

# **Guidelines on the Form, Content and Consideration of Initial and Periodic State Party Reports**

## **General**

These guidelines present the forms, contents and procedures which need to be fulfilled with regard to the State Party reporting mechanism in accordance with Article 43 of the African Charter on the Rights and Welfare of the Child. Divided in four sections, the Guidelines prescribe provisions on the following processes:

Section I- Guidelines on the Form and Content of Initial State Party Reports

Section II- Guidelines on the Form and Content of Periodic State Party Reports

Section III- Procedure for Consideration of State Party Reports

Section IV- Miscellaneous

## **SECTION I- GUIDELINES ON THE FORM AND CONTENT OF INITIAL STATE PARTY REPORTS**

### **I. INTRODUCTION**

1. Article 43, paragraph 1, of the African Charter on the Rights and Welfare of the Child (Children's Charter) states that:  
"Every State Party to the present Charter shall undertake to submit to the Committee through the Secretary-General of the Organization of African Unity, reports on the measures they have adopted which give effect to the provisions of this Charter and on the progress made in the enjoyment of these rights.  
(a) within two years of the entry into force of the Charter for the State Party concerned; and  
(b) thereafter, every three years.
2. Article 43, paragraph 2, further states that:  
"Every report made under this Article shall:  
(a) contain sufficient information on the implementation of the present Charter to provide the Committee with comprehensive understanding of the implementation of the Charter in the relevant country; and  
(b) shall indicate factors and difficulties, if any, affecting the fulfilment of the obligations contained in the Charter.
3. The African Committee of Experts on the Rights and Welfare of the Child (the Committee) believes that the process of preparing a report for submission to the Committee offers an important occasion for conducting a comprehensive review of the various measures undertaken to harmonize national law and policy with the Children's Charter and to monitor progress made in the enjoyment of the rights set forth in the Children's Charter. Additionally, the process should be one that encourages and facilitates popular participation, national introspection and public scrutiny of government policies and programmes, private sector practices and generally the practices of all sectors of society towards children.
4. The Committee further considers that the reporting process entails an ongoing reaffirmation by States Parties of their commitment to respect and ensure observance of the rights set forth in the Children's Charter and serves as the essential vehicle for the establishment of a meaningful dialogue between the States Parties and the Committee.
5. The Committee intends to formulate guidelines for the preparation of periodic reports that are to be submitted pursuant to Article 43 of the Children's Charter in due course.
6. Reports should be accompanied by copies of the principal legislative and other texts as well as detailed statistical information and indicators referred to therein,

which will be made available to members of the Committee. It should be noted, however, that for reasons of economy they will not be translated or reproduced for general distribution. It is desirable, therefore, that when a text is not actually quoted in or annexed to the report itself, the report should contain sufficient information to be understood without reference to those texts.

7. The provisions of the Children's Charter have been grouped under different sections, equal importance being attached to all the rights and welfare recognized by the Children's Charter.

## **II. GENERAL MEASURES OF IMPLEMENTATION**

8. Under this section, States Parties are requested to provide relevant information pursuant to Article 1 of the Children's Charter, including information on:

- a) necessary steps undertaken, in accordance with their Constitutional processes and with the provisions of the Children's Charter, to adopt such legislative or other measures as may be necessary to give effect to the provisions of the Children's Charter.
- b) measures taken to realize the rights and welfare of the child in the law of the State Party or in any other international convention or agreement in force in that State.
- c) measures taken to promote positive cultural values and traditions and to discourage those that are inconsistent with the rights, duties and obligations contained in the Children's Charter.
- d) existing or planned mechanisms at the national or local level for coordinating policies relating to children and for monitoring the implementation of the Children's Charter.

9. In addition, States are requested to describe the measures that have been taken or are foreseen to:

- a) make the principles and provisions of the Children's Charter widely known to adults and children alike;
- b) widely disseminate their reports to the public at large in their own countries.

## **III. DEFINITION OF THE CHILD**

10. States Parties are requested to provide information, in conformity with Article 2 of the Children's Charter, regarding the definition of a child under their laws and regulations.

## **IV. GENERAL PRINCIPLES**

11. Relevant information, including the principal legislative, judicial, administrative or other measures in force or foreseen; factors and difficulties encountered and progress achieved in implementing the provisions of the Children's Charter, and implementation priorities and specific goals for the future should be provided in respect of:

- a) Non-discrimination (Articles 3 and 26)
- b) Best interests of the child (Article 4)
- c) The right to life, survival and development (Article 5)
- d) Respect for the views of the child (Article 7)
- e) Provision of information to children and promotion of their participation (Articles 4, 7 and 12)

12. In addition, States Parties are encouraged to provide relevant information on the application of these principles in the implementation of articles listed elsewhere in these guidelines.

## **V. CIVIL RIGHTS AND FREEDOMS**

13. Under this section, States Parties are requested to provide relevant information, including the principal legislative, judicial, administrative or other measures in force; factors and difficulties encountered and progress achieved in implementing the relevant provisions of the Children's Charter and implementation priorities and specific goals for the future in respect of:

- a) Name, nationality, identity and Registration at birth (Article 6)
- b) Freedom of expression (Article 7)
- c) Freedom of thought, conscience and religion (Article 9)
- d) Freedom of association and of peaceful Assembly (Article 8)
- e) Protection of privacy (Article 10)
- f) Protection against child abuse and torture (Article 16)

## **VI. FAMILY ENVIRONMENT AND ALTERNATIVE CARE**

14. Under this section, States Parties are requested to provide relevant information, including the principal legislative, judicial, administrative or other measures in force, particularly how the principles of the "best interests of the child" and "respect for the views of the child" are reflected therein: factors and difficulties encountered and progress achieved in implementing the relevant provisions of the Children's Charter and implementation priorities and specific goals for the future in respect of:

- a) Parental guidance (Article 20)

- b) Parental responsibilities (Article 20.1)
- c) Separation from parents, separation caused by State Party, separation caused by internal displacement arising from armed conflicts, civil strifes, or natural disasters (Articles 19.2&3 and 25)
- d) Family reunification and children deprived of a family environment (Article 25.2(b))
- e) Maintenance of the child (Article 18.3)
- f) Adoption and periodic review of placement (Article 24)
- g) Abuse, neglect, exploitation including physical and psychological recovery and social integration (Articles 16 and 27)

15. In addition, States Parties are requested to provide information on the numbers of children per year within the reporting period in each of the following groups, desegregated by age group, sex, ethnic or national background and rural or urban environment: homeless children, abused or neglected children taken into protective custody, children placed in foster care, children placed in institutional care, children placed through domestic adoption, children entering the country through inter-country adoption procedures and children leaving the country through inter-country adoption procedures.

16. States Parties are encouraged to provide additional relevant statistical information and indicators relating to children covered in this section.

## VII. HEALTH AND WELFARE

17. Under this section, States Parties are requested to provide relevant information, including the principal legislative, judicial, administrative or other measures particularly programmes and projects, etc.; the institutional infrastructure for implementing policy in this area, particularly monitoring strategies and mechanisms; factors and difficulties encountered and progress achieved in implementing the relevant provisions of the Children's Charter, in respect of:

- a) Survival and development (Article 5)
- b) Children with handicap (Article 13)
- c) Health and health services (Article 14)
- d) Social security and child-care services and facilities (Article 20.2(a-c))
- e) Care for orphans (Article 26)

18. In addition to information provided under paragraph 8(d) of these guidelines, States Parties are requested to specify the nature and extent of cooperation with local, national, regional and international organisations, concerning the implementation of this area of the Children's Charter. States Parties are

encouraged to provide additional relevant statistical information and indicators relating to children covered in this section

### **VIII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES**

19. Under this section, States Parties are requested to provide relevant information, including the principal legislative, judicial, administrative or other measures such as projects, programmes etc.; the institutional infrastructure for implementing policy in this area, particularly

monitoring strategies and mechanisms; factors and difficulties encountered and progress achieved in implementing the relevant provisions of the Children's Charter, in respect of:

- a) Education, including vocational training and guidance (Article 11)
- b) Leisure, recreation and cultural activities (Article 12)

20. In addition to information provided under paragraph 8(d) of these guidelines, States Parties are requested to specify the nature and extent of cooperation with local, national, regional and international organisations, concerning the implementation of this area of the Children's Charter. States Parties are encouraged to provide additional relevant statistical information and indicators relating to children covered in this section.

### **IX. SPECIAL PROTECTION MEASURES**

21. Under this section, States Parties are requested to provide relevant information, including the principal legislative, judicial, administrative or other measures such as projects, programmes etc.; factors and difficulties encountered and progress achieved in implementing the relevant provisions of the Children's Charter and implementation priorities and specific goals for the future in respect of:

- a) Children in situations of emergency:
  - (i) Refugee, returnee and displaced children (Articles 23 & 25)
  - (ii) Children in armed conflicts, including specific measures for child protection and care (Article 22)
- b) Children in conflict with the law:
  - (i) The administration of juvenile justice (Article 17)
  - (ii) Children deprived of their liberty, including any form of detention, imprisonment or placement in custodial setting and compliance with the provisions of Article 5(3) of the Children's Charter

- prohibiting death sentences on children (Article 17.2(a))
    - (iii) Reformation, family reintegration and social rehabilitation (Article 17.3)
- c) Children of imprisoned mothers:
  - (i) Special treatment to expectant mothers and to mothers of infants and young children who have been found guilty by law (Article 30)
  - (ii) A mother shall not be imprisoned with her child (Article 30(d))
  - (iii) Reformation, integration of the mother into the family and social rehabilitation (Article 30(f))
- d) Children in situations of exploitation and abuse:
  - (i) Economic exploitation including Child Labour (Article 15)
  - (ii) Drug abuse (Article 28)
  - (iii) Abuse and torture (Article 16)
  - (iv) Sexual exploitation and sexual abuse (Article 27)
  - (v) Other forms of abuse and exploitation such as begging, early pregnancy, etc. (Article 29(b))
  - (vi) Sale, trafficking and abduction (Article 29)
- e) Children victims of harmful social and cultural practices affecting the welfare, dignity, normal growth and development of the child:
  - (i) Betrothal of girls and boys (Article 21.2)
  - (ii) Early and forced marriage (Article 21.2)
  - (iii) Any form of female genital mutilation (Article 21.1(a))
  - (iv) Any other form of harmful social and cultural practices (Article 21.1(b))
- f) Children belonging to a minority groups (Article 26)
- g) Children who need special protection on account of being in risky or vulnerable conditions and situations such as street children or HIV/AIDS orphans (Article 26)
- h) Any other emerging or unforeseen problem (Article 26)

22. Additionally, States Parties are encouraged to provide specific statistical information and indicators relevant to the children covered by paragraph 21.



## **X. RESPONSIBILITIES OF THE CHILD**

23. Under this section, States Parties are requested to provide relevant information, including the principal practices, legislative, judicial, administrative and other specific measures in force; factors and difficulties encountered and progress achieved in implementing the relevant provisions of Article 31 of the Children's Charter. The Child's duty:
- a) towards the parents, the family and the community; (Article 31)
  - b) towards the superiors; (Article 31)
  - c) towards the State and the Continent. (Article 31)

## **XI. SPECIFIC PROVISIONS FOR THE REPORTING PROCESS**

24. A State Party that has already submitted to the UN Committee on the Rights of the Child a report based on the provisions of the CRC may use elements of that report for the report that it submits to the Committee as required by the Children's Charter. The report shall, in particular, highlight the areas of rights that are specific to the Children's Charter.
25. The report must specify the action taken by the State Party in response to any recommendations made to it by the Committee and/or the UN Committee on the Rights of the Child.
26. The report should not exceed 35,000 words or 120 pages.
27. The State Party that submitted its initial report overdue could benefit as an exceptional measure, and in order to assist the State Party to fully comply with its obligations under the Charter, to submit its periodic reports in a single document before the date on which the next periodic report is due.

## **SECTION II- GUIDELINES ON THE FORM AND CONTENT OF PERIODIC STATE PARTY REPORTS**

### **A. Introduction**

1. Pursuant to article 43 of the African Charter on the Rights and Welfare of the Child (the Charter), each State Party has undertaken to submit reports on the measures it has adopted to give effect to the provisions of the Charter and on the progress made in the enjoyment of the rights guaranteed under the Charter. The initial report is due within two years of the entry into force of the Charter for the State Party concerned, and thereafter, every three years for the periodic reports.
2. These guidelines are intended to guide State Parties in fulfilling their reporting obligations. It contains directions on what format periodic reports should take and on what information should be included in the reports. The guidelines relating to the content of the reports are meant to ensure that State Parties provide the African Committee on the Rights and Welfare of the Child (the Committee) with a comprehensive understanding of the implementation of the Charter in State Parties. The Guidelines highlight and emphasize on the specificities of the Charter and the peculiarities of the African continent and its children. Section II of these Guidelines apply to periodic reports that are submitted every three years.
3. State reporting is an integral and important part of the mechanism for monitoring implementation of and compliance with international and regional human rights treaties. The Committee conceives the state reporting process established under the Charter as a non-adversarial process that is based on the principle of constructive dialogue and for the ultimate benefit of the State Parties. The reporting process is designed to provide State Parties with the opportunity for self-reflection and assessment on the extent to which the rights guaranteed under the Charter are enjoyed in practice.
4. The periodic report submitted to the Committee under article 43(1)(b) of the Charter should cover the period between the consideration of the initial report or the previous periodic report of the State Party and the submission of the current report.
5. State Parties may use the information contained in their reports submitted to the United Nations Committee on the Rights of the Child (The UN Committee) and the African Commission on Human and Peoples' Rights (The African Commission) in the preparation of their reports under the Charter. Such information should be used only to the extent of relevance and upon been tailored for reports under the Charter. In particular, State Parties should not simply duplicate information contained in their reports to the UN Committee without assessing the relevance to and compatibility of that information with the particular requirements of the Charter and these guidelines.

## **B. Format of reports**

6. The report should be presented in a concise and structured manner. A simple and free flowing language should be adopted. The periodic report should not exceed 80 pages or 35, 000 words. This page and/or word limit does not apply to documents (e.g. legal texts) attached to the report.
7. It is recommended that the report be accompanied by copies of the relevant provisions of the principal legislative, judicial, administrative and other texts referred to in the report, where these are available in a working language of the African Union.
8. The report should indicate the meaning of all abbreviations used in it, especially when referring to laws, national institutions, organizations, etc., that are not likely to be readily understood outside the state party.
9. The report should be submitted in one of the official languages of the African Union

## **C. Drafting of reports**

10. The State Party should outline the process of drafting and adopting the report. The report should indicate which government agency has the overall responsibility for the coordination of the drafting process and the role played by state and non-state actors in the process. The Committee emphasizes that the drafting process should be consultative and inclusive, and in particular, children and child-led initiatives (e.g. Youth or Child Parliament, Child Rights Clubs, etc.) should be actively involved. As such, the report should outline the role played by relevant government agencies, civil society organizations, children and child-led initiatives and other non-state actors in the drafting process.

## **D. Content of reports**

11. In accordance with article 43(2) of the Charter, every report should contain sufficient information on the implementation of the Charter within the State Party and indicate factors and difficulties, if any, affecting the fulfillment of the obligations contained in the Charter. The State Party should provide this information according to the thematic clusters identified by the Committee in these guidelines.
12. The information provided by the State Party regarding the implementation of each provision should make specific reference to the previous concluding observations and recommendations of the Committee and include details on how the recommendations have been implemented or addressed in practice. Where a previous recommendation has not been implemented or addressed, the State Party should explain the reason for non-implementation and provide details on how and within what period the recommendation will be complied with.
13. The information provided by the State Party regarding the implementation of each provision should include statistical information and data disaggregated according

to relevant criteria including age, sex, and disability. The State Party should highlight and comment on important changes that have occurred over the reporting period. Statistics should be submitted as a separate annex to the periodic report.

## **I. General information about the State Party**

14. According to article 43(3) of the Charter, a State Party which has submitted a comprehensive first report to the Committee need not, in its subsequent reports, repeat the basic information previously provided. Thus, in this section, the State Party should strictly limit the general information regarding itself, and particularly its structure and mode of governance, to significant changes that occurred during the reporting period.

## **II. General measures of implementation (art. 1(1))**

15. Under this cluster, the State Party should provide relevant and updated information regarding the measures it has taken or those anticipated to be taken to implement article 1(1) of the Charter, concerning the measures taken to recognize and give effect to the rights, freedoms and duties enshrined in the Charter. In particular, the State Party should provide updated information on:

- a) Constitutional, Legislative and policy framework for the promotion and protection of the rights and welfare of the child: The State Party should indicate changes in the constitutional, legislative and policy framework that have occurred during the reporting period and especially those changes that have an impact on the enjoyment of rights under the Charter. The State Party should also provide information on:
  - Whether or not the Charter can be invoked in its courts of law, and if so, to what extent;
  - The nature and extent of legal remedies available for violations of children rights; and
  - Customary laws and regulations which impact on the enjoyment of child rights within its jurisdiction.
- b) Institutional framework for the promotion and protection of the rights and welfare of the child: The State Party should indicate which government agencies are involved in the implementation of the Charter and which one of these has the overall responsibility for monitoring and coordination of such implementation. The State Party should indicate whether a specific body is responsible for receiving individual complaints from children and their representatives. The State Party should also provide information on whether or not it has established a national human rights institution (NHRI), and if so, the role played by the NHRI in promoting and protecting child rights. The State Party should provide contact details of institutions mentioned under this clause.
- c) Budgetary allocation and actual expenditure: The State party should indicate the amount of resources allocated to programmes and activities

that are relevant to child rights and the actual expenditures incurred in that regard.

- d) Cooperation with non-state actors: The State Party should provide information on its cooperation with non-state actors, including non-governmental organizations, children's and youth groups, UN agencies, Faith Based Organizations, business and private sector, and traditional systems of governance (e.g. village councils) and the extent to which they are involved in the planning and monitoring of the implementation of the Charter.
- e) Implementation of the decisions of the Committee and other relevant regional bodies: Where applicable, the State Party should provide information on its compliance with or implementation of:
  - A decision of the Committee made in a communication determined by pursuant to article 44 of the Charter;
  - A recommendation of the Committee made following an investigative or fact-finding mission; and
  - A decision of the African Commission on Human and Peoples' Rights and/or the African Court on Human and Peoples' Rights in which child rights are involved.
- f) Implementation of relevant programmes, action plans and policies of the African Union: The State Party should provide information on its compliance with or implementation of
- g) African Union programmes and action plans involving child rights, including but not limited to:
  - Campaign on Accelerated Reduction of Maternal, Newborn and Child Mortality in Africa (CARMA);
  - Call for Accelerated Action on the Implementation of the Plan of Action Towards Africa Fit for Children; and
  - Abuja Call for Accelerated Action Towards Universal Access to HIV and AIDS, Tuberculosis and Malaria Services in Africa.
- h) Dissemination of the Charter and previous concluding observations of the Committee: The State Party should provide information demonstrating its efforts to make the Charter and the previous concluding observations of the Committee widely available to relevant stakeholders and the public at large.

16. The State party should provide data on the following:

- a) Allocation of resources and actual expenditures during the reporting period for social services for:
  - Family and/or child allowances;
  - Health services, in particular primary health services;
  - Early childhood development;
  - Education, in particular primary and secondary education; and
  - Child protection measures, including prevention of violence, child labour, sexual exploitation, and rehabilitating programmes.

- b) Training for professionals working with and for children, including judicial personnel, law enforcement personnel, teachers, health-care personnel and social workers.

### **III. Definition of a child (art. 2)**

- 17. In this section the State Party should provide information demonstrating conformity with article 2 of the Charter, concerning the definition of a child under its laws and regulations. If under a particular law or regulation the definition of a child does not conform with that of the Charter, the State Party should explain the reason for such non-conformity and the measures taken to bring that law or regulation into conformity with the Charter.
- 18. The State Party should provide data, disaggregated as described in paragraph 13 above, on the number and proportion of children living in the State Party.

### **IV. General principles (arts. 3, 4, 5, and 26)**

- 19. Under this cluster, the State Party should provide relevant information on:
  - a) Non-discrimination (art. 3 and 26): The State Party should provide information on measures taken to prevent discrimination and to ensure equal and full enjoyment of the rights and freedoms recognized and guaranteed in the Charter, especially on children in disadvantaged situations including the girl child, children with disabilities, children belonging to minority and indigenous groups.
  - b) Best interests of the child (art. 4): The State party should provide information demonstrating whether and how the principle of the best interests of the child is secured in practice.
  - c) The right to life, survival and development (art. 5): The State Party should provide information on measures taken to ensure that every child has an inherent right to life and that this right is protected by law. Information should also be provided on measures taken to guarantee that the death sentence is not pronounced for crimes committed by children.
  - d) Respect for the views of the child (art. 4): The State Party should provide information on whether and how the principle of respect for the views of the child are taken into consideration in judicial and administrative proceedings affecting a child who is capable of communicating his or her own views.
- 20. The State Party should further provide relevant information on the application of these principles in the implementation of the other provisions of the Charter.
- 21. The State Party should provide data, disaggregated as described in paragraph 13 above, on:
  - a) The death of children as a result of illnesses such as malaria, HIV/AIDS, tuberculosis, polio, hepatitis and acute respiratory infections;

- b) The death of children as a result of causes such as unlawful killings (extrajudicial, summary or arbitrary executions), capital punishment, traffic or other accidents, crime and other forms of violence;
- c) The death of children as a result of harmful cultural practices (such as traditional rituals and sacrifice); and
- d) The number of child and youth organizations or associations and the number of members they represent. The State Party should also provide the number of children who have been heard under judicial and administrative proceedings, including information on their age.

## V. Civil rights and freedoms (arts. 6-10 and 16)

22. Under this cluster, the State Party should provide relevant and updated information on:

- a) Name and nationality (art. 6): Taking into account the Committee's General Comment No. 2 on Name and Nationality, the State Party should provide information on:
  - The mechanisms it has put in place to ensure that all children are registered immediately after birth, including the role of faith based organizations and traditional structures of governance;
  - The measures it has taken to remove social, economic and cultural barriers that hinder the registration of children immediately after birth;
  - The measures it has taken to ensure that children who are not registered immediately after birth are registered soon thereafter and/or without unreasonable delay; and
  - Whether its laws recognize the principles according to which a child acquires nationality of the state in the territory of which he or she has been born.
- b) Freedom of expression (art. 7): The State Party should provide information on whether a child capable of communicating his or her own views is assured of the right to express and disseminate his opinions freely in all matters.
- c) Freedom of association ((art. 8): The State Party should provide information on whether children under its jurisdiction are afforded the right to free association and freedom of peaceful assembly.
- d) Freedom of thought, conscience and religion (art. 9): The State Party should provide information on whether children enjoy in practice the right to freedom of thought, conscience and religion.
- e) Protection of privacy (art. 10): The State Party should provide information on measures taken to ensure children are not subjected to arbitrary or unlawful interference with their privacy.
- f) The right not to be subjected to torture (art. 16): The State party should provide information on:
  - Legislative, administrative, social and educational measures taken to protect children from all forms of torture, inhuman or degrading

treatment. In particular, the State Party should indicate whether it has outlawed corporal punishment in all settings.

- Whether it has established special monitoring units to provide necessary support for children and for those who have the care of the child.

23. The State Party should provide data, disaggregated as described in paragraph 13 above, on:

- a) The number and percentage of children who are registered after birth, and when such registration takes place, with further details on:
  - The number and percentage of refugee children and children seeking asylum who are registered after birth; and
  - The number of children who are stateless.
- b) The number of birth registration centers particularly in rural and inaccessible areas.
- c) The number of schools equipped with information technologies (such as computer labs).
- d) The number of children reported as victims of torture and other cruel, inhuman or degrading treatment or other forms of punishment.
- e) The number of court cases instituted against alleged perpetrators of torture against children and the results of these cases.
- f) The number of recognized children organizations or groupings.

## **VI. Economic, social and cultural rights (arts. 11-12 and 14)**

24. Under this cluster, the State Party should provide relevant and updated information regarding laws, policies, financial and human resources, and other relevant indicators on the implementation of the following socio-economic rights:

- a) Education (art. 11): The State Party should provide updated information on measures taken to ensure full realization of the right to education and in particular on the following:
  - The aims and objectives for which the State Party's educational policy and curriculum have been designed to foster and achieve;
  - Measures taken to provide early childhood education and pre-primary schooling;
  - Measures taken to provide free and compulsory basic education;
  - Measures taken to progressively make secondary education free and accessible to all;
  - Measures taken to make vocational and higher education accessible to all on the basis of capacity and ability;
  - Measures taken to encourage regular attendance and retention at schools and the reduction of drop-out rates (e.g. school feeding programmes and provision of sanitary towels to girls);
  - Special measures taken to ensure equal access to education for all sections of the community especially for female children, children



- with disabilities and children belonging to minority and indigenous groups;
  - Measures taken to ensure that a child who is subjected to school or parental discipline is treated with humanity and respect; and
  - Measures taken to ensure girls who become pregnant before completing their education have an opportunity to continue with their education.
- b) Leisure, recreational and cultural activities (art. 12): The State Party should provide relevant and updated information on measures taken to ensure children's full participation in leisure, recreational and cultural activities. The State Party should particularly provide information regarding the equal and full enjoyment of these rights by children belonging to minority and indigenous groups.
- c) Health and Welfare (art. 14): The State Party should provide relevant and updated information on the measures taken to ensure every child enjoys the best attainable state of physical, mental and spiritual health. In particular, the State Party should provide information on the following:
- Measures taken to reduce infant and child mortality;
  - Measures taken to ensure access to health and health services, in particular primary health care;
  - Measures taken to ensure the provision of adequate nutrition and safe drinking water;
  - Measures taken to ensure appropriate health care for expectant and nursing mothers, and particularly measures taken to prevent transmission of HIV from mother to child;
  - Measures taken to ensure the meaningful participation of non-governmental organizations, local communities and the beneficiary population in the planning and management of basic service programmes for children;

25. In respect to the right to education, the State Party should provide data, disaggregated as described in paragraph 13 above, on:

- a) Literacy rates of children and adults;
- b) Gross and net enrollment and attendance rates for primary and secondary schools and vocational training centers;
- c) Retention, completion and transition rates and percentage of dropout for primary and secondary schools and vocational training centers; and
- d) The average teacher-pupil ratio, with an indication of any significant regional or rural/urban disparities.

26. In respect to the right to health, the State Party should provide data, disaggregated as described in paragraph 13 above, on:

- a) The rates of infant and child mortality;
- b) The percentage of households without access to hygienic sanitation facilities and access to drinking water;

- c) The percentage of one-year-olds fully immunized for tuberculosis, diphtheria, pertussis, polio and measles;
- d) The proportion of pregnant women who have access to, and benefit from, prenatal and post-natal health care;
- e) The proportion of pregnant women provided with HIV Prevention-of-Mother-to-Child-Transmission (PMCT) services and the percentage of children born with HIV.

## VII. Family environment and alternative care (arts. 18-20 and 24)

27. Under this cluster, the State Party should provide relevant and updated information, including on the principal legislative, judicial, administrative or other measures in force, on the following aspects relating to family environment and alternative care:

- a) Protection of the family (art. 18): The State Party should provide information on parents' common responsibilities during marriage and on the measures taken to ensure necessary protection of the child following dissolution of marriage.
- b) Parental care and protection (art. 19): The State Party should provide information on measures taken to ensure necessary protection of the child in case of separation from one or both parents.
- c) Parental responsibilities (art. 20): The State Party should provide information on measures taken to:
  - assist parents and other persons responsible for the child in the performance of child-rearing and in case of need provide material assistance;
  - ensure development of institutions responsible for providing care of children; and
  - ensure that the children of working parents are provided with care services and facilities.
- d) Adoption (art. 24): The State Party should provide information on the legislative, judicial and administrative measures taken to ensure both national and inter-country adoption are in the best interests of the child. The State party should also provide information on:
  - Measures taken to encourage national or in-country adoption;
  - Bilateral or multilateral arrangements or agreements it has concluded in respect to adoption matters, and particularly whether it has adopted the Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption;
  - Institutional machinery established to monitor the well-being of children in adoption, foster care and other systems of alternative care; and
  - Achievements and challenges of local and indigenous alternative care systems (such as *Kafalah* and kinship care) and the measures

taken to ensure that such systems are in the best interest of the child and in compliance with the Charter.

28. The State should provide data, disaggregated as described in paragraph 13 above, on:

- a) The number of children separated from their parents as a result of court decisions;
- b) The number of institutions for hosting children without parental care and the number of children in these institutions;
- c) The number of services and programmes aimed at rendering appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and the number and percentage of children and families that benefit from these services and programmes;
- d) The number of institutions responsible for providing care of children and the number of children accessing these institutions; and
- e) The number of children in domestic and inter-country adoption

### **VIII. Protection of children in most vulnerable situations (arts. 13, 22-23 and 25)**

29. Under this cluster, the State Party should provide relevant and updated information on the special measures it has taken to promote and protect the rights of children in most vulnerable situations, including:

- a) Children with disabilities (art. 13): The State Party should provide information on special measures taken in respect to children with disabilities. In particular, the State Party should provide information on:
  - Measures taken to ensure children with disabilities have effective access to education. The State Party should indicate the extent to which children with disabilities are mainstreamed in regular schools;
  - Measures taken to ensure children with disabilities have effective access to training, preparation for employment and recreational opportunities; and
  - Measures taken to ensure children with disabilities have effective access to public highways, buildings and other places.
- b) Children in situations of economic exploitation (art. 15): The State Party should provide relevant and updated information on measures, including legislative and administrative measures, taken to protect children from all forms of economic exploitation, in particular on:
  - Whether the minimum ages for admission to every employment is provided through legislation;
  - Whether appropriate regulation of hours and conditions of employment is provided;
  - Whether appropriate penalties or other sanctions for non-compliance are provided; and
  - The State Party should provide relevant and updated information on measures taken against the worst forms of child labor Efforts

taken to disseminate information on the hazards of child labour to all sectors of the community.

- c) Refugee Children, Children Seeking Asylum and Internally Displaced Children (art. 23): Under this section, the State Party should provide information on measures taken to:
- Provide access for children to procedures for determining refugee status, taking into account the special needs and rights of children;
  - Provide protection and humanitarian assistance to refugee children, children seeking asylum and internally displaced children, including measures to facilitate family tracing and reunification and other protection measures for unaccompanied and separate children; and
  - Cooperate with existing international organisations which protect and assist refugees, asylum seekers and internally displaced persons.
- d) Children in armed conflicts (art. 22): The State Party should provide information on:
- Measures taken to ensure that children do not take part in hostilities;
  - Measures taken to protect children who are affected by armed conflicts including internal armed conflicts, tension and strife; and
  - Measures taken to demobilize, disarm, reintegrate and rehabilitate (DDRR) children who have been involved in armed conflicts;
- e) Children of imprisoned mothers (art. 30): Taking into account the Committee's General Comment No. 1 of Children of Incarcerated Mothers/Caregivers, the State Party should provide information on special treatment accorded to expectant mothers and to mothers of infants and young children who have been accused or found guilty of a criminal offence. In particular, information should be provided on:
- Whether there is preference for non-custodial sentence for such mothers under its laws and regulations;
  - Whether measures alternative to institutional confinement for the treatment of such mothers have been established and are promoted;
  - Whether special alternative institutions for holding such mothers have been established;
  - Whether such mothers are imprisoned with their children; and
  - Whether the death sentence can be imposed on such mothers.
- f) Children in situations of sexual exploitation (art. 27): The State Party should provide relevant and updated information on measures taken to protect the child from all forms of sexual exploitation and sexual abuse.
- g) Children in situations of drug abuse (art. 28): The State Party should provide information on measures taken to protect the child from the use of narcotics and illicit use of psychotropic substances and to prevent the use of children in the production and trafficking of such substances.
- h) Children in situations of sale, trafficking and abduction (art. 29): The State Party should provide relevant and updated information on measures taken

to prevent the abduction, the pornography, the sale of, or traffic in children for any purpose and the use of children in all forms of begging.

- i) Children in street situations: The State Party should provide information on measures taken to alleviate the plight of children in street situations, including information on their rehabilitation and reintegration into society.
30. The State Party should provide data, disaggregated as described in paragraph 13 above, on:
- a) The number and percentage of children with disabilities. The data should be further disaggregated as follows:
    - By the nature of disability;
    - By the number of children with disabilities living in institutions, including institutions for children with mental disabilities, or outside their families, such as in foster care;
    - The number of children with disabilities attending regular schools vis-à-vis those attending special schools and those not attending schools.
  - b) The number of refugee children, children seeking asylum and internally displaced children. The data should be further disaggregated as follows:
    - by country of origin and nationality
    - by accompanied and unaccompanied status
    - the number and percentage of such children attending national or public primary and secondary school and vocational training
    - the number and percentage of such children accessing health services and child protection or welfare services;
    - the number and percentage of children who have disappeared during or after the status of determination proceedings or processes.
  - c) The number of children affected by armed conflicts including internal armed conflicts, tension and strife. The State Party should also provide statistics on the number of children who have been involved in armed conflicts accessing DDDR programmes.
  - d) The number of children living in prison with their mothers and their average age.
  - e) The number and percentage of children involved in child labour. The number of children in street situations should also be provided.
  - f) The number of children involved in sexual exploitation, drug abuse, and trafficking, including the number of those who have benefited from rehabilitation programmes;

## **IX. Harmful practices (arts. 1(3) and 21)**

31. Under this cluster, the State Party should provide relevant and updated information on:

- a) The nature, type and prevalence of harmful social and cultural practices within its jurisdiction;
- b) Measures taken to discourage and eliminate harmful social and cultural practices;

- c) Measures taken to rescue and rehabilitate children who have been subjected to or affected by harmful social and harmful practices;
- d) Where applicable, measures taken to specifically protect children with albinism from violence; and
- e) Whether child marriage and the betrothal of girls and boys are prohibited under its laws. Information should also be provided on:
  - Whether the State Party has taken effective action to specify the minimum age of marriage to be eighteen years; and
  - Whether it has made registration of all marriages in an official registry compulsory.

32. The State Party should provide data, disaggregated as described in paragraph 13 above, on:

- a) The number of children subjected to harmful cultural practices, including the number of those who have been rescued from such practices.
- b) The number of children in child marriages.

#### **X. Child justice (art. 17)**

33. Under this section, the State Party should provide relevant and updated information on the measures taken to ensure children accused or found guilty of a criminal offence are accorded special treatment, in particular on:

- a) Measures taken to ensure that children deprived of their liberty are not subjected to torture or any other form of physical or psychological violence;
- b) Measures taken to divert children from detention facilities;
- c) Whether children are separated from adults in their place of detention or imprisonment;
- d) Whether children accused of a criminal offence are afforded legal assistance and fair trial guarantees;
- e) Whether the press and the public are prohibited from the trial of children;
- f) Whether the minimum age below which children are presumed not to have the capacity to infringe the penal law is prescribed;
- g) Measures taken to train law enforcement, prison wardens and judicial officers on child justice; and
- h) Measures taken to ensure that children deprived of their liberty access essential services including education and health services.

34. The State Party should provide appropriate data, disaggregated as described in paragraph 13 above, including the type of crime, on:

- a) The number and percentage of cases involving children and in which legal or other assistance has been provided;
- b) The number and percentage of children who have been referred to diversion programmes;

- c) The number of children held in police stations or pretrial detention after having been accused of committing a crime reported to the police, and the average length of their detention;
- d) The number of institutions specifically for children accused of infringing the penal law and the number of children in these institutions;
- e) The number of children who have been found guilty of an offence by a court and sentenced to detention, and the average length of their detention;
- f) The number of children detained in institutions where they are not separated from adults; and
- g) The number of reported cases of abuse and maltreatment of children during their arrest and detention/imprisonment.

## **XI. Responsibilities of the child (art. 31)**

35. Under this section, the State Party should provide information on measures taken to ensure the creation of an environment in which children are capable of performing the duties enumerated in article 31 of the Charter, and in particular the State Party should also provide information on:

- a) Measures taken to ensure that the responsibilities of the child are performed within the ability and capability of the child and the child's rights are not violated in the process;
- b) Measures taken to ensure that children are educated and informed of their responsibilities under the Charter; and
- c) Whether the responsibilities of children are recognized under its legal and policy framework.

## **XII. Miscellaneous provisions**

36. The State Party that has submitted its periodic report in arrears could benefit as an exceptional measure, and in order to assist the State Party to fully comply with its obligations under the Charter, to submit its periodic reports in a single document before the date on which the next periodic report is due.





## **SECTION III- PROCEDURES FOR THE CONSIDERATION OF STATE PARTY REPORTS**

### **I. INTRODUCTION**

1. The African Committee of Experts on the Rights and Welfare of the Child (the Committee) was established in July 2001 pursuant to articles 32-45 of the African Charter on the Rights and Welfare of the Child (the Charter). One of the major roles of the Committee is to monitor the implementation and ensure the protection of the rights enshrined in the Charter. To this end, Article 43 of the Charter provides that State Parties to the Charter shall submit reports to the Committee on measures that they have adopted to give effect to the provisions of the Charter.
2. In accordance with article 38 of the Charter, the Committee shall establish its Rules of Procedure that under articles 42, 43, 44 and 45 of the Charter shall, among other things, define the mandate and procedure of the Committee in considering reports and information. The Committee has adopted detailed guidelines to assist State Parties in the preparation of their initial reports. Thus, the provisions of the Charter and the Rules of Procedure of the Committee, particularly Rules 65 to 81, constitute the basis of these procedures.
3. The purpose of these procedures is to outline in a systematic way the process for the submission of reports by State Parties and the consideration of these reports by the Committee.

### **II. PROCEDURE FOR SUBMISSION OF REPORTS**

- a) **Obligations of State Parties in the Preparation of the Reports and Procedure to Follow**
4. Under Article 43 of the Charter, State Parties undertake to submit to the Committee, through the Chairperson of the Commission of the African Union, reports on measures that they have adopted to implement the Charter, as well as progress made in the exercise of these rights:
  - i) Within two (2) years of entry into force of the Charter for the State party concerned; and
  - ii) Thereafter every three (3) years.
5. Reports submitted by State Parties are the bases for the Committee's evaluation of the degree to which the Charter is being implemented. The preparation of the report shall comply to the following objectives:

- Inform the Committee of the administrative, judicial and other measures that the Government has taken to implement the Charter. In this regard the Report shall:

- i) Contain sufficient information on the implementation of the Charter
- ii) Indicate factors and difficulties, if any, affecting the fulfilment of the obligations contained in the charter.

**b) Reporting Schedules and Reminders**

6. The Commission of the African Union (the Commission) shall prepare and maintain an up-to-date schedule indicating to all State Parties to the Charter, the status of their reporting to the Committee and the scheduled dates when their initial or periodic reports are due.

7. This schedule shall be presented at each session of the Committee. Based on this schedule, the Committee shall, through the Chairperson of the Commission, periodically (every 6 months) send reminders to each of the State Party concerned whose report is due.

**c) Receipt, Nomination of a Rapporteur for the State Party, Notification and Forwarding of State Party Reports**

8. Upon receipt of a report from a State Party, the Commission shall write to the State Party concerned acknowledging receipt of its report. The Committee shall nominate one of its Members as Rapporteur for the State Party. The main tasks of the Rapporteur shall be to: analyse the report and supplementary information received from the State Party or other partners; establish a list of issues to be considered; draft the final observations or conclusions. The Commission shall forward the report to the Chairperson of the Committee as well as to the Rapporteur of the State Party concerned, within a month following the receipt of the report. All Committee Members shall receive notification regarding all reports submitted by State Parties to the Commission.

**III. SCHEDULING OF CONSIDERATION OF STATE PARTY REPORTS**

**a) Order of Consideration of Reports**

9. A schedule for consideration of State Party reports shall be prepared based on the chronological order of submission of the reports by the State Parties. However in circumstances where both initial and periodic reports are submitted by different Member States and are pending consideration, priority shall be given to initial reports.

**b) Notification to State Parties**

10. The Committee shall, during its ordinary sessions, and based on the reports submitted, determine the dates for the consideration of the reports. The Committee shall, through the Chairperson of the AU Commission, notify the State Parties (at least two (2) months in advance) of the date, duration and venue of the session during which their respective reports shall be examined.
11. The State Party whose report is to be examined shall be invited, through its diplomatic representation, to present its report to the Committee.
12. For the purposes of having a constructive dialogue, the Committee shall exhort State Parties to designate Senior Officials, with decision-making powers on the issues of children's rights, to participate in the work of the Committee.

**IV. PUBLICITY OF STATE PARTY REPORTS (Access to State Party reports)**

13. Reports submitted by State Parties shall be treated as public documents. State Parties are strongly encouraged to adopt a participatory approach to the preparation of the reports and to publicize their reports to all relevant actors at national level. The Committee shall, as and when requested avail the State Party reports to the RECS, Relevant AU and UN Specialized Agencies as well as relevant NGOs and Civil Society Organizations.

**V. CONSIDERATION OF STATE PARTY REPORTS**

**a) Pre-Sessional Working Group**

14. Prior to the session during which a State Party's report is to be considered, a pre-sessional working group will be convened to review the State Party report and identify issues for discussion with the State Party concerned as well as any additional information that may be necessary for a comprehensive consideration of the report.
15. The composition of the pre-sessional working group shall be determined by the Committee and participation in the pre-sessional working group shall be on invitation by the Committee. The Committee may also invite to the pre-sessional working group representatives of RECs, AU specialized Agencies, the United Nations Organs, NGOs and, Human Rights Institutions, CSOs as well as individuals, experts and professionals that have either submitted supplementary reports to the Committee or that the Committee finds relevant. The meetings of the pre-sessional working group shall be informal, confidential and closed.
16. In conformity with Rules 68 and 69 of the Rules of Procedure, at the end of the pre-session working group meeting, a "list of issues" that the Committee considers as priorities for discussion with the State Party will be produced

and forwarded to the State Party concerned before the session in which its report is to be considered. In order to facilitate efficiency during the meeting with the State Party, the Committee will request State Parties to submit written responses to the list of issues in advance.

17. In addition, pursuant to Rule 68 of its Rules of Procedure, the Committee may request for additional report and/or updated information prior to the session in which the State Party's report is to be considered, if in its opinion, a report submitted by that State Party does not contain sufficient information.
18. The Committee shall determine the date by which the written responses or the additional information by State Parties should be submitted so as to enable enough time for their translation into the working languages of the Committee/AU. The pre-session Working Group shall meet soon after a meeting of the Committee to prepare its next session.

**b) Information from other Sources**

19. In accordance with Rule 69 of its Rules of Procedure, the Committee may also invite RECS, relevant AU and UN Specialized Agencies as well as relevant NGOs and Civil Society Organizations to submit reports on the implementation of the Charter and to provide it with technical advice in areas falling within the scope of their activities, in so far as such reports will provide the Committee with a comprehensive understanding of the implementation of the Charter in the State Party concerned. The Committee shall provide specific guidelines for the preparation and submission of such reports.

**c) Follow up of recommendations of the U.N Committee on the Rights of the Child.**

20. If a State Party has already submitted its initial or periodic report to the U.N Committee on the Rights of the Child (UN Committee), and if the UN Committee has considered the report, the African Committee of Experts on the Rights and Welfare of the Child may consider the concluding observations and recommendations of the UN Committee when preparing the list of issues for discussion with the State Party.

**VI. CONSIDERATION OF REPORTS AND REPRESENTATION OF STATE PARTIES**

**a) Number of Reports per Session**

21. Initial and periodic reports of State Parties shall be examined by the Committee during ordinary or extraordinary sessions in accordance with the Rules of Procedure.

**b) Representation of State Parties**

22. Invitations to take part in the work of the Committee shall be sent by the AU Commission to the State Parties by diplomatic channels.

**c) Non-Representation of State Parties**

23. In the event that a State Party report is to be considered and an invitation has been sent to the State Party concerned to attend the session and there is no representative of that State to present the report at the meeting, in spite of two (2) notifications to that State to that effect, the Committee shall proceed to consider the report and forward its comments to the State concerned through the Chairperson of the AU Commission. The Committee shall include a reference on the non-representation of the State Party concerned, in its report to the Assembly of Heads of State and Government.

**d) Public examination of State Party reports**

24. The State Party reports will be discussed in open and public meetings of the Committee. During these meetings only the State Party representatives and Committee Members shall take the floor. Other relevant AU and UN Agencies and Institutions will be represented. The media, representatives of Non-Governmental Organizations and Human Rights Institutions, professionals as well as other interested individuals may attend.

**e) Nature of Engagement with State Party Delegations**

25. With a factual and clear report presented in writing well in advance by the State Party concerned, the interaction with the State Party delegation will take the form of a dialogue on the implementation of the Charter, with particular focus on:

- i) The progress achieved in the implementation of the Charter;
- ii) The difficulties encountered;
- iii) The current priorities;
- iv) The future goals;
- v) The need for technical assistance (if any);
- vi) The procedure for elaborating the report of the State Party.

26. The head of the State Party delegation will be given 15 minutes to make an introductory statement. This will be followed by the presentation of an overview of the state of Child Rights in the State Party by the Rapporteur for that State. Thereafter, the Chairperson of the Committee will invite the Committee members to ask questions or make comments on the various clusters of rights as outlined in the reporting guidelines and according to the clusters attached in the appendix and this according to their thematic area. The discussion will proceed in an interactive manner. At the end of the discussions the Rapporteur for that State will summarize his/her observations on the report and make suggestions and recommendations. Lastly, the State Party delegation will be invited to make a concluding statement.

## **VII. OBSERVATIONS, SUGGESTIONS, AND RECOMMENDATIONS**

27. After the discussion with the State Party, the Committee will, in a closed session, prepare written observations, suggestions and recommendations, which will, inter alia, highlight the following:
  - i) Progress achieved;
  - ii) Goals and difficulties;
  - iii) Major issues of concern;
  - iv) Suggestions and recommendations;
28. The observations, suggestions and recommendations of the Committee shall be transmitted, through the Chairperson of the Commission, to the state party concerned for its comments. The Committee will indicate the time limit within which such comments from State Parties should be submitted.
29. The Committee shall include in its reports to the AU Assembly of Heads of State and Government its observations, suggestions and recommendations to the State Parties together with the comments received from the State Parties.

## **VIII. FOLLOW- UP OF REPORTS**

### **a) Request for Technical Assistance**

30. If a State Party, as part of its report, requests for technical advice or assistance, the Committee shall, after due consideration, transmit such request to the RECS, Specialized AU and UN Agencies and organs, NGOs, CSOs or any other competent body as it may deem fit.
31. The final suggestions and recommendations of the Committee will underpin the subsequent periodic report of the State Party concerned.

### **b) Field Visit**

32. In the exercise of its functions, the Committee shall endeavor to encourage the promotion of the Charter and the respect of its provisions. Field visits and informal meetings shall be organized each year in one region of the continent. The purpose of these field visits shall be:
  - To have first hand understanding of the situation of children in the State Party concerned;
  - Make contacts with the authorities and technical services to exchange information on proposals made on the implementation of the Charter;
  - Encourage national and international cooperation;

- Follow-up on the recommendations of the Committee;
- Give advice and useful suggestions where needed. These visits can be scheduled either before the examination of the report by the Committee or after.

## **IX. PROCEDURE IN RELATION TO OVERDUE REPORTS**

33. If after two reminders a State party fails to submit its report as provided for under article 43 of the Charter, the Committee shall through the Office of Chairperson of the Commission send a final reminder to the State Party concerned indicating its intention to consider the situation of Children's Rights in the State Party in the absence of the State Party report. If no response is received within a timeframe determined by the Committee, the Committee shall consider the situation, as it deems necessary and shall include a reference to this effect in its report to the Assembly of Heads of State.

## **SECTION IV- MISCELLANEOUS**

### **I. Coming into force**

- a. These Guidelines shall take effect 30 days after the date on which they were adopted.

### **II. Amendment**

- a) The Committee may, by simple majority, amend these Guidelines and disseminate the amended version to stakeholders.
- b) Such amendment(s) shall take effect immediately.

**Adopted in September 2020 during the 35<sup>th</sup> Ordinary Session of the ACERWC**

## Annex- I

### Cluster of Rights and Duties in the African Charter on the Rights and Welfare of the Child

The table below consists of the rights and duties enshrined in the African Charter on the Rights and Welfare of the Child (ACRWC). The rights and duties are put in different clusters in accordance with the classifications stated in the Guidelines for the Initial State Party Reports. The rights and duties are put in different clusters with a view of guiding the discussions during consideration of State Party and Complementary Reports

<b>Cluster I: General Measures Of Implementation</b>	<b>Cluster II: Definition of the Child</b>	<b>Group III: General Principles</b>
Article 1: Obligation of States Parties Article 2: Definition of a Child	Article 2: Definition of the child	Article 3: Non-Discrimination Article 4: Best Interests of the Child Article 5: Survival and Development Article 7: Freedom of Expression Article 12: Leisure, Recreation and Cultural Activities Article 26: Protection against Apartheid and Discrimination
<b>Cluster IV: Civil Rights and Freedoms</b>	<b>Cluster V: Family and Environment Alternative Care</b>	<b>Cluster VI: Health and Welfare</b>
Article 6: Name and Nationality Article 7: Freedom of Expression Article 8: Freedom of Association Article 9: Freedom of Thought, Conscience and Religion Article 10: Protection of Privacy	Article 18: Protection of the Family Article 19: Parent Care and Protection Article 20: Parental Responsibilities Article 24: Adoption Article 25: Separation from Parents	Article 5: Survival and Development Article 13: Handicapped Children Article 14: Health and Health Services Article 20: Parental Responsibilities



Article 16: Protection Against Child Abuse and Torture		
<b>Cluster VII: Education, Leisure and cultural activities</b>	<b>Cluster VII: Special Protection Measures</b>	<b>Cluster IX: Responsibilities of the Child</b>
Article 11: Education Article 12: Leisure, Recreation and Cultural Activities	Article 15: Child Labour Article 16: Protection Against Child Abuse and Torture Article 17: Administration of Juvenile Justice Article 21: Protection against Harmful Social and Cultural Practices Article 26: Protection against Apartheid and Discrimination Article 28: Drug Abuse Article 29: Sale, Trafficking and Abduction Article 30: Children of Imprisoned Mothers	Article 31: Responsibility of the child