



**ACERWC**  
African Committee of Experts on  
the Rights and Welfare of the Child

# GUIDELINES ON ENDING VIOLENCE AGAINST CHILDREN IN AFRICA

An Organ of the  
**African Union**



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## List of Acronyms

|          |   |
|----------|---|
| ACERWC   | African Committee of Experts on the Rights and Welfare of the Child |
| ACHPR    | African Charter on Human and Peoples' Rights                        |
| ACmHPR   | African Commission on Human and Peoples' Rights                     |
| ACtHPR   | African Court on Human and Peoples' Rights                          |
| ACPA     | African Child Protection  |
| AU       | African Union   |
| AUC      | African Union Commission  |
| AUPSC    | African Union Peace and Security Council                            |
| CAAC     | Children Affected by Armed Conflict                                 |
| CAAFAG   | Children Associated with Armed Forces and Armed Groups              |
| CAC      | Children in Armed Conflict  |
| CFSs     | Child Friendly Spaces   |
| CIPC     | Children's legal Protection Centre                                  |
| CPMIS    | Child Protection Management Information System                      |
| CP       | Child Protection  |
| CPUs     | Child Protection Units  |
| CRC      | Convention on the Rights of the Child                               |
| COVID-19 | Coronavirus disease 2019  |
| CSOs     | Civil Society Organizations   |
| DDR      | Demobilization, Disarmament and Reintegration                       |
| DDRR     | Demobilization, Disarmament, Rehabilitation and Reintegration       |
| DHS      | Demographic and health Survey                                       |
| FGC      | Female Genital Cutting  |

|                           |   |
|---------------------------|---|
| FGM                       | Female Genital Mutilation                                     |
| GBV                       | Gender-Based Violence   |
| HIV                       | Human Immuno-Deficiency Syndrome                              |
| ICC                       | Interim Care Centres  |
| ICRC                      | International Committee of the Red Cross                      |
| ICT                       | Information and Communications Technology                     |
| IDPs                      | Internally Displaced Persons                                  |
| IHL                       | International humanitarian law                                |
| ILO                       | International Labour Organization                             |
| NCPWG                     | National Child Protection Working Group                       |
| NPAC                      | National Plan of Action for Children                          |
| NSPP                      | National Social Protection Policy                             |
| NSPS                      | National Social Protection Strategy                           |
| NVAC                      | National Violence Against Children Survey                     |
| OPAC<br>in armed conflict | Optional Protocol to the UNCRC on the involvement of children |
| OVC                       | Orphans and vulnerable children                               |
| PCRD                      | Post-Conflict Reconstruction and Development                  |
| PSC                       | Peace and Security Council                                    |
| PTSD                      | Post-Traumatic Stress disorder                                |
| RBM                       | Results-Based Management                                      |
| RECs                      | Regional Economic Communities                                 |
| RMs                       | Regional Mechanisms   |
| SEA                       | Sexual Exploitation and Abuse                                 |
| SGBV                      | Sexual and Gender-Based Violence                              |

|                  |  |
|------------------|--|
| SOPs             | Standard Operating Procedures                                  |
| SCWG<br>Conflict | CAAC Security Council Working Group on Children and Armed      |
| UN               | United Nations   |
| UNCRC            | United Nations Convention on the Rights of the Child           |
| UNESCO           | United Nations Education, Scientific and Cultural Organization |
| UNDP             | United Nations Development Program                             |
| UNHCR            | United Nations High Commissioner for Refugees                  |
| UNICEF           | United Nations Children’s Fund                                 |
| UNODC            | United Nations Office on Drugs and Crime                       |
| UNPBSO           | United Nations Peacebuilding Support Office                    |
| UNSC             | United Nations Security Council                                |
| UNSCR            | United Nations Security Council Resolution                     |
| VAC              | Violence against children                                      |
| VAPP             | Violence Against Persons Prohibition Act                       |
| WV               | World Vision International                                     |
| WHO              | World Health Organization                                      |

# INTRODUCTION

## Introduction

The African Committee of Experts on the Rights and Welfare of the Child (ACERWC) developed Comprehensive Guidelines on Preventing and Addressing Violence Against Children (VAC) in Africa, which outline the necessary legal, policy, institutional, research, and resource mobilization strategies required to support VAC prevention and response efforts. The Guidelines streamline the principles, standards and guidance provided in various documents by the Committee to support African Union (AU) Member States to develop measures to protect children from violence.

The impetus for developing these Guidelines was the need to support AU Member States to address the gaps in the policies, legal frameworks, and programmes on VAC prevention and response. The Guidelines are developed pursuant to the adoption of several normative frameworks by the AU, including the African Charter on the Rights and Welfare of the Child (African Children's Charter), adopted in 1990; the African Charter on Human and Peoples' Rights (1981); and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003) also known as the Maputo Protocol. The Guidelines also build on the African Union's Agenda 2063, the African Children's Agenda (Agenda 2040), and the United Nations Agenda for Sustainable Development (Agenda 2030).

The Guidelines are aimed at promoting the harmonised delivery

on continental and global targets (Agenda 2063, 2040 and 2030), and seek to strengthen AU Member States' capacities to prevent and address all forms of VAC. The Guidelines acknowledge that VAC often unfolds in diverse contexts, hence they seek to identify measures to prevent and address VAC in various spheres including at interpersonal, family, household, community, society and institutional, as well as legal and policy levels. The Guidelines serve as prescriptive standards for AU Member States to uphold child protection in all contexts, including situations of peace, complex emergencies, and conflict situations.

It is envisaged that these Guidelines will motivate AU Member States to strengthen their national legislation, policies, and enhance the implementation capacity for preventing and responding to VAC. The Guidelines also provide

motivation for AU Member States to catalyse partnerships for strengthening national child protection systems. The ACERWC calls upon AU Member States to consider the African context when implementing these Guidelines, including making use of available mechanisms at community and local levels for protecting children.

Recognizing that gender discrimination drives many forms of violence against girls and contributes to the broad acceptance of violence against girls, these Guidelines emphasize the importance of gender-responsive approaches to mitigate children's risk of violence and to address their specific care and support needs.



## SECTION ONE: CONTEXT AND BACKGROUND

### 1.1 Concept of Violence Against Children

In the context of these Guidelines, VAC is understood to include the below:

- **Physical Violence:** The intentional use of physical force, which can result in injury of the child. Physical forms of VAC include corporal punishment, beating, maiming, child maltreatment, denying medical treatment, denying access to food, and forced sterilization.<sup>1</sup>

- **Sexual violence:** Non-consensual acts of a sexual nature, including sexual contact, whether initiated or completed. It includes sexual abuse and exploitation, harassment, child prostitution, child marriage, and female genital mutilation (FGM). Sexual violence against children also includes other sex acts, such as sexual exploitation, in person and online.<sup>2</sup>

- **Emotional or psychological violence:** Actions that distress a child emotionally and result in the dampening of their self-worth. Examples include restricting a child's movements, exposing a child to witness violence, as well as rejecting, harassing, denigrating, ridiculing, humiliating, threatening, and intimidating a child.

- **Online violence:** Acts such as cyber-bullying, harassment, exposure to harmful content, as well as exposure to violence that takes place in online settings where children gather, learn, and interact with their peers. also It also includes various forms of online child sexual exploitation and abuse, including child pornography. Online VAC can be perpetrated by both peers and adults (family members, persons of authority such as teachers, religious leaders, acquaintances, or strangers).

1 See the General Comment Number 13 of the UN Convention of the Rights of the Child (1989).

2 See the General Comment on Article 27 of the ACRWC.





## 1.2 The Normative Environment

Africa's political commitment to ending all forms of violence against children (VAC) has been reflected in several normative instruments and documents, including the adoption of AU's Agenda 2063 and Africa's Agenda for Children 2040: Fostering an Africa Fit for Children.

Aspiration 6 of Agenda 2063: The Africa We Want, and Aspiration 7 (Agenda 2040), provide a strong framework for Member States to deliver on the shared goal of an Africa Free from VAC. Agenda 2063 relies on the potential of African people, especially its women and youth, and places emphasis on caring for the continent's children.

Aspiration 7 of Agenda 2040: Fostering an Africa fit for children, adopted in 2016, seeks to restore the dignity of the African child by ensuring that: "Every child is protected against violence, exploitation, neglect and abuse."

The African Charter on the Rights and Welfare of the Child, also known as the African Children's Charter (entered into force in 1999), provides a comprehensive articulation of children's rights. Specific articles in the Charter which provide for VAC prevention include

- **Harmful practices:** Discriminatory social and cultural practices that are deeply engrained in society's patriarchal cultures, traditions and belief systems and frequently justified by invoking social or religious customs and values. Examples include child marriage, female genital mutilation/ female genital cutting (FGM/ FGC), female infanticide, and virginity testing, among others.

Article 14 on “Health and Health Services”;<sup>3</sup> Article 15 on “Child Labour”; Article 16 on “Protection Against child Abuse and Torture”<sup>4</sup>; Article 19<sup>5</sup>, which focuses on the right of children to parental care; Article 21 on Harmful practices<sup>6</sup>; Article 22 on “Armed Conflicts”<sup>7</sup>; Article 23 on “Refugee Children”<sup>8</sup>; Article 27 on “Sexual Exploitation”<sup>9</sup>; Article 28 on “Drug Abuse;”<sup>10</sup>; and, Article 29 on “Sale, Trafficking and Abduction”<sup>11</sup>.

The ACERWC developed the following foundational documents to inform the Guidelines for Preventing and Addressing VAC in Africa:

- Guiding Notes to States on Child Protection during Covid-19.
- General Comment on Article 27 of the Charter on Sexual Exploitation, which also includes online sexual exploitation;

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3 Article 14 underlines that children have the right to enjoy the best attainable state of physical, mental, and spiritual health, and calls upon State Parties to ensure the provision of necessary medical assistance and health care to all children.

4 Article 16 articulates the need to protect children from all forms of torture, and inhumane or degrading treatment.

5 Article 19 focuses on the right of children to parental care.

6 Article 21 calls upon States Parties to take all appropriate measures to eliminate harmful social and cultural practices affecting the welfare, dignity, normal growth, and development of the child.

7 Article 22 calls upon States Parties to take all necessary measures to ensure that no child shall take a direct part in hostilities and particularly, refrain from recruiting children into armed groups or forces.

8 Article 23 calls upon States Parties to take all appropriate measures to ensure that refugee children receive appropriate protection and humanitarian assistance and obtain the necessary support for reunification with the family.

9 Article 27 calls for the protection of children from all forms of sexual exploitation and sexual abuse.

10 Article 28 calls upon States Parties to take all appropriate measures 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.

11 Article 29 discusses the need for AU Member States to put in place measures to prevent child trafficking and to prevent the use of children in all forms of begging.

- Joint General Comment on Ending Child Marriage with the African Commission on Human and Peoples' Rights;<sup>12</sup>
- Joint General Comment on Female Genital Mutilation with the African Commission on Human and Peoples' Rights
- Guidelines for action on the Rights of Children with Disabilities in Africa;<sup>13</sup>
- Joint General Comment on Female Genital Mutilation; and
- Guiding Note on Children's Rights during Covid-19 pandemic<sup>14</sup>,

These Guidelines are also aligned with the United Nations Convention

on the Rights of the Child (CRC),<sup>15</sup> adopted in 1989, which calls for "State Parties to take all measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse." Article 19 of the CRC, entitled: "The Right to Protection from All form of Violence," calls upon State Parties to take comprehensive measures to eradicate VAC, and respect the human dignity and physical and personal integrity of children as rights-bearing individuals.

Additional normative documents on VAC include the following:

- UN General Comment Number 13 (2011) of the Committee on the Rights of the Child, which underscores

12 It outlines legislative, institutional, and other measures that should be taken by AU Member States to prevent and eliminate child marriage and to protect the rights of those at risk or affected by child marriage.

13 This was adopted during the 40<sup>th</sup> Ordinary Session of the Committee held from 23 November to 1 December 2022.

14 The Guidance Note by ACERWC noted that during the Covid-19 pandemic, the AU Guidelines on mainstreaming children's rights in the Covid-19 interventions were not prioritized, hence it called for mainstreaming of child protection in pandemic responses and in future complex emergencies.

15 The CRC sets out the non-derogable rights to which every child is entitled, in times of peace and during armed conflict

that all violence against children is preventable.<sup>16</sup>

- Joint General Recommendation/ General Comment No.31 of the Committee on the Elimination of Discrimination Against Women and No.18 of the Committee on the Rights of the Child on Harmful practices (2019);

- General comment No. 25 of the UNCRC, which addresses the issue of Children’s rights in the digital environment;

- United Nations Security Council Resolution 2427 (2018) places strong emphasis on the issue of prevention of VAC.

- Sustainable Development Goals (SDGs), specifically Target 16.2, which calls for the protection of children from all forms of violence.

### 1.3 Rationale for the Guidelines on VAC

Both the assessment of the first

ten-year implementation of Agenda 2063 and the review of the first phase of implementation (2016-2020) of Agenda 2040 by the ACERWC concluded that VAC remains prevalent in Africa and called for more efforts to protect Africa’s children. The prevalence of VAC in Africa has serious social, economic, political cultural, health and development implications. Its persistence is further compounded by the lack of adequate prevention and response systems that already suffer from limited budgets and resource allocation.

Considering the various steps that have been undertaken to develop various norms and standards on the issue of VAC and noting its persistent prevalence in the Continent, the Committee underscores the importance of compiling a comprehensive guideline for Member States on the measures that should be undertaken to address violence against children in Africa. The Guidelines seek to strengthen national legislation, policies, and promote research, monitoring and resource mobilization efforts towards an effective VAC prevention and response agenda. Moreover, the

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16 See: UN General Comment Number 13 (2011) of the Committee on the Rights of the Child, focusing on “The right of the child to freedom from all forms of violence.”

Guidelines incorporate aspects of emerging challenges such as online violence, emergencies, conflict, and migration and measures to address them through prevention and remedy.

#### 1.4. Objectives of the Guidelines

The Guidelines are designed to achieve the following objectives:

- To assist State Parties to take comprehensive action to prevent and respond to all forms of VAC in all settings.
- To strengthen national frameworks and child protection systems preventing VAC.
- To guide the design of data collection as well as monitoring and evaluation mechanisms that advance the prevention and response efforts towards VAC; and
- To support Member States with proposals and recommendations for resource mobilization towards preventing and addressing VAC.

#### 1.5. Guiding Principles

These Guidelines are informed by the following principles:

- **Best Interests of the child:** In all situations and contexts, the best interest of the child must guide the design, monitoring, and adjustment of legal frameworks, policies, programmes, and interventions designed towards preventing and addressing VAC.

- **Child-centred approach:** These Guidelines are informed by a child-centred approach, which not only acknowledges children as agents of change, but also ensures that all interventions for VAC prevention and response intentionally reflect the needs, interests, and views of children.

- **Non-discrimination:** Children must benefit from the adopted policies and implemented programmes, irrespective their race, ethnicity, sex, language, religion, political opinion, social origin, economic status, birth status, or disability status.

- **Survival and development:** The effects of VAC on the physical, psychological, emotional, social, and spiritual

development of children must be considered in VAC prevention and response efforts. All initiatives towards preventing, mitigating, and responding to VAC must prioritize the survival and development of children, including the promotion of their resilience.

- **Respect for human dignity:** All efforts to prevent and address VAC should be informed by the need to protect and promote human dignity. Anti-VAC efforts should consider that children are already vulnerable due to their age and socio-economic circumstances.

- **Promotion of human rights/ child rights:** The child rights-based approach views children as rights-bearing individuals rather viewing them primarily as “victims.” The approach seeks to protect children’s economic, social, and cultural rights as well as civil and political rights.

- **Equity and Equality:** All children have an opportunity

to survive, develop, and reach their full potential without discrimination, bias, or favouritism.

- **Participation:** Efforts towards VAC prevention should foster child participation. In all policies and programme interventions relating to prevention and response efforts towards VAC, children should be given an opportunity to freely express their views and to be part of the solution design process.

- **Do no harm:** All VAC prevention and response efforts must be designed in a way that seeks to minimize possible negative effects and maximize benefits for children.

## SECTION TWO: GUIDELINES ON PREVENTING AND ADDRESSING VIOLENCE AGAINST CHILDREN IN AFRICA

### 2.1 Guidelines at the Legal and Policy Levels

#### 2.2.1 Adopting Clear Laws to Protect Children from VAC

AU Member States should adopt clear and harmonized national laws that articulate the protection of children from all forms and diversities of violence.

National laws for child protection should have the following key components:

- A definition of VAC and its various forms which should be comprehensive enough to encompass physical, social, psychological, digital, or sexual nature committed towards a child that may cause physical, emotional, or psychological or behavioural harm to the child.

- Legal frameworks should include emerging forms of VAC, such as forced drug and substance abuse, as well as violence in the digital environment, which is a negative consequence resulting from the increasing use of social media. Child online protection legal frameworks should be

developed to mitigate against online risks and harms facing children, while enabling them to navigate the digital environment safely and confidently.

- Legal frameworks should also outline the sanctions and penalties for the various forms of VAC committed by different persons ((parents, guardians, teachers, community members or any other person who has the care of the child) and should provide specific directions to law enforcement and criminal justice institutions on how to prevent, investigate and punish perpetrators for these crimes. The sanctions provided for VAC should be commensurate to the impact of VAC on children and should be capable of deterring the occurrence of VAC.

- Legal frameworks should outline the necessary and appropriate actions that should be taken to prevent and respond to VAC. They should include the steps to be taken when identifying and

reporting incidences of VAC, as well as measures to take during investigation, prosecution, treatment, and follow-up of instances of VAC.

- Measures to ensure the implementation of laws against VAC should be clearly outlined including mechanisms for enforcement of sanctions and penalties.

- Legal frameworks should highlight tailored efforts to protect children in more vulnerable circumstances, such as children with disabilities and special needs, orphaned children, those children in conflict with the law, children affected by conflict, children living in humanitarian situations, internally displaced and refugee children, as well as children affected by complex emergencies such as climate change and natural disasters.

- In addition to punitive measures, legal frameworks should also highlight the restorative and preventive approaches. For example, the

roles and mandates of education systems, social welfare, health as well as rehabilitation centres must be clearly outlined.

- Legal frameworks should also indicate the roles of the various actors in the child protection ecosystem in discharging their mandate to protect children, and care must be taken to avoid duplication and role conflicts.

- Legal frameworks must also outline the measures to put in place for the protection of children from violence and response efforts, including those that are preventative, as well as those that are in the response arena (e.g. those providing rehabilitation, psycho-social support as well as protection and safeguarding services).

- Legal frameworks should outline measures to prevent secondary victimization of children, including outlining the importance of developing Offender Registers to ensure



that persons charged with a qualifying criminal offence do not come into contact with children and protecting the privacy of survivors.

- Laws on VAC should be developed and crafted in a participatory process and must include contributions from various actors in the child protection ecosystem, such as CSOs, child rights non-governmental organisations, the media, traditional leaders, faith-based organisations, and women and youth organisations. In addition, children should be supported to take part in the development of national laws on child protection.

### 2.2.2 Developing National Action Plans and National Prevention and Response Strategies for VAC

States should develop National action plans (NAPs) and Response Strategies for preventing and addressing VAC to integrate the prevention of VAC across all government sectors.

The following minimum standards

must be observed when developing NAPs/ Strategies on VAC:

- The principles enshrined in these Guidelines, including to promoting the best interests of the child, ensuring the survival, protection, promoting participation of children in VAC efforts, ensuring non-discrimination and “doing no harm,” should guide these NAPs and National Strategies. These documents should aim to tackle VAC holistically, including addressing underlying drivers such as economic, social, cultural, political and security drivers of VAC.

- A participatory approach should be undertaken to ensure that children and all key stakeholders, including CSOs, CBOs, FBOs, teachers, the media, health workers, social workers, security actors, law enforcement and judiciary, as well as community members are engaged in the development of NAPs and National Response Strategies.

- The views and opinions of children should be intentionally sought, and there should be mechanisms and platforms to enable their meaningful and adequate participation ensuring that the principles of confidentiality and “do-no-harm” are maintained.

- Activities within NAPs and National Response Strategies should be designed in a coherent, comprehensive and multisectoral manner, with emphasis on mobilizing support for multisectoral, collaborative and inter-agency actions and interventions towards preventing and addressing VAC.

- NAPs and National Response Strategies on VAC must use emerging evidence-based analysis in the form of research and systematic studies including Violence Against Children Surveys (VACS), which can be used as a tool for identifying the scale, diversity, depth, and intensity of VAC.

- National Response Strategies and NAPs on VAC should also include specific and measurable objectives on how the State and its stakeholders will prevent, reduce, mitigate, and address VAC. NAPs should clearly outline a series of planned activities to be undertaken in response phenomenon of VAC at national, subnational, provincial, county, and local levels. The activities should be implemented within a selected and agreed-upon time-frame (5-10 years).

- A gender-responsive and intersectional approach to VAC should be reflected in these NAPs and National Strategies, to ensure the unique needs of boys and girls, as well as various groups of vulnerable children are met. NAPs must address the specific needs of orphaned children, children with disabilities, children with special needs and children in conflict with the law, refugee and internally displaced children, and children affected by armed conflicts among others.

- An Implementation plan or Action Plan should accompany NAPs and National Strategies, and it should outline strategic areas, corresponding activities, and lead actors in Government, who can drive the implementation process. It should also indicate collaboration with development partners, civil society organizations, the private sector and community members.

- NAPs on VAC should clearly outline various forms of collaboration which can institutionalize an effective agenda towards addressing VAC, including the following:

- **State-state collaboration or interagency collaboration:** This should stress the importance of cooperation between government ministries, departments, county governments, Commissions, security agencies as well as law enforcement and the judiciary.

- **State-CSOS collaboration:** This should articulate partnerships and join initiatives between the Government and civil society actors, such as child rights NGOs, faith-based organizations, and community-based organizations (CBOs).

- **Public-private partnerships towards effectively responding to VAC:** NAPs/ Strategies for Preventing and Addressing VAC should also outline strategies and activities for building and strengthening systems that both prevent VAC in all its forms.

- NAPs on VAC should be comprehensive and must include measures and strategies to respond to the needs of victims and survivors of VAC, including establishing Child Protection Centres, Child-Friendly Courts as well as creating safe houses.

- NAPs should also provide strategies towards enhancing the capacity of personnel working in the prevention and redress of

VAC issues including police, prosecutors, social workers, judges, among others.

- NAPs on VAC should be costed, and Governments must allocate resources towards the collaborative implementation of prevention and response activities on VAC. A clear outline of cost estimates and a resource mobilization plan will be required to facilitate advocacy for financial and human resources required for its implementation.

- NAPs must be accompanied by a robust Communication and Visibility Plan to ensure adequate dissemination and ownership by the key stakeholders.

- A monitoring and evaluation framework for the NAP on Preventing and Addressing VAC should clearly articulate the means for collecting reliable, adequate, and timely data on VAC, using agreed-upon indicators. All government departments must be

capacitated on data collection and reporting to facilitate effective monitoring and evaluation.

## 2.3 Guidelines at Institutional Level

### 2.3.1 Establishing Institutional and Coordination Mechanisms/ Child Protection Architecture

The establishment of robust, well-coordinated and funded institutional mechanisms is critical for preventing and responding to VAC. AU Member States should establish or strengthen existing child protection mechanisms.

The following are minimum standards for the establishment of child protection institutional mechanisms:

- There should be a lead Ministry or Institution to lead the implementation of the normative frameworks which is well resourced both technically and financially.

- Child protection mechanisms must be well funded, resourced and trained.

- There should be emphasis on inter-agency coordination, as well as collaboration between state

actors and non-state actors in the child protection architecture. Additional emphasis should be on establishing multi-layered institutional mechanisms to respond to VAC, including the following:

- **Those that play the oversight roles:** Examples include Inter-Ministerial Steering Committees or Inter-Agency Institutional Mechanisms focusing on the development of an enabling policy environment to prevent and address VAC.

- **Those that play the coordination role:** Examples include Inter-Agency Technical Working Groups or Technical Task Forces on VAC, which should include diverse actors, including representatives from the relevant government ministries, and departments, law enforcement, the judiciary, as well as representatives from non-state actors, such as CSOs, community-based organizations (CBOs),

faith-based organizations (FBOs), academia as well as the private sector.

- **Those that undertake implementation (prevention and response):** Examples include Ministries of Departments of Child Protection or Departments of Children Services or National Child Protection Agencies). AU Member States should also consider establishing standalone Departments which focus on Preventing and addressing VAC, which can be located within already existing institutional mechanisms such as the Ministry of Gender, Labour, Children and Social Development or the National Child Development Agencies (NCDAs).

### 2.3.2 Strengthening Data Collection Systems and Approaches

AU Member States should institutionalize and strengthen the documentation of the status of VAC, through investments in data collection and analysis. Functional national, subnational, and local systems of data collection must be established to provide timely,

accurate and easily accessible data on VAC and child protection responses.

The following are the minimum standards for establishing data collection mechanisms on VAC:

- All actors in the child protection ecosystem must have a shared understanding of what data they are collecting.
- Capacity building on data collection, recording and analysis on VAC and methodological approaches, should be undertaken at national and subnational levels, and across various sectors and departments.
- Adequate civil registration and vital statistics systems must be established to ensure that all children are registered and can access services. Up-to-date civic registration systems also help to ensure that child protection personnel and service providers can respond to the identified needs of children affected by VAC.
- Up-to-date records on the prevalence, trends and incidences of VAC must be maintained which should be accompanied by sound data

on the management of children protection services, including data which assesses changes in access to legal services, psycho-social support, social services, and other welfare amenities provided to the various categories of children affected by VAC.

- Data on the status of VAC should be disaggregated in various ways (gender, age, location, and types of vulnerabilities). To facilitate planning, AU Member States should undertake comprehensive assessments on the state and prevalence of VAC, with a focus on its impact of different groups of children, especially those in vulnerable situations.

- Investments in data management systems on child protection and VAC prevention are required. Data collection systems for preventing VAC include the following:

- **Child Protection Management Information Systems (CPMIS):** This allows for regular collection of data on prevalence and incidence of VAC

and child protection issues. CPMIS can be used to harmonise responses to VAC as well as set standards for effective service delivery and enhancement of networking and collaboration.

- **Children's Registry/ Child Protection Database:**

This can be designed to receive reports of children that are affected by all forms of violence, and can store data on incidences of VAC. Such databases serve as platforms for sharing information and best practices on addressing VAC.

- Training for all child protection workers is required to develop skills on data collection, analysis and reporting on cases of VAC, including capacity strengthening on primary data collection, analysis as well as computer-based case management systems to enable the analysis of trends, patterns, and incidences of

VAC. This should be supported by quality assurance processes to ensure data accuracy, integrity, reliability, completeness, and robustness. There must be adequate data protection policies and practices to ensure confidentiality of data of children affected by VAC, including clear mechanisms and process for sharing data in a timely manner across government departments.

- Approaches for data collection to prevent and respond to VAC should include various types and sources of data, including the following:

- **Administrative data:** These are derived from cases of VAC which are usually identified from cases that are frequently and regularly reported, registered, and handled by authorities and service providers at all levels (village, district, provincial and national levels), and from different sectors (such as the police,

prosecutors, courts, social welfare, social services, child protection, health, and education). Such analyses can be used to coordinate the delivery of services for children and formulate tailored and responses policies to address VAC.

- **Survey data:** Periodic surveys must be undertaken by the State to provide insights into the prevalence and nature of VAC, as well as to identify the determinants of VAC. Surveys are critical as a preventive and monitoring tool, and play a role towards identifying information on perpetrators, drivers, and stressors of VAC.

AU member states must borrow from existing good practices to monitor the trends, patterns and prevalence of VAC, including the use of Violence Against Children Survey (VACS),

which measure the scale, degree and impact of multiple forms of VAC, while also unpacking the risk factors, protective factors, and impact of VAC.

### 2.3.3 Monitoring Mechanisms for Preventing and Addressing VAC

National and sub-national monitoring systems must be established to assess existing policies, programmes, and initiatives to prevent VAC.

The following should be included in the efforts of States:

- M&E frameworks must be developed as part of the overarching child protection strategy and should examine the changing trends and levels of violence and evaluate the impact of child protection systems, mechanisms, and programmes on the desired change.

- Baseline Surveys on VAC should be undertaken to for benchmarking purposes, and they must be informed by agreed-upon and consultatively-developed VAC- related indicators.



Children, children's networks, Government departments, private sector, CSOs, FBOs, CBOs, child rights communities must participate in these consultations.

Baseline surveys should be followed by regular, interval and ongoing data collection on VAC, which should be institutionalized within African government systems across the various sectors.

- Endline evaluations of the projects should assess the impact of those interventions in reducing and preventing VAC. M&E systems allow for the design of more responsive and context-specific programmes to prevent and respond to VAC. A dedicated budget for monitoring and evaluating administrative and survey data on VAC should be provided.

#### 2.3.4 Budgeting and Resource Mobilization for VAC

African Member States must take concrete measures to mobilize public and private, domestic, and international resources to ensure that child protection systems operate effectively.

The following are strategies that AU Member States should consider towards facilitating budgeting, resource mobilization and allocation towards VAC:

- **Undertaking Costing of the impact of VAC:** Regular studies on the cost of VAC to the economy, the GDP and other facets of development must be undertaken. Data on economic costs of VAC, classified by all sectors (health, criminal justice system, social services), can lead to the making of a business case for holistically addressing VAC and adopting a preventive approach. Such data can be used to make a case for preventing child abuse and to influence budgetary allocations to strengthen child protection systems.

- **Mapping of past and current expenditure on VAC:** Baseline mapping of the current volume, trends, patterns, and nature of existing investments in ending VAC at all levels (national, subnational and local government levels) must be undertaken. Departments of Treasury as well as the child

protection architecture should institutionalize annual budget analyses to assess how much is already being spent towards preventing and addressing VAC. Child-centred performance-based budgeting should be accompanied by clear M&E frameworks, to enable the tracking of child-focused budgetary allocations and expenditures.

- **Estimating the level of investment required towards VAC:** Data on past expenditure on VAC prevention and response must be used to forecast the required level of financial, material, human and technical investments to address VAC at a sufficient scale.

- **Budget and Mobilize resources for VAC:** Resource mobilization and budgeting for preventing and responding to VAC should adopt an integrated approach, whereby all the key government sectors dealing with child protection should be allocated funding for VAC. Adequate mechanisms must be put in place to ensure that children participate in the planning and budgeting process at the county and national levels. Domestic resource

mobilization can be used to increase investment in children related programmes and interventions, which will then enable governments to provide better livelihoods of children, establish better protection programmes and advance the fight against VAC. African Governments must manage already existing resources through reform of public expenditure and ensuring efficiency and effectiveness.

- **Establishing budget tracking systems:** Systems must be put in place to track child protection-related expenditures against the set objectives of the programmes goals of child protection. Results-based or performance-based management systems must be introduced in all the sectors that are involved in child protection activities. Budget and resource mobilization tracking systems must be established to enable the regular monitoring of investments on VAC.

**Undertake Child rights impact assessments:** Regular,

systematic, and comprehensive child rights impact assessments (CRIAs) must be undertaken to assess how budgets, spending and other fiscal processes are impacting on the realization of children's rights. CRIAs help to assess how budgets are affecting different groups of children, including those with disabilities, children in conflict situations, humanitarian, and emergency settings, as well those affected by displacement.

- **Establish Effective Public Resource Governance to strengthen Child Rights Protection:** Public resources dedicated to child-related policies and programmes should be efficiently managed to ensure value for money in all interventions to protect and fulfil children's rights. AU Member States should maintain public financial management systems that are open to public scrutiny.

Information relating to public revenues, allocations and spending related to children should be accessible to

internal and external oversight bodies, as well as being available to the public, including CSOs working on child rights.

- **Private Sector Engagement for Preventing and Addressing VAC:** The development of public-private sector partnerships (PPPs) for the prevention of VAC becomes critical as a strategy of enhancing resource mobilization efforts to prevent and respond to VAC. PPPs should highlight the return on investment (ROI) and demonstrate evidence of impact of proposed interventions, in addition to presenting cost-effective interventions.

**External Resource Mobilization:** External resource mobilization can be undertaken by engaging development partners to support efforts in preventing and addressing the challenges of VAC. Costed NAPs or National Strategies for the Prevention and Responses to VAC can become critical towards

promoting external resources mobilization. These can be shared with various development partners, who can respectively fund various pillars and sectors of the Strategy or NAP. For example, the United Nations launched the Fund to End Violence Against Children,<sup>17</sup> which is available to African Governments.<sup>18</sup> Proposals must be submitted according to the established guidelines from the United Nations Children's Fund (UNICEF).<sup>19</sup>

### 2.3.5. Establishing National Child Helplines/Online Mechanisms to Respond to VAC

National Child Helplines help to provide a confidential reporting platform that is accessible to children and adults who have identified or

witnessed VAC. Child Helplines also assist with intervention and response efforts targeting children who are in danger or at risk of VAC. Such mechanisms also provide recourse to coordinated response efforts among child protection actors.

The following are key imperatives when designing National Child Protection lines:

- National Child Protection lines should be free and should operate a 24-hour emergency service, which allows anyone across the country to anonymously report child abuse and other child protection concerns.
- AU Member States should also establish online-based child protection helplines, which allows for reporting of cases of VAC using online means.

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17 The Fund To End Violence Against Children is funded by the Governments of the United Kingdom, Japa, Sweden and Switzerland, in addition to Foundations such as the Oak Foundation and the Human Dignity Foundation. Since 2016, the Fund to End VAC has raised more than \$86 million, and it is a mechanism that provides funding flexible towards VAC efforts. For details, see: Global leaders and youth advocates launch new partnership and fund to end violence against children everywhere (unicef.org)

18 WePROTECT Global Alliance to End Online Child Sexual Exploitation.

19 The Fund for Ending Violence against Children accepts proposals between \$250,000 and \$1million in 3 different languages (English, French and Spanish). Applications should be submitted online through the portal [www.end-violence.org](http://www.end-violence.org)

- In addition to facilitating reporting, National Child Helplines should also provide response services, including counselling and referral services, which connect affected children with the relevant support services in their communities.

## 2.4 Guidelines at Macro or Societal Level

### 2.4.1 Multisectoral and Systems Approach towards Addressing VAC

Responses to VAC should be integrated and mainstreamed in various sectors and States need to develop proper systems that link the various multisector involved in preventing and redressing VAC.

The Following are some actions that need to be taken by States to ensure multisectoral and systems approach to addressing VAC:

- AU Member States should put in place adequate mechanisms for the prevention and for identification, reporting, referral, investigation,

treatment, and follow-up of VAC. This can be done through establishing one-stop centres for responding to VAC, which can be tasked with providing medical, legal, and psychosocial services for survivors of VAC. The establishment of one-stop centres for VAC should be based on the following minimum standards:

- One-stop centres should provide integrated, comprehensive, coordinated and survivor centred support to children and families affected by VAC, and they should include various personnel and service providers, including health workers, counsellors, police, social workers, rehabilitation actors, law enforcement and legal personnel.

- Activities to respond to victims of VAC must be synchronised under

one roof, including collection of forensic evidence, criminal investigation, provision of psychosocial support, as well as provision of legal advice and support.

- All personnel in one stop centres (social welfare, protection, health, education, law enforcement, judiciary) must be adequately trained on the specific vulnerabilities that children and the various types of VAC, including being equipped with skills to prevent and respond to VAC in a collaborative, multisectoral and holistic manner;

- Personnel in one-stop-centres should be trained to identify victims and survivors of VAC and to carry out service provision to survivors;

- One stop centres should provide a range of services, including administering the necessary screening, tests, treatment, medical advice, counselling, evidence collection, as well as assisting the survivors to file the necessary police reports and to access to legal advice;

- One stop centres must be equipped with the relevant facilities, including child friendly equipment, technology, and recreational facilities, as well as care centres. Facilities in one-stop centres should pay special attention to children with disabilities, ensuring that these are accessible.

- The set-up of one-stop centres should be informed by the need to promote quality services,

privacy, and confidentiality.

- Multi-sectoral programmes which seek to prevent and address VAC should also focus on the economic determinants and drivers of this phenomenon. Measures that can be put in place to address the economic dimensions of VAC include cash transfer programmes targeting households and community members.<sup>20</sup>

- Community-based child protection architecture must be strengthened, and should be reflective of collaboration between government, political representative, community leaders, customary and traditional leaders, community development infrastructures, women, and youth organizations as well as child protection CSOs.

- Community-based mechanisms for child protection should adopt

gender-responsive and intersectional approaches towards child protection to ensure that no child is left behind. This includes deliberately focusing on all children, including the more vulnerable children such as orphaned children, children with disabilities as well as displaced children.

#### 2.4.2 Strategies for Dealing With VAC in the Justice system and Law Enforcement

Children dealing with the criminal justice system tend to face multiple vulnerabilities. As such, the best interests of children should be the primary consideration in all matters affecting them, including when they are in conflict with the law.

The following are some of the actions that need to be undertaken by States to address VAC in the justice system:

- Legal reform is the first step towards ensuring that the criminal justice system prevents VAC. AU Member

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20 Strengthening social protection for children: West and Central Africa - 1 (odi.org)

States must develop and strengthen their legal frameworks addressing all forms of VAC to ensure that these comprehensively ensure the provision of child-sensitive criminal proceedings. Such measures include aligning the age of criminal responsibility to internationally accepted minimum standards of 12 years.

- Member States should consider establishing specialized children's courts that are staffed with well-trained personnel to ensure that children are accorded special protective measures during their cases.

- Guidelines on Child-centred criminal justice systems must be developed, and these should specify that the rights of the child and the basic interests of the child must be respected throughout the criminal justice process. The guidelines should be in line with the Charter and these Guidelines and specify how protection actors can deal more effectively and sensitively with various aspects of VAC.

- Member States should fully implement Article 17 of the African Children's Charter, which calls for State Parties to ensure that every child dealing with the criminal justice system, whether they are a witness, accused or found guilty of having broken the law receives special and child-centred treatment. In all cases, children in conflict with the law should be treated as minors and should not be tortured or otherwise mistreated.

- Throughout the child's contact with the criminal justice system, the rights of children must be protected, and children must be treated with sensitivity, respect, and dignity. Children in contact with the criminal justice systems must be protected from torture or other cruel, inhumane, degrading treatment or punishment.

- Justice systems should have complaint handling mechanisms (CHMs) for child victims of violence within the justice system. Such CHMs must be confidential, effective, and easily accessible, and must



be able to protect children who report abuse, taking particular care to redress any risks of retaliation. The CHMs must be accompanied, by counselling and support services, as needed.

- Detaining children who have committed an offence should be the last resort. AU Member States should take steps to avoid detention of children during trials. If detainment becomes mandatory during sentence, children must be held separately from adults where education and other facilities for rehabilitation are provided.

- Priority must be given to cases involving children and ensure fast-tracked proceedings. Where it is suspected that a child's rights have been violated, timely investigations must be conducted appropriate action must be swiftly taken with due diligence.

- Any child in contact with the justice system must

receive competent, timely, and developmentally appropriate legal assistance in connection with a civil, criminal, or administrative proceeding in which the child's rights or interests are at stake.<sup>21</sup>

- Children in contact with the criminal justice system must be informed about their rights in an age-appropriate, child friendly and disability friendly manner. The provision of information to children must be guided by well-defined protocols for keeping the child informed. Such protocols should clearly outline how technical issues are explained in child-friendly manner, including in a language that is understood by the child.

- Member States should ensure that children interacting with the criminal justice systems and law enforcement entities have a right to be heard, consulted and to freely express their views in all matters affecting them.

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21 Article 17 (2) (iii) of the African Charter on the Rights and Welfare of the Child (1999) provides that a juvenile "shall be afforded legal and other appropriate assistance in the preparation and presentation of his defence."

- Children in contact with the justice system must have access to psycho-social assistance provided by professionals who have received relevant training in areas such as counselling, psychological recovery services and other services necessary for the child's reintegration.

- Children should not be compelled to participate in ongoing cases and trials especially if this prejudices their rights. In cases where they have to testify, hearings should not be public and must be conducted in childfriendly rooms, or video recordings/ in-camera must be held. The acceptability of videorecorded testimonies by children must be provided and safeguarded for by law.

- Investigations and prosecution of cases involving children should not disclose the identity of the child. Police, prosecutors, and the courts can respectively use pseudonyms or initials in the charge sheet and any other public document of cases

involving children. All decisions made during legal proceedings must be in the best interest of the child, in order to minimise the risk of discrimination and undue stress for children.

- There must be stronger links between justice and child protection systems. Cases involving children must require and compel collaboration between the criminal justice system and other agencies such as the Department of Children Services, Probation and After-Care Service, providers of shelter, health care and other protective measures. Child-friendly justice education must be provided in communities, schools, health clinics, police stations and child-friendly legal aid and services must be accessible to children.

- Procedures for handling and engaging with children in conflict with the law must be continually reviewed and updated to allow for adaptiveness in dealing with emerging forms

of VAC. Where possible, alternative initiatives to the classical criminal justice systems should be developed to avoid recourse to the criminal justice systems for young persons accused of an offence. These include institutional care, rehabilitation and reintegration, restorative justice as well as mechanisms for the informal resolution of disputes.

- All persons having contact with children in the criminal justice system should receive education and training in human rights, and in gender-responsive and child-sensitive approaches to criminal justice. Criminal justice actors must also be trained in the principles and provisions of the African Charter on the Rights and welfare of the Child, as well as these AU Guidelines on Preventing and Responding to VAC.

- Cases of VAC against children in the criminal justice system should be documented, monitored, and accounted for. For coherent

efforts towards VAC, data harmonization and record keeping must be institutionalized, and this should be done across sectors from the police, prosecution, court, and correctional services, as well as social welfare, protection, and rehabilitation.

- Law enforcement and justice institutions should effectively protect children against violence and prevent recidivism, by reviewing their own practices and checking for unconscious biases. Children in the criminal justice system must not be subjected to secondary victimization and trauma.

- Actors in the criminal justice systems must collaborate with independent human rights institutions and child protection mechanisms to ensure regularly monitoring on how children's rights are implemented in the context of the criminal justice system.

### 2.4.3 Strategies for Addressing VAC for Children Affected by Conflict

Children in situations of armed conflict suffer disproportionately and excessively the consequences of wars, including being exposed to grave violations.

The following are Guidelines for addressing VAC in conflict situations:

- **Strengthening Data Collection on the impact of conflict on children:** AU Member States should establish Monitoring and Reporting Mechanisms (MRMs) to document grave violations against children and to foster accountability by identifying perpetrators. The documentation of grave violations against children in conflict situations, should be done in collaboration with protection actors, peace

support operations, mediators, development partners, CSOs and local child rights organizations.

- **Developing Comprehensive Legal Frameworks for the protection of children:** African Governments should develop comprehensive legal frameworks that govern the treatment and protection of children during conflict situations which are aligned to international humanitarian law (IHL) and international human rights law (IHRL).

- **Criminalizing the Recruitment of children into armed conflict:** National legal frameworks must clearly indicate that all children (persons who have not attained the age of 18 years ) are not recruited into armed forces and groups or used in conflicts in any capacity.<sup>22</sup> Recruitment of children should be a grave

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22 This is in accordance with the ACRWC, the UN Convention on the Rights of the Child, the Optional Protocol on the Involvement of Children in Armed Conflict, the African Charter on the Rights and Welfare of the Child and the International Labour Organization (ILO) Convention on the Worst Forms of Child Labour and the ten United Nations Security Council Resolutions (UNSCRs) on protecting children in conflict situations. Such UNSCRs include Security Council resolutions 1261 (1999), 1314 (2000), 1379 (2001), 1460 (2003), 1612 (2005), 1882 (2009), 1998 (2011), 2143 (2014) 2225 (2015), and 2427 (2018). Resolutions 1539 (2004) and 2068 (2012) do not make reference to the inclusion of child protection issues in peace processes.

crime which is excluded from any blanket amnesty. National legal frameworks should clearly outline that those prosecuted with the recruitment of children under 18 years of age, should be charged with war crimes, with the possibility of prosecution under both national law and international justice mechanisms. AU Member States should ensure accountability of those who commit VAC in situations of conflict with due diligence.

- **Enhancing Protection Mechanisms:** AU Member States should develop accountability mechanisms and justice systems to respond to cases of VAC against children in conflict situation. National Courts or Tribunals, Specialized Children's Courts and local justice systems should be established and capacitated to adequately deal with VAC against children in conflict.

- **Providing Psycho-Social Support:** African Governments should establish child-friendly shelters and safe houses to shelter children who escape conflict situations, are rescued, or

those who provide information or act as witnesses in proceedings related to cases involving VAC committed in conflict contexts and provide psycho-social support focusing on trauma and healing.

- **Ensuring provision of basic services:** Children in conflict-affected areas must be provided with the necessary basic services, such as access to medical care, safe water for drinking, food, and shelter. States should facilitate for humanitarian access for children in conflict situations to be able to provide such services.

- **Outreach and awareness raising:** Critical stakeholders such as CSOs, community leaders, faith-based organizations (FBOs) and community-based organizations (CBOs) must be engaged in conducting awareness-raising programmes on preventing and mitigating VAC during conflict situations including ways and means of reporting perpetrators.

· **Integration of Child Protection Issues into Negotiation and Mediation Processes:** AU Member States must integrate child protection issues into mediation and negotiation processes, making sure that grave human rights violations against children are systematically tackled during peace negotiations. Mediators, in consultation with child protection experts, must identify child protection issues that are intertwined with the conflict. Actors in peace processes, especially mediators, should create safe spaces to enable the views of children including those affected and associated in armed conflicts to be freely heard during peace processes. Such consultation should also be gender-responsive, making sure that both girls and boys are allowed to express their views freely<sup>23</sup>, child-friendly, voluntary, safe, confidential, participatory, and conducted in a creative manner, Peace agreements must have

specific provisions on the rights and wellbeing of children.

· **Child centred relief and recovery:** Child rights and protection issues must be incorporated in post-conflict recovery programme design, planning and implementation. Demobilization, disarmament, reintegration, and rehabilitation processes (DDRR) must include special considerations for children affected by conflict including integrating Family tracing and reunification efforts should be included in the rehabilitation process. States should ensure the involvement of child protection experts towards the design of child-friendly DDRR programmes. CAAC and CAAFG should be provided with age-appropriate, gender-sensitive, non-discriminatory, and holistic child-centred DDRR services, including safe shelters and counselling services, immediately when

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23 This is in line with United Nations Security Council Resolution 1261 (1991), 1460 (2003), 1314 (2000), and 2427 (2018), which not only provide for children's welfare and rights to be considered during the peace processes, but also provide for children to meaningfully participate in peace processes.

they are demobilised. Standardized protocols for handing over and reintegrating CAAC and CAAFG. Released CAAC and CAAFG should be developed, including ensuring the provision of safe places and access to psycho-social, education and health services.

- Post-conflict recovery programmes focusing on education, health, social protection, and livelihoods must make special considerations for girl children, orphaned children as well as children with disabilities, who tend to face additional barriers towards accessing services.

#### 2.4.4 Strategies for Addressing VAC for Children in Humanitarian Situations, Emergencies and Natural Disasters

Humanitarian contexts and complex emergencies are varied, and these include those caused by the impact of human-made and natural disasters.

The following Guidelines apply when

preventing and addressing VAC in humanitarian contexts:

- **Developing Minimum Standards for Responding to Humanitarian and Emergency Situations:** African Governments must mainstream child protection into humanitarian situations by developing minimum standards for humanitarian actors, emergency response teams and protection actors.

These Minimum Standards should underline the imperative for providing children with opportunities to meaningfully participate at all possible stages of an emergency preparedness and response efforts. Children should be supported to freely express their views in safe environment, and their views should be regarded with respect and taken seriously.

- **Conducting Assessments, Monitoring and reporting VAC in humanitarian contexts:** African Governments, in collaboration with humanitarian actors, should develop tools and frameworks for monitoring

and reporting of various forms of VAC and abuse of children's rights in humanitarian situations and emergency settings. This should be accompanied by training of humanitarian actors on the use of Monitoring and Reporting Frameworks to track various forms of VAC in these humanitarian contexts.

- **Ensuring that children are given priority:** African Governments should ensure the prioritisation of children in humanitarian settings, ensuring that they are protected from all forms of VAC, as well as facilitating their immediate access to emergency assistance and humanitarian support. States should ensure that children have unfettered access to humanitarian assistance of all types.

- **Strengthening Registration Systems:** African Governments should strengthen their humanitarian registration systems, to facilitate easier identification, screening and registration of children affected by humanitarian situations,

complex emergencies, and natural disasters.

Disaggregated data must be collected to prioritise children that are most vulnerable children, including those with disabilities, as well as separated, unaccompanied and orphaned children.

- **Preventing and responding to family separation:** Mechanisms to prevent the separation of children from their families and caregivers must be put in place, in accordance with international standards.

- **Facilitate family reunification:** Where children are unavoidably separated from their families, the identification, registration, and medical screening of separated children must be expedited. Collaboration with humanitarian actors and development actors will be integral towards preventing the uprooting of children from their families. Family-tracing systems must be put in place and implemented. Additionally, appropriate, and adequate care must be



rendered, including establishing protection procedures and facilities to respond to any emerging forms of VAC. Efforts to promote family reunification and alternative care should be balanced with the best interests of the children's protection and well-being.

- **Promoting mental health and psychosocial support: AU Member States should liaise with the relevant stakeholders including CSOs, to provide psychosocial support and strengthen the resilience of children affected by displacement. Psycho-social support programmes should be implemented with the active participation of affected children, their caregivers, and families.**

- **Addressing sexual and gender-based violence:** Humanitarian settings are sites where SGBV is accentuated and amplified, with women and girls being disproportionately impacted. To this end, high-quality, holistic services must be provided and should be accessible to all children.

Measures for protecting children from sexual exploitation and abuse by humanitarian worker should be put in place, including scaling up safe reporting channels and accessible response services.

- States should raise awareness of various actors, such as law enforcement, border patrol, immigration, health, education, and social services on preventing exploitation of children during humanitarian contexts.

#### 2.4.5 Strategies for Addressing VAC for Children on the Move

Children on the move are at risk of abuse, exploitation, discrimination, separation from their families, and trafficking. In addition, many of the displaced children often face the increased likelihood of being sexually abused and exploited. Furthermore, being forcibly displaced also affects children, as they usually cannot access social protection mechanisms.

The following Guidelines seek to enhance responses to VAC in the context of displacement:

· **Recognising refugee and displaced children as children first and foremost:** African Governments should put in place legal and policy frameworks which recognize that children on the move in their diversities, need to be considered as children first and foremost who are entitled to the rights enshrined in the African Children’s Charter. These should be accorded with concomitant rights to protection, inclusion, and participation.

· **Generating Disaggregated Data on Migration and Displacement and how it affects children:** African Governments should invest in research and documentation to generate data that can be used to inform policy decisions. Data on children on the move should be disaggregated by age, sex, economic and disability status, as well as place and origin. Such comprehensive, robust, and up-to-date data including the scope, prevalence, causes

and long-term effect of migration and displacement will be crucial towards informing evidenced-based policy making.

· **Providing safe and legal pathways for children to move:** Children on the move must be provided with safe and legal pathways.<sup>24</sup> Resettlement options and complementary pathways for the admission of child refugees and asylum seekers must be made available, together with enhanced access to protection. Failure to provide children with access to safe and regular migration pathways often forces them to utilize irregular routes, which further puts them at risk for violence and exploitation.

· **Implementing Protection Measures for children on the move:** Legal and policy frameworks, as well as institutional mechanisms to respond to the challenge of children on

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24 This is in accordance with the Global Compact on Refugees and Migrants (2018) and the Global Compact for Safe, Orderly and Regular Migration (2018).

the move effectively and adequately must be put in place. This should be supported by the provision of safe spaces for children on the move. More attention should be paid towards unaccompanied and separated children, ensuring that their rights and protection needs that are protected, recognized and fulfilled.

- **Registration:** Legal and administrative measures should be undertaken to ensure that children on the move are provided with the necessary registration and legal documentation in line with international standards. Measures to deal with unaccompanied children who are affected by displacement must be instituted. This includes strengthening screening processes to allow for easier identification and registration of children on the move and specifically unaccompanied and separated children.

- Border posts should be staffed with trained and adequate personnel, who

reflect the multi-sectoral approach to protection, including immigration workers, law enforcement, social workers, and child psychologists. Immediately after screening, psycho-social and counselling support to displaced children who are going through the border posts.

- Child safeguarding procedures must be put in place to prevent violence, exploitation, and abuse of children throughout the movement of children. For children who would have been displaced across borders without their families, temporary foster, or other community-based care through a government-led national protection system, should be considered. Protection programmes for unaccompanied children must be implemented, including provision of emergency care arrangements with screened and vetted caregivers and family-based and community-based care.

- Children on the move should be provided with their rights and basic services

such as education, health care, legal aid and other services without discrimination. States are highly encouraged to adopt inclusive and integration approach for children on the move.

· **Supporting Re-unification Processes:** Children affected by displacement must be provided with adequate legal and logistical support to reunite with their family members and caregivers. Children separated from their parents during displacement processes should not be assumed to be orphaned, as this could potentially accentuate the risk of child abduction, trafficking, and illegal adoptions. Sound legal and policy frameworks to prevent the abuse of adoption processes during or immediately after displacement should be developed and adopted. Adoption should only be considered once all family reunification efforts have failed, and it must always be undertaken in the best interests of the child.<sup>25</sup>

· **Supporting Children seeking asylum:** Children who are seeking asylum, whether they are with their families or caregiver or unaccompanied, should be given special care and protection, including ensuring that their refugee status applications are prioritized and dealt with expeditiously and fairly. Additionally, children seeking asylum should not be kept in detention. The best interest of the child should be applied when considering their cases.

· **Supporting Refugee Resilience:** Children affected by displacement, as well as their families must be provided with facilities that enhance refugee self-reliance and support the adoption of durable solutions including opportunities for economic earnings.

#### 2.4.6 Measures for Addressing VAC at Societal and Community Levels

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25 Please see the principles of the 1993 Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoptions.

Various forms and incidences VAC occur at the community and societal level, including physical abuse by parents, caregivers, teachers, community members and peers. Addition, the community is also an area where other forms of VAC occur, and these include child labour, child marriage, sexual abuse, gender-based violence, neglect, child trafficking as well as online forms of violence.

The following guidelines are to be considered by AU Member states in addressing VAC at societal and community levels:

- **Undertaking Legislative reform:** States should ensure that customary or religious laws conform with human rights standards, including the norms of child protection. Legal frameworks must be harmonized, and national legislation and legal provisions that justify or allow for consent to harmful practices against children must be repealed.<sup>26</sup> National laws must have detailed provisions of measures to

facilitate redress and to fight impunity.

- **Adopting a Multi-sectoral and collaborative approach:** A whole-of-society approach must be adopted when addressing VAC at community level, and it should involve community leaders, parents, caregivers, families, faith-based organizations, as well as children themselves. Collaboration protocols and standard operating procedures for cooperation on VAC must be adopted and implemented. Standard operating procedures (SOPs) for working with cultural leaders, faith-based organizations (FBOs) and traditional justice systems must be developed. However, working with informal justice systems should not jeopardize children's rights or preclude child victims from accessing the formal justice.<sup>27</sup> Community-based mechanisms and practices which focus on payment of fines and reparations to family members for crimes of sexual

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26 See the UN Economic and Social Council Resolution 2014/18, Article 10b.

27 See UN Economic and Social Council Resolution 2014/18, Article 10c.

violence against children must be criminalized.

- AU Member States should undertake efforts to map out and identify existing and prevalent norms, customs and practices in communities which perpetuate VAC such as harmful practices including child marriage, female genital mutilation, virginity testing, slavery, witchcraft accusation, child begging, and other traditional and religious practices. Such efforts enable States to craft programs and strategies that address VAC at community level relevant to their contexts.

- **Outreach and Legal awareness raising:** Communities must be supported through awareness raising on legal and policy frameworks that address all forms of VAC. To this end, Governments should work with stakeholders to undertake outreach efforts to enhance knowledge on legal and policy frameworks that are aimed at prohibiting all forms of VAC. Prevention efforts at the community level,

should also aim towards confronting harmful social norms that promote VAC. Community dialogues must be employed as a strategy for challenging social norms which profoundly affect the rights of children.

- **Decentralization of child protection efforts and services:** Child protection services must be as decentralized as possible, ensuring prevention and response activities are taken to the community level, as much as possible.

- **Creating safer environments, including the built environment:** Safe and easily accessible public spaces within the community must be established and designated. The creation of safer and more inclusive community spaces is critical towards preventing various forms of VAC such as physical violence, sexual violence, bullying, harassment, and discrimination.

- **Engaging National Gender Machineries:** National Gender Machineries and their

Child Protection Architecture must be involved in the child protection agenda. Gender-transformative approaches must be utilized to address the inimical and harmful gender roles, norms and power imbalances that perpetuate VAC, devalue women and girls, justify violence and reinforce aggression.

- **Awareness-Raising on VAC in Schools:** Outreach and sensitization campaigns against school-related gender-based violence, corporal punishment, as well as other forms of school-based violence must be undertaken. These efforts should target teachers, administrators, learners, and other stakeholders and they should be integrated into the formal and informal school curricula, ensuring that a gendered approach is adopted to strengthen and bolstering the self-esteem of girls. . Peer-to-peer dialogues, children clubs, associations and networks can be used sensitize children on the existing child protection policies, guidelines and measures for prevention, identification, and response to VAC.

- Programmes on positive parenting should be designed and implemented. Parents, family members and caregivers should be sensitized on various forms of VAC. Children must be empowered with age-appropriate life skills to protect themselves from experiencing and perpetrating all forms of violence. Life-skills programmes should be designed according to age and should start early given that children of all ages are exposed to violence.

#### 2.4.7 Strategies to Address VAC on Digital and Online Platforms

The proliferation of online spaces has also been accompanied by violence online including cyberbullying, cyberstalking, harassment, hate speech, and revenge pornography.

The following guidelines seek to protect children from online forms of VAC:

- **Undertake Research on online VAC:** Prioritize



research on online VAC to build a comprehensive understanding of online VAC, as well as its changing nature and forms as well as its impact. Research should collect gender and age-disaggregated data, in addition to engaging in an assessment or appraisal of past and current responses to online VAC. Such research is crucial towards informing the design of effective, agile and context-responsive solutions, and interventions.

- **Ratification of the AU**

**Framework on Cybersecurity and Personal Data Protection:** member States are encouraged to ratify the African Union Convention on Cybersecurity and Personal Data Protection (Malabo Convention) to enhance regional cooperation and developing regional and collaborative programmes on digital safety.

- **Adopting Legal and Policy Frameworks to Counter Online Violence Against**



**Children:** States should develop and adopt legal and policy frameworks on online security for children and criminalisation of online VAC. Legal frameworks should oblige internet service providers and industry players to retain data, block child sexual abuse materials, and comply with law enforcement requests.

- **Developing Guidelines for Internet safety:** Guidelines of Standard Operating Procedures for Internet Safety should be developed for all stakeholders who make use of the digital space, including telecommunication companies, law enforcement, social welfare, educators, health practitioners, child protection actors, as well as criminal justice systems.

- **Simplifying Reporting Mechanisms:** Reporting mechanisms for online VAC should be strengthened, in addition to providing access to justice for victims, survivors, witnesses, parents, and caregivers. The justice system must create more accessible platforms for reporting online threats

against children, and this should be supported by establishing platforms for feedback.

- **Strengthening the Capacities of Law Enforcement and Judicial Systems:** All actors in the child protection and law enforcement system must be equipped with the necessary knowledge, skills, and competencies to respond to the needs of children at risk and victims of online VAC. The capacities of the criminal justice system to effectively respond to cases of online violence against children must be strengthened.

- **Undertake Awareness-raising on the digital environment:** Outreach, awareness-raising and educational programmes on the digital and online environment must be developed, and these should be earmarked for both children and adults (including parents, teachers, community members).

- **Providing support for victims of online violence:** Concerted efforts must be undertaken to provide comprehensive support to children who are victims and survivors of online violence, including counselling and legal assistance. Support should also be provided to parents, caregivers of victims and survivors of online VAC.

## 2.5 Mechanisms for Implementation of the Guidelines

Well-funded mechanisms that oversee the implementation of these Guidelines must be established. These must have clearly defined roles and responsibilities, and standard operating procedures for preventing and responding to VAC. The institutional mechanisms for child protection mentioned under section 3.3 should be utilised to monitor the implementation of these Guidelines.

Possible child protection coordination mechanisms for consideration include:

- **Lead Government Agencies/ Ministries:** These are Government Ministries

that are mandated to deal with child protection issues. Examples include Ministries which facilitate sectoral collaboration and strengthen capacities for other government agencies to integrate child protection into their work programmes. Lead agencies coordinate the inter-agency work on child protection.

- **Inter-Agency & Multisectoral Committees on VAC:** These are multi-sectoral mechanisms which ensure a harmonized and coordinated approach between various government agencies. A multisectoral approach ensures that the drivers that sustain the VAC are understood and addressed holistically by various actors across multiple sectors.

- **National Steering or Technical Committees/ Task Forces for Responding to VAC:** These mechanisms provide policy and technical guidance on preventing and responding to VAC. They are also responsible for developing programmatic

activities on VAC-related activities. These structures must be broad-based and should include government representatives and non-state actors.

The above mechanisms should be replicated at sub-national or local level.

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