REPRESENTATIONS OF THE COMMITTEE IN FORAS

104. Due to time constraint, the Committee decided to postpone this discussion to the upcoming Session in April.

ITEM 27: PRESENTATION AND ADOPTION OF DRAFT DAC 2014 CONCEPT NOTE

105. The consultant presented the concept note on the theme for the Day of the African Child (DAC) titled "Child friendly, quality, free and compulsory education for all children in Africa". The presenter briefly presented the aims of the 2014 DAC. Accordingly, the general objective of the DAC celebrations in 2014 is to call the attention of African governments to their responsibilities with respect to ensuring children's right to education in accordance with the African Charter on the Rights and Welfare of the Child. The presenter stated the fact that the 2014 theme is even more significant in light of the fact that the Soweto uprising which DAC commemorates was a protest for an appropriate education.

106. After the presentation a discussion was made on the following major issues: on the role of States in private education institutions as there is a big proliferation in this regard and this is affecting the concept of free education. The concern of quality education including the quality of the teachers and the content of the syllabi of the education including moral education and education of children with disabilities were also discussed. Issues related to inclusive education was also discussed at great length. Furthermore, the discussion addressed the possibility of establishing strategies in putting children in schools including school feeding programs and cross cutting issues such as early marriage, child labour, cross referencing to the previous themes of the DAC and birth certificates. It was also indicated that the concept note should be in line with the template of the reporting guideline. The consultant also took note of the issues raised by the committee members. The Committee finally discussed the possibility of taking the DAC beyond celebration and involving other organs of the African Union and the possibility of involving UNESCO in the process. On the latter issue, the Committee decided to engage UNESCO, the ILO and ISESCO in the process.

ITEM 28: COLLABORATION PLAN BETWEEN THE ACERWC AND THE ACHPR

107. Dr Clement Mashamba briefly explained what was discussed during his visit to the ACHPR in Banjul. He explained the issues raised including the need to appoint focal persons in the Committee and the Commission for the effectiveness of the collaboration plan and the possibility of expanding the collaboration by including the Court. He also indicated the fact that the Commission and the Court have harmonized their rules of procedure and if the Committee wants to harmonize its rules of procedures it can also make use of this new development. The issue of conducting a meeting on the harmonization of the rules of procedure among the Commission, the Court and the Committee was also raised and the Committee agreed to held such meeting on the second week of December just after the Court's Session.

108. Dr Mashamba also indicated that the Chair Person of the Committee should write a letter on the need to incorporate the Court in the collaboration. He stated the fact that the Protocol which established the court obliges the Court to collaborate with other AU organs and this is an opportunity for the planned collaboration.

109. A discussion was held on the availability of the Committee for the joint meeting and who should represent the Committee. He also explained the fact that according to the harmonised rules of procedure, the Commission and the court are holding a joint meetings twice a year, which is also a good opportunity for collaboration. The Committee concluded the discussion by recommending that this has to be given a priority and a letter has to be written immediately to the commission on the framework of collaboration.

ITEM 29: DISCUSSION ON THE ACCP PROJECT (SIDA PROJECT)

110. Ms Beatrice Arionget, the Coordinator of the ACCP presented on the African Children's Charter Project (ACCP). She briefly touched upon the objectives of the ACCP in general, the progress of implementation, key project highlights for the Committee's attention, upcoming activities during 2013 and 2014 and emerging issues for future consideration.

111. She presented the upcoming events which require the Committee's attention namely: the annual review and planning meeting, harmonization of the rules of procedures, collaboration plan, finalization of the Concept on the DAC, finalization of the General Comment on Article 30 of the Charter. With regard to activities for the coming year, she stated the following points: continuing the secondment of the legal researcher, drafting of a new general comment, planning for the Day of the African Child for 2015, facilitation of consultation with children and CSOs for the Day of the African Child for 2015, continued support for the implementation of the communication plan, support for the committee's participation in the ACHPR and the Court Sessions, continued support in implementation of the collaboration plan and CSOs engagement.

112. She also briefly touched upon the need for guidelines for the investigative mandate of the committee, the development of a child friendly version of the Charter in all AU languages, support for the 25th year celebration and the Campaign, analysing the reporting status of the African Children's Charter and the UN Convention on the Rights of the Child,

collaboration between the Committee and the Commission and the Court, and the collaboration Plan with the RECs.

113. After her presentation, the discussion held highlighted the possibility of having a new general comment and, as the budget for this activity is limited, on the possibility of reallocating/shifting budget lines. The clash between the session of the committee, the Commission and the CSO forum was also discussed. It was indicated that this has to be highlighted during the collaboration meeting in December. Strengthening the engagement with RECs were also discussed. During the discussion, the coordinator pointed at the availability of some unspent money and the Committee deliberated on the possibility of using such money:

- for the ratification and reporting campaign;
- for holding additional session of the Committee,
- to popularize the General Comment on Article 30 among member states and CSOs; and/or
- to keep activity 11B 'Consultation with Children' to inform the theme for the Day of African Children in 2015.

114. The discussion ended by assigning three members of the Committee to represent the Committee in the coming ACCP meeting which will held from 25-28 November 2013 in Addis Ababa, Ethiopia.

ITEM 30: CONSIDERATION & ADOPTION OF THE PAPER ON THE REQUEST FOR AN ADVISORY OPINION ON THE STANDING OF ACERWC BEFORE THE ACTHPR

115. **Dr Clement Mashamba** presented on the status of the document he prepared for submission to the court. He indicated that the request will be submitted to the Court on 18 November 2013. The Secretariat also indicated that the necessary documentation and procedure have to be done including an accompanying letter for the application.

ITEM 31: CONSIDERATION OF OBSERVER STATUS APPLICATIONS

116. The Committee received an application for the observer status from the International Social Service (ISS). After deliberation the Committee decided to grant observer status to ISS on the condition that the applicant submits its current registration document.

ITEM 32: PRESENTATION OF THE DRAFT GENERAL COMMENT ON ARTICLE 6 OF THE CHARTER

117. The Consultant, **Mr Michel Ndayikengurukiye** presented to the Committee the draft contents of the General Comment on Article 6 of the Charter concerning the right to a name, right to be registered at birth and other rights relating thereto, the registration of children especially those who require special treatment, the right to a nationality and the obligation to prevent statelessness. He then introduced the other obligations of the State of including the State responsibility, coordination, advocacy and capacity building.

118. He ended his presentation with recommendations to the State Parties, international partners and civil society organizations, since they all play an important role especially in taking legislative measures to ensure that naming is done in the interest of the child, as well as in collaboration between States for ensuring that children are registered at birth and in promoting and conducting sensitization on this right.

119. Committee members commented on the draft General Comment which will be finalized with input from other partners for its adoption by the Committee.

ITEM 33: DISCUSSION ON ACCELERATING STATE PARTY REPORTING

120. The Committee had a discussion with Mrs. Akila Aggoune, UNICEF Representative to the AU and UNECA, on the subject of UNICEF support to speed up the submission of Initial State Party Reports. She informed the Committee that, of the ten (10) countries contacted, two (2) of them (Eritrea and Liberia) had finalized and submitted their reports and eight (8) others had almost finalized their report or are awaiting formal approval by the authorities. She clarified the efforts made to provide technical advice to country offices and to guide their assistance to the concerned Governments.

121. Following discussion the Committee sought the assistance of UNICEF to support ten (10) other States Parties for the preparation of their reports on the Charter, to support the Committee for an additional week of session to consider the reports, and the possibility of UNICEF to join the Committee during the visit to embassies of countries that have recorded considerable delays in submitting reports. It was agreed to send other notes verbales to remind the State Parties and to write to the UNICEF Executive Director to seek support in line and in complementary with UNICEF's assistance to the reporting on the Convention on the Rights of the Child in the African countries.

122. The Representative of UNICEF expressed willingness to continue to support the Committee

ITEM 34: BRIEFING ON COLLABORATION STRATEGY ON HTPS

123. Mrs. Akila Aggoune, UNICEF Representative to the AU and UNECA, Mrs. Gone Diop of the Economic Commission for Africa and Dr. Morissanda Kouyate, Executive Director of the Inter-African Committee on Traditional Practices (IAC), presented to members of the Committee the Cooperation Strategy on Harmful Traditional Practices. The value added of this strategy, according to the presenters, is the variety of partners who can provide coherent and complementary support and guidance for capacity building and for addressing the issues through inclusive manner. The strategy engaged by the AUC, ACERWC, UNICEF, UNFPA, UNECA and IAC is to bring together support to coordination, technical expertise, research/statistics, policies/programmes and implementation/reporting/monitoring. The strategy, which focuses on FGM in 2013 will, in 2014, focus on FGM and child marriage, as well as the collection of data on harmful practices in order to identify the priorities for 2015 and beyond. For that purpose, an action plan covering 4 years will be developed with an annual work plan, in collaboration with members of the Committee and the Department of Social Affairs. The RECs are expected to contribute at regional level.

They called on the African Union Commission/Department of Social Affairs to take ownership of the drafting of the next work plans .

124. The Chairperson assured the speakers of the Committee's support to the strategy and of its readiness to cooperate in its implementation.

ITEM 35: DISCUSSION ON DECISION OF THE EXECUTIVE COUNCIL MAY 2013

125. The Secretariat of the Committee reported on the status of the Executive Council's Decision for the Commission to undertake an assessment on financial and human resources needed by the Committee and submit a report for the January 2014 Summit. She stated that the AUC has hired a consultant to work on the restructuring of the AUC including the Secretariat. The Secretariat staffs met the consultant and presented the proposed structure as approved by the Chair of the Committee.

126. The Secretariat also briefed the Committee on the status of the Executive Council's decision requesting the Commission to undertake a study on the measures required to ensure continuity of the membership of the Committee, including the possibility of the renewal of the mandate of the members for another term. He then indicated that a memo was written to the legal counsel asking for their advise for the implementation of such decision, and the Secretariat is still waiting for their response.

ITEM 36: DISCUSSION ON THEMATIC TOPICS FOR THE COMMITTEE MEMBERS

127.

ITEM 37: DISCUSSION ON THE COLLABORATION WITH UNCRC

128. The Chair of the ACERWC discussed the process of collaboration starting from May. He stated that he can no more be a member in the working group and the Committee decided four members to be part of the working group accordingly Prof. Julia, Madame Fatima, Dr Azza and Justice Alfas were assigned to this effect. Prof. Julia will be the Chairperson of the working group.

ITEM 38: CODE OF CONDUCT FOR THE ACERWC

129. The Committee discussed issues related to having the Code of Conduct and proposed a way forward.

ITEM 39: PLANNING OF ACTIVITIES FOR NOV 2013- APRIL 2014

130. The Committee identified the various Missions and Workshops in November and December and assigned the Committee Members for the respective activities.

ITEM 40: ADOPTION OF THE DRAFT REPORT

131. The report was adopted as amended.

ITEM 41: CLOSING CEREMONY

132. In his closing remarks, the Chairperson expressed his gratitude to all participants. He added that during this session many areas have been addressed by the Committee including presentations, the Declaration on the Elimination of discrimination and violence against girls in Africa, the ratification campaign and the issue of investment for children. He then suggested that the commemoration of the JEA extends to be celebrated outside Africa. Dr Benyam indicated the fact that the feature of this session was rich in discussion with a high participation.

133. Finally on behalf of the Committee, he once again thanked the African Union, UN agencies, Civil Societies, and others who continue to support the work of the Committee. He finally appreciated colleagues at the Secretariat and AUC and the interpreters for their continued and unreserved support and cooperation, and declared the Session closed.