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**TWENTY-THIRD SESSION OF THE AFRICAN
COMMITTEE OF EXPERTS ON THE RIGHTS AND
WELFARE OF THE CHILD (ACERWC)
09-16 APRIL 2014
ADDIS-ABABA, ETHIOPIA**

**ACERWC/RPT (XXIII)
Original: English**

REPORT

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

I. INTRODUCTION

1. The Twenty-Third Session of the African Committee of Experts on the Rights and Welfare of the Child was held at the headquarters of the African Union Commission in Addis Ababa, Ethiopia, from 9 to 16 April 2014.

II. ATTENDANCE

2. The meeting was attended by ten members of the ACERWC, Representatives of the African Union Commission, ACPHR, Representatives of UNICEF, UNOHCHR, UNHCR, EU Delegation, CSO Forum, Save the Children, Plan International, MAEJT, ACPF, ICRC, Penal Reform International, REPSSI, African Movement of Working Children and Youth (AMWCY), Retrak, CCREJ/WARO, Young Lives, Children Legal Action Network, Samburu Girls Foundation, UTSS, RADDHO, WACSO, Centre for Human Rights, Global Initiative to End All Corporal Punishment of Children, Mozambique CSO, Kenya CSO, Guinea CSO, South Africa CSO, Investing in Children and their Societies (ICS), Child Helpline, Pro Kind Ethiopia.

ITEM 1: OPENING CEREMONY

3. Three statements were made during the opening ceremony.

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

4. In her statement, H.E. Mrs. Tumusiime Rhoda Peace, on behalf of the AUC Commissioner for Social Affairs welcomed all the participants to the session. She highlighted the challenges that are still impeding the full realization of child rights on the continent despite the numerous progress made. She then commended the ACERWC for having dedicated this Session's Day of General Discussion to child marriage, as its support to the Campaign on Ending Child Marriage that is currently being implemented by the Department of Social Affairs, of the AUC. H.E. Mrs. Tumusiime Rhoda Peace congratulated the ACERWC for the adoption of the theme of the Day of the African Child (DAC) 2014 which is: is “**A child friendly, quality, free and compulsory education for all children in Africa**”. She also commended the Committee on the recent launching of the Universal Ratification and Reporting Campaign, then ended by thanking the partners who have assisting the Committee to organize this session and wished all participants a fruitful session.

Remarks by Representative of ACHPR

5. In her statement, Commissioner Soyata Maiga from the African Commission on Human and Peoples' Rights (ACHPR) thanked the ACERWC for the invitation to attend the ACERWC 23rd Session. She focused on the rights of child in regard to education, health, and early marriage. Commissioner Maiga also denounced the plight of children in refugees

camps during armed conflicts in Central African Republic and South Sudan. On the collaboration between the two organs, she appreciated the appointment of special rapporteurs on the rights of the girl and the woman. She equally called for a strengthened collaboration among AU Organs and institutions such as the Women and Gender Directorate of the African Union to work closely with the Committee to channel the concerns of the girl child in Africa.

Opening Statement by the Chairperson of the ACERWC

6. The Chairperson of the Committee thanked all those who worked to make this session possible particularly the Department of Social Affairs as well as the Commission and partners. He mentioned the Pre-session that preceded the Session where Civil Society Organizations alternative reports were considered. He highlighted the activities undertaken since the last session. He also insisted on the recently launched Campaign for the Universal Ratification and Reporting on the Charter, which aimed at ensuring timely and cyclic reporting on the African Charter on the Rights and Welfare of the Child. The Chairperson welcomed the proposal by the UN Secretary General Envoy on Global Education, Gordon Brown, to join the African Union in commemorating the upcoming Day of the African Child (DAC) on the theme is "A child friendly, quality, free and compulsory education for all children in Africa".

Launching of the ACERWC logo

7. The Chairperson of the Committee presented the logo of the ACERWC. He explained that the boy and girl child in the logo at the heart of the continent, with their hands up, symbolize the hopes and aspirations as the future of Africa. The palm leaves shooting up on either side of the outer circle stand for peace. The gold circle again symbolizes Africa's wealth and bright future. The plain map of Africa without boundaries in the inner circle signifies African unity. The small interlocking rings at the base stand for African solidarity and the bloodshed for Liberation of Africa.

Swearing in of Dr Azza El Ashmawy

8. Dr. Azza El Ashmawy, was sworn in by the Representative of the Office of the Legal Counsel of the African Union Commission.

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

9. The Committee considered the draft programme and made some amendments.

ITEM 3: PROCEDURAL MATTERS

A. Adoption of the Agenda and the Programme of Work

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

B. Organisation of Work

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

ITEM 4: BRIEF PRESENTATIONS BY PARTNERS

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

13. The UNICEF Representative, Mr Peter Salama, highlighted the technical support provided to AU Member States by UNICEF and which resulted to the submission of Initial State Party Reports from Algeria, Congo Brazzaville, Eritrea, Ethiopia, Gabon, Liberia and South Africa. He confirmed UNICEF's support to the two-year Ratification and Reporting Campaign of the Committee, which was recently launched on the margins of the January 2014 AU Summit. He praised the development of the General Comment on Article 6 of the Charter and committed to promote it through various platforms, including during the June 2014 AU Summit.

14. Further, he thanked the AUC for spearheading a Campaign against child marriage in Africa, indicating that UNICEF would contribute financially and technically to various components of the Campaign. Among them include, support to the formal continental launch in Addis Ababa and subsequent launches in ten countries across Africa, as well as facilitating the participation of UNICEF Goodwill Ambassador Angelique Kidjo to join the Campaign. While highlighting a number of key initiatives and meetings that UNICEF is actively involved in, he concluded by emphasising on the need for all partners and child rights players to ensure that children are well positioned in the outcomes of these conferences and meetings.

15. The United Nations High Commissioner for Refugees (UNHCR) Deputy Representative to the AU and ECA, Ms. Monique Ekoko, complemented the Committee on its recent efforts in becoming a visible and effective advocate for the rights of children on the continent. She went on to remind the Committee of the gross violation of rights currently facing children affected by the recent conflicts in Central African Republic and South Sudan especially those who are being forcibly uprooted as a result. She urged to Committee to consider undertaking assessment missions to the affected areas to get a firsthand account of the situation of children, and also to advocate with the AU Peace and Security Council to ensure that children's rights including the rights of refugee and internally displaced children to protection and assistance can be fulfilled. She further commended to Committee on the progress in developing a General Comment of Article 6 of the Charter, and noted that UNHCR is ready to support its finalization, launch, and implementation. In closing, she highlighted the plight of many children and adolescents who are victims of human trafficking.

16. Chikezie Anyanwu, Pan African Program Specialist at Plan International congratulated the ACERWC for their work and particularly for the General Discussion on Ending Child Marriages in Africa during this 23rd Session. This complements the campaign by the Department of Social Affairs (DSA) and the proposed General Comment on Women's Rights in Africa by the African Commission on Human and People's Rights (ACHPR). Ending child marriages resonates with the policy asks of Plan International's 'Because I Am A Girl' (BIAAG) campaign and our specific program intervention on ending child marriages in

Southern Africa. To make this human rights violation a practice of the past in Africa we will continue our collaboration with the ACERWC and the African Union as well as the Regional Economic Communities, Civil Society actors and national Governments.

17. He then stated that Plan International reiterated its commitments to support the ACERWC's Ratification and Reporting Campaign, and calls upon all African Governments to ratify the ACRWC and to step up their reporting and other implementation obligations. We will be supporting the ACERWC with the launching of the Ratification Campaign in the Central African region in 2014. Plan International encourages the ACERWC to explore how we can all cooperate with the office of the UN Special Envoy on Education in the best way to keep the realization of the right to quality basic education for all African children on the agenda of national governments and international development partners, especially as we plan for the 2014 Day of the African Child (DAC) and the post 2015 agenda.

18. He called on the ACERWC proposing a future 'General Comment on Article 31' of the Charter. A 'General Comment on the Responsibilities of the Child' – a provision specific to the African Charter - will go a long way in unpacking the meaning of this article and reducing its increasing misinterpretation. We would like to conclude with a clear commitment to continue our support to Governments as the main duty bearers but also to civil society in Africa to guarantee the realization of children's and particularly girls' rights in the coming years.

19. Franco Wandabwa, on behalf of Save the Children, made a statement. He commended the Committee for choosing "a child friendly, quality, free and compulsory education for all children in Africa" as the 2014 theme for the day of the African child. He stated that Save the Children believes that education is both a right and a bedrock of development. All children have a right not just to schooling, but to learn. Virtually all the countries that have developed rapidly over the last few decades had strong education systems. He mentioned that there have been impressive increases in access to education. Just 10 percent of children of primary school age are now out of school, but the challenge of 'reaching zero' remains enormous.

20. Furthermore, he indicated that Save the Children is witnessing the crisis in the Central African Republic through its work in Bangui and four field locations. He then stated that Save the children joins other partners in calling on the African Committee of Experts on the Right and Welfare of the Child to carry out a mission to Central Africa Republic to assess the level and response of the national government, community structure and other supporting mechanisms in protecting the rights of the children. He finally called upon the Committee to closely work with the recently appointed AU Special Representative of the Chairperson of the Commission and Head of the African-led International Support Mission in the Central African Republic (MISCA), Gen. Jean Marie Michel Mokoko in ensuring the rights of children are upheld and promoted in the Central African Republic.

21. The Executive Director of ACPF, Théophile Nikyèma, started his statement by expressing his Organization's willingness to work with the Committee. He indicated, in the past year, ACPF had the privilege of working with the Committee and its Secretariat, and ACPF equally appreciated ACERWC's support to its work. ACPF acknowledged that some African states have not yet ratified the Charter and that some countries are not complying

with their obligations to submit initial and periodic reports to the African Committee of Experts on the Rights and Welfare of the Child. ACPF congratulated the Committee for launching the Universal Ratification and reporting campaign and expressed ACPF's commitment to work with the Committee on this campaign.

22.ACPF acknowledged the presence of the African Commission and acknowledged the importance of the collaboration between the Committee and other AU human rights organs in advancing a child rights agenda in Africa. ACPF also expressed its concern over the current situation of children in crisis in the Central African Republic and in South Sudan, and called upon all parties to the conflict to respect the rights of children and hoped that the Committee's engagement with the Peace and Security Council would bring tangible results for children in conflict and post conflict situations.

23.ACPF also informed the Committee of its activities since the last Session and these activities included: The launch of the African Report on Child Wellbeing and 10 year anniversary; launch of the Child Law Resources and consultation meeting on Child Rights Governance where the Kigali Communiqué was adopted urging governments to ratify and report to child rights treaty bodies; and the validation of the African report on Violence against Children. The report will undergo another round of validation with high-level global and regional experts on Violence against Children.

24.Mr. Olawale Fapohunda, Member of the Penal Reform International (PRI) Board stated that PRI believes that the work of the African Committee of Experts on the Rights and Welfare of the Child is of immense importance with respect to the protection and promotion of the rights of children in Africa. He also mentioned the fact that PRI is honoured to have had Observer Status with the Committee since 2012.

25.He further stated that PRI is delighted that last November the Committee adopted its first General Comment on Article 30 of the African Charter on the Rights and Welfare of the Child on children of imprisoned mothers, which provides an authoritative opinion on States Parties' obligations to respect, protect and fulfil the rights of this group of often forgotten children. He emphasised that it is imperative that this General Comment become known about by national law and policy-makers as well as by civil society organisations who can then be guided by the interpretations of the rights enshrined under the particular provision. He concluded his presentation by reaffirming PRI's readiness to assist in the promotion of this General Comment and translating it to the four AU languages.

26.Ms Lynette Mudekanye from REPSSI stated the fact REPSSI recognizes that strengthening the care and protection environment for children at community level requires that those that are closest to children are given formal, accredited training. To this end, she stated, REPSSI has developed an eighteen month long certificate programme, given through academic institutions in 10 countries using situated, supported, distance learning to frontline care workers, including the police. She finally indicated the fact that REPSSI is collaborating with the Ministry of Education in Zambia to provide an in service Diploma in Psychosocial Care, support and protection to teachers.

27.Mr Moussa Harouna Sambo from the African Movement of Working Children and Youth (AMWCY) stated the role that his Organization is playing in protecting the rights of children from its inception in 1994 till 2013 in 26 African Countries.

28. Mrs Dumisile Nala from Child Helpline South Africa, representing Child Helpline International, (African Region) presented her organization which was established in 2003. It has 178 members in 143 countries. She added that her organization has operational child helpline services. Often the Helpline is the first port of contact for children in distress and they get linked up with the necessary child protection systems/resources in their respective countries. Children phone Helplines with a magnitude of challenges/concerns including abuse, parental/care giver and peer relations, parenting and issues of child marriages. Adults with concerns about children and parenting of children also contact the helplines.

29. As Helplines in Africa, they call upon the ACERWC to join them in advocating for the establishment of 24 hour toll free helpline in all the countries in Africa that will ensure every child has access and can be counseled and linked to services/support wherever they are. Furthermore they are requesting a support from ACERWC in communicating with state parties to adopt and allocate 116 as a harmonized toll free helpline number for children in Africa to enhance cross-border collaboration and ensure that children are able to access help wherever they find themselves in the African Continent.

ITEM 5: PRESENTATION OF THE CSO FORUM RECOMMENDATIONS TO THE ACERWC

30. Recommendations of the 9th Forum of the CSOs held in Dakar, Senegal from 2nd - 4th April 2014 to the ACERWC were presented by Ms Phoebe W. Wahome, on behalf of the Chairperson of the CSO Forum. The Forum discussed issues relating to the theme of the Day of the African Child 2014: A child friendly, quality, free and compulsory education for all children in Africa.

31. The participants of the Ninth CSO Forum on the African Charter on the Rights and Welfare of the Child recommend that:

1. As part of its deliberations, the Committee should:

- a. Adopt a position statement with specific time bound actions on the situation of friendly, quality, free and compulsory education for all children in Africa and direct the African Union, African governments, civil society actors and donors towards the critical interventions necessary to ensure the protection of the rights of children to education;
- b. Adopt and modify where necessary General Comment No. 1 of 2003, of the UN Committee on the Rights of the Child, on the rights of a child to education, and subsequently promote it among African governments in order to inform country level approaches to the implementation of the international and regional provisions relating to children's right to education.

2. In its engagements with Member States, the Committee should:

- a. Strongly urge member states to make education a key right, free and not a privilege and clear responsibilities are defined among parents, children, schools and state and all obstacles are removed to eliminate the inequity and inequality in the education sector in African countries;
- b. Urge member states to uphold global commitments and targets specified in the key declarations relating to budget allocation to key sectors of education by at least 15 % of the total budget;

- c. Strongly urge member states to eliminate all laws and policies that prohibit the girl child from accomplishing compulsory education, also abolish expulsion of pregnant girls from schools and create safe environments for girl child in school, as well as increase of the age of marriage to be above eighteen;
- d. Urge member states to uphold their commitment to raise the compulsory education for children to be in line with the age of the child as defined by the international child rights instruments, including the UNCRC and the ACRWC;
- e. Strongly holding the government to take affirmative actions through respecting legal frameworks to guarantee that poverty does not remain an obstacle to access friendly, quality and compulsory education for children;
- f. Strongly urge member states to reiterate their affirmative action to ensure that the current economy growth among African Countries be consistence with friendly, quality, free and compulsory education to all African children so that they grow to become meaningful adults to take over and sustain the economic growth;
- g. Deliver the Communiqué from the Ninth CSO Forum to African States and encourage them to follow up and implement CSO recommendations relating to the protection of the rights of children to friendly, quality, free and compulsory education;
- h. Urge and encourage member states to put in place / strengthen policies and programmes for vulnerable children particularly those with disabilities, in non- formal settlements and those in situations for emergencies ;
- i. Urge state members to include climate change and disaster risk reduction curriculum in African schools.

3. In its engagement with Peace and Security Council of the African Union, the Committee should:

- a. Pursuant to the Executive Council Decision EX.CL/Dec.712 (XXI), strongly push for the council to hold member states to take actions that will guarantee security in schools at the time of conflict, to refugee and displaced children in all African countries so that they are not deprived from progressive learning;
- b. Advocate for the council to strongly urge the member states to uplift the age of criminal responsibility for children in Africa and ensure commitment to guarantee that children participate and accomplish their education;
- c. Should act to introduce, inform and influence the council to ensure that standards are set for state parties to commit to measures that children attending schools are not subjected to any form of insecurity such as radicalism, extremism and crime of many forms including civil and war crime;
- d. The committee should engage with the AU and other organs of the AU, recommend joint missions to conflict areas to ensure that rights of children are given due weight and respect.

4. In its engagements with the African Union Commission, the Committee should urge the AU to:

- a. Ensure that all AU Communiqués on children should be holistic and include friendly, quality, free and compulsory education to all African children;

- b. Ensure that Call for Accelerated Action Towards Africa Fit for Children, which focused on eight (8) priority areas among them Access to Education is reviewed and adopted to accommodate friendly, quality, free and compulsory education for all children in general;
- c. Review of the AU Social Protection framework to ensure adequate social protection for all children in education sector.

ITEM 6: PRESENTATION OF AFRICAN MOVEMENT OF WORKING CHILDREN AND YOUTH

32. Mr Moussa Harouna Sambo from the African Movement of Working Children and Youth (AMWCY) presented the reflection of the AMWCY children on the theme of the Day of the African Child 2014.

33. He said that the right to learn, to read and write is from the 12 priority identified by the movement. But in the implementation of this right, Children and Youth are facing the limits of educational system that doesn't educate the majority of children or even the school doesn't exist in some places and the children don't have the IDs to register. Children concluded that the school lacks flexibility expensive for an uncertain result. They complain about the lack of a system that toggles education and vocational training.

34. Accordingly AMWCY has developed a participatory approach, adapted to children that takes into account the expectations with students and opens their social needs. The AMWCY therefore claims a free education and quality of education, and flexible but would like the teaching to be flexible, without discrimination and adapted to their situations of child laborers.

35. He ended his presentation by reiterating the willingness of children to go to school while recognizing that some aspirations of Children and Youth are partially taken over by the ACRWC, which in its Article 11, para 2 c) states that education of the child shall be directed to: the preservation and strengthening of positive African morals, traditional values and cultures.

36. After the presentation, the discussion focused on the quality of education and the duty of the State to monitor what is taught mainly in private schools, the use of national languages to facilitate learning, the retention of children in school and the school to be closer to them. For this, it was recommended to document existing good practices so that other countries can learn from them.

ITEM 7: REPORT ON THE CAMPAIGN FOR THE UNIVERSAL RATIFICATION AND REPORTING ON THE ACRWC AND WAY FORWARD

37. Mr Ayalew Getachew, from the Secretariat of the ACERWC presented the activities for the Universal Ratification of and Reporting on the Implementation of the ACRWC. In his presentation, he indicated that the Committee launched the Campaign in November 2013 and has planned to undertake the following activities: Launch of the Campaign at the Secretariats of selected RECs, Promotional Missions for Ratification or Reporting,

Collaboration with AU Organs and UN Bodies, Collaboration with CSOs, Capacity Building and Communications, and Working on withdrawal of reservations.

38. Ayalew stated that the launch at the RECs aims at engaging them to push for the Member States to report on the implementation of the Charter and help the respective RECs to craft a mechanism through which they can take into account the rights of the child in their agenda. Considering the number of countries which have not submitted their reports, he also mentioned that ECOWAS, SADC and ECCAS have been selected to this effect.

39. With regard to promotional missions for reporting, he stated that two approaches could be followed: promotional missions could be made to countries which have not yet reported to the ACERWC and no tangible progresses have been recorded. These countries include: Burundi, Cape Verde, Comoros, Equatorial Guinea, Guinea Bissau, Seychelles Mauritania, Djibouti and Mauritius. Or these promotional missions could also be limited to countries which will not be covered through the selected RECs; these countries include Mauritania, and Djibouti. On promotional missions for ratification, he stated that missions will be undertaken to South Sudan, Central African Republic, Somalia and Sao Tome and Principe.

40. A discussion then followed and participants appreciated the planned activities and raised some concerns on some of the planned promotional Missions as some countries, like Burundi, have already finalized their reports.

ITEM 8: PRESENTATION ON THE AFRICAN YEAR OF HUMAN RIGHTS (2016)

41. Mr Ayalew Getachew from the Secretariat of the ACERWC presented the project on the African Human Rights Year-2016. In his presentation, he addressed the justifications and objectives of the project; the list of activities and the role that the ACERWC would play. With regard to the objectives, he mentioned that the project aims at achieving the following objectives: Enhance public awareness about human right; Encourage Member States to recommit to the promotion and protection of human rights; Identify weaknesses in the effective promotion and protection of human rights; Establish mechanisms to ensure the effective promotion and protection of human rights on the continent; and Provide a platform for constructive debate on human rights with a view to putting human rights at the foundation of the AU framework.

42. He concluded his presentation indicating the role that ACERWC could increasing the visibility of the concern of children's rights during the celebration of African Human Rights Year.

ITEM 9: DEVELOPMENT OF A CHILD FRIENDLY VERSION OF THE GUIDE FOR CSOs ON HOW TO ENGAGE WITH THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD (ACERWC)

43. The presenter Ms Cheryl Foreman provided an overview of the terms of reference, method and approach used in designing a child-friendly version of the Guide for Civil Society Organizations on How to engage with the African Committee of Experts on the Rights and Welfare of the Child (CSO Guide). She informed that workshops had been conducted in the

Western, Eastern, Northern and Southern regions in Africa namely Cairo in Egypt, Lusaka in Zambia, Dakar in Senegal and Juba in South Sudan for the purpose of creating a document that appeals to youth (ages 10-15 years), while simultaneously communicating the significance and importance of the 'Rights and Welfare of the Child' in Africa. Using a series of images and photos the presenter illustrated how this project built knowledge and capacity of children through the development of a Child Friendly Guide. The presenter explained that the Guide was supposed to be child friendly, child informed and have a child design which children would read and enjoy.

44. After the presentation the discussions focused on the following:

- The participants requested whether the Guide could be put in the ACERWC website and there was no objection;
- Suggestions were made to include cartoons as they would be appropriate for children and would reach a larger audience.

45. The presenter also informed that the document had not been published as it was necessary to consolidate the inputs of all stakeholders before publication.

ITEM 10: PRESENTATION: DOCUMENTARY ON THE ACERWC

46. The draft institutional documentary of the ACERWC was presented in order for Committee's members to give their inputs and remarks on the way to improve it so that it really reflects the mandate of the ACERWC. Comments were made on the script to be reviewed, and also to extend the scope of coverage since there were less to see about french speaking Africa. It was proposed to allocate a slot during the next day to discuss this issue in details with all the stakeholders involved.

ITEM 11: DRAFT COLLABORATION PLAN BETWEEN THE AFRICAN PEACE AND SECURITY COUNCIL (PSC) AND THE ACERWC

47. The Consultant Dr Sabelo Gumedze made a presentation on the draft Action Plan to institutionalized Collaboration between the African Peace and Security Architecture and the African Committee of Experts on the Rights and Welfare of the Child. The presenter stated that the Action Plan aims at strengthening and increasing collaboration between the African Union Peace and Security Architecture with specific focus on the Peace and Security Council (PSC) and the African Committee of Experts on the Rights and Welfare of the Child (ACERWC). The Action Plan is in line with the Decision of the Executive Council on the report of the ACERWC, which among other things requested the PSC to take into account the rights of the child in their agenda and cooperate actively with the ACERWC. This Decision was followed by a meeting of the PSC, wherein the PSC endorsed a call for institutionalization of collaboration between itself and the ACERWC.

48. Accordingly, the Action Plan is designed to address three main goals: First, to put children on the agenda of the PSC; second, have the PSC and the ACERWC incorporate their respective concerns in their statutory mandates; and Third, to increase collaboration between the PSC and the ACERWC, particularly on the issue of the rights and welfare of the child. In so designing the Action Plan, the fundamental message of ensuring the best

interest of the child is viewed as the golden thread running through the proposed actions. The best interest principle should, therefore, be extended to the execution of the Action Plan. The Action Plan is intended to make children's rights, particularly where there are negatively impacted upon by conflicts, a reality.

49. A discussion then followed. Participants raised various concerns including the practicality of the planned activities, the possibility of partners to take part in this initiative. Participants have also commented that the Action Plan should clearly spell out mechanisms on how the Committee could be an important Organ in instances where children are affected by armed conflict and related crises. It was pointed out that the Action Plan should focus on issues more than institutional collaboration, at least in the long run, between the PSC and the ACERWC.

50. The presenter and the Committee members, however, mentioned the fact that the collaboration plan should be seen as a short term agenda. With regard to the feasibility of the collaboration plan, it was noted that this is only a short term plan and it should only be seen as an entry point. The Committee emphasised that the Collaboration Plan include short term indicators. Many participants agreed that institutionalizing the relationship between the ACERWC and the PSC is really important as it helps the PSC to take the agenda of children's rights regularly and unconditionally in their activities. Looking at the mandate of the PSC, it was agreed that the collaboration plan really is a starting point. Finally, the participants agreed that resource mobilization strategy should be attached. The Chairperson of the Committee also mentioned that the draft action plan should be shared with the AU PSC and its Secretariat.

ITEM 12: DISCUSSION ON THE SITUATION OF CHILDREN IN CENTRAL AFRICA REPUBLIC AND SOUTH SUDAN

51. The Committee discussed the situations of children in Central African Republic (CAR) and South Sudan. The children in these countries are deprived of basic services and protection and they are fleeing their places to the neighboring countries. It was indicated that though various partners are undertaking activities to address the plight of children in these countries, the situation is getting worse as time goes. The Committee, therefore, decided to respond to the situation. Accordingly, in the coming three months, the Committee decided to undertake the following activities:

- Missions to CAR and South Sudan under the supervision of Dr Clement Mashamba who is the third vice chairperson of the Committee and whose portfolio falls under children in conflict situation;
- To issue a press release and resolution on children in armed conflict with particular focus on CAR and South Sudan;
- To involve the special representative to CAR from the ACHPR.

ITEM 13: PRESENTATION AND ADOPTION OF REPORT ON GENERAL DISCUSSION ON ARTICLE 6: RIGHT TO NAME AND NATIONALITY

52. Prof Julia made a presentation on the Draft General Comment on Article 6 of the Charter. She started with process of the preparation of the Draft starting from November 2012. She then discussed the format of the Draft as it consists of introduction, purpose and main objectives, general measures of implementation and key principles. It was also indicated that the Draft General Comment makes links between the rights enshrined in Article 6 with other important child rights issues. She then discussed the roadmap to be followed including coordination with partners, publication, launch and dissemination. Discussion followed after her detailed presentation on the content of the Draft General Comment.

53. Participants raised concerns on relating the concept of birth registration with the bigger picture of Civil Registration and Vital events Statistics. Particularly, she indicated that the document should clearly spell out the importance of an effective way of birth registration for other civil registrations and vital even statistics. The representative from UNICEF specifically indicated that the Committee should use the avenue on the upcoming Ministerial meeting to popularize the General Comment. The representative of UNHCR also indicated that as the issue of nationality and birth registration falls under the mandate she expressed UNHCR's readiness to support the Committee in many ways to publicize and disseminate this General Comment. It was as well mentioned that the relationship between the draft protocol on statelessness and nationality of the ACHPR and this General Comment.

54. After the brief discussion, the Committee decided to look into the adoption process in its closed Session. The Committee also agreed to develop a general Comment on the following issues:

- Responsibility of the child;
- Children and armed conflict;
- General Measures of Implementation and the Strengthening of Child Protection systems.

55. The Committee will decide on the modalities, time frame and processes for the work of these general Comments.

ITEM 14: CONSIDERATION OF STATE PARTY REPORT: LIBERIA REPORT

56. The Session for the consideration of the Government of Liberia Initial State Party Report on the implementation of the Charter was chaired by Prof Julia Sloth –Nielsen, 2nd Vice President of the Committee and the Rapporteur of the Report. She gave the floor to Mr. Andrew G. Tehmeh, the Representative of the Government of Liberia and the Deputy Minister for Planning and Administration in the Ministry of Gender and Development who briefly presented the State Party Report.

57. Following the Presentation of the Deputy Minister, the Committee Members raised the questions among others relating to the health of Children under 5 years, the access to education of children with disabilities, facilities for people with disabilities, , the plural legal systems that conflict in issues relating to children E.g. in marriage, the access of girls to reproductive health facilities, the capacities building for those working with children, the Inter country adoption the quality of education, the administration of Juvenile Justice with the

separation of children from adults in their place of detention or imprisonment, the corporal punishment of Children at school ,and the low rate of birth registration. They also brought up the issue of death penalty for children.

58. Responding to questions, the Deputy Minister explained that in Liberia 90% of the population has access to health care and the Government is working hard to make sure that they will achieve universal access soon, there are no specific schools for disabled children. but school of the deaf-mute is under rehabilitation. More than 80% of the public buildings do not have access ramp for people with disabilities. The Government is in the process of reviewing the Constitution in order to harmonize it with the International and Regional Instruments. He also informed that the Government has embarked on a program to build the capacity of persons working with children. For the inter country adoption, there is a moratorium on adoption because there has been abuse in the past. In order to improve access to quality education, the Government of Liberia has embarked on a number of programs including the provision of school grants, the provision of textbooks, and the provision of after school tutorial programs. For the corporal punishment, the law does not prohibit it absolutely but only in some instances. Concerning the low rate of birth registration, the Deputy Minister said that the main reason is the distance to the civil registration centers. That is why efforts are about to be taken to have mobile civil registration centers and reduce the costs of establishment birth certificate.

59. With regard with administration of Juvenile Justice, he said that the Government is currently in the process of initiating a judicial reform that includes improving access to justice. For the children in conflict with the law, the principle is that the juvenile judge inflicts alternative sentences to prison. There is a Children home in Monrovia and other districts. Two more are under construction. The death penalty applies to everyone even children in Liberia. But the Constitutional reform is underway to attenuate this especially for children

60. At the end of the session, the Chairperson of the Committee thanked Deputy Minister for Planning and Administration in the Ministry of Gender and Development of Liberia for their work and for the responses to the questions of the Committee members. She announced that Liberia would receive the recommendations of the Committee.

ITEM 15: REVIEW AND PLANNING OF ACERWC STRATEGIC PLAN

61. The consultants, Christopher Davids and Foubi Joseph, made a presentation on the Committee's Strategy. They have indicated that their presentations have two parts. In the first part of their presentation, the consultants presented and led interactive discussions focusing on the recommendations on the planned activities. The Committee then divided into two groups. The two groups held a discussion on the recommendations and suggested some amendments on the recommendations.

ITEM 16: OVERVIEW ON CHILD MARRIAGE

62. Prof Benyam Dawit Mezmur, Chairperson of the African Committee of Experts on the Rights and Welfare of the Child informed the participants that this Day of General Discussion was proposed by the Department of Social Affairs as part of supporting the Campaign by the African Union on ending Child Marriage in Africa. The Charter, he said is

clear on child marriage, it starts with the definition of a child in Article 2 and Article 21(2) specifically deals with child marriage.

63. Ms. Tsion Teferra from Save the Children recalled that 11 of the 15 Countries with the world's highest proportion of child marriage are in Africa. However many African countries have taken measures to tackle the vice. Save the Children overall strategic approach on child marriage, targets both preventive and response work. This includes strengthening national and local CP systems, involving communities, and supporting the girls and women empowerment. The way forward is to strengthen child protection systems at all levels, engage with root causes and provide access of young girls to good quality schooling, health services and employment opportunities.

ITEM 17: PRESENTATION ON THE AFRICAN UNION CAMPAIGN ON ENDING CHILD MARRIAGE

64. Ms. Nena Thundu from the Department of Social Affairs (DSA) informed the participants that, the African Union Commission at the initiative of the Chairperson- H.E. Dr Nkosazana Dlamini-Zuma is launching a campaign to 'End Child Marriage in Africa' which will initially run for two years. The main purpose of the campaign is to accelerate the end of child marriage in Africa by enhancing continental awareness of the effects of child marriage. The Campaign specifically aims at:

- Ending child marriage by supporting policy action in the protection and promotion of human rights: Promote and support the AU member states to frame, launch and execute National Strategies and Programmes;
- Mobilizing continental awareness of child marriage and removing barriers and bottlenecks to law enforcement;
- Determining the socio-economic impact of child marriage;
- Increasing the capacity of non-state actors to undertake evidence based policy advocacy including the role of youth leadership.

65. The campaign also aims to enhance the implementation of related AU policy instruments and will involve different stakeholders. As the lead Department, the Department of Social Affairs (DSA) will carry out effective advocacy work and follow-up the implementation of relevant AU policy instruments to promote the campaign. The DSA will also work with partners to build its own capacity as well as of its Member States.

66. After the presentations, the discussions focused on:

- Poverty and some cultural practices were identified as major causes of child marriage;
- Coexistence of different types of laws was also mentioned as a hindrance as one law may identify a child as one below 18 years of age while another law in the same country allows children to consent to marriage or sex at an earlier age;
- Engagement of First Ladies and Religious leaders in their communities;
- The importance for the Organizations working on ending child marriage to undertake activities in many countries and target activities depending on the country;

- The domestication of International and Regional instruments related to child rights should also provide processes for prosecution, public awareness and monitoring;
- Educating children on their rights and use of media are effective ways of curbing child marriage;
- Youths and their groups can create awareness on effects of child marriage;
- The development of a model law was discussed as one of the possible ways of assisting Governments to fight child marriage;
- The link between the conflicts and child marriage.

ITEM 18: PRESENTATIONS ON CHILD MARRIAGE

67. Dr Fatima-Zohra SEBAA-DELLADJ, 1st Vice President of the ACERWC, made a presentation on Child Marriage in North Africa. In her presentation; Dr Fatima-Zohra SEBAA-DELLADJ, briefly mentioned the complexity in the definition of child marriage. With regard to child marriage in North Africa, she indicated that there has been only few studies and surveys on the issue, so it is very difficult to get reliable figures. Furthermore, she discussed the practice in some North African countries where only marriages between couples who attained the required legal age are recorded, while those between minors are done through court approvals and they are usually left unregistered. These marriages are concluded through orfi (customary) weddings where the view of religious leaders are given much more place than the consent of the parties. .

68. Dr Fatima-Zohra SEBAA-DELLADJ also discussed the root causes and effects of child marriage as it is observed in North African Countries. With regard to causes of child marriage, she mentioned: customs and tradition, to avoid dishonor, to avoid prostitution, poverty, and others. She also listed the consequences of child marriage which includes: risk of death during labor, high new born mortality rate and fistula. She finally concluded by pointing out the fact that a gender approach be in place to fight child marriage, as the practice is linked with sexual discrimination.

69. Prof. Julia Sloth-Nielsen made a presentation on harmonization of law on marriage with that on reproductive rights, autonomy, protection of children and criminalization. She started her presentation by explaining the link between the age of sexual debut and age for marriage. Often these differ – so a child may be married but may legally not be permitted to have sexual intercourse. When harmonization is debated often people think this means that the age of sexual consent and the age of marriage must be the same. But that poses its own challenges as it may mean that consensual sexual behavior of teenagers are potentially criminalised. This was until recently the case in South Africa: the Criminal Law Sexual Offences Amendment Act which came into force in 2010 resulted in teenagers being prosecuted for consensual sexual behavior. The Jules high school case was one such instance resulting in criminal sanctions and severe stigmatization for the children who were prosecuted.

70. She made reference to the Teddy Bear Clinic case held in the Constitutional Court where the South African Constitutional Court declared the legislation which criminalizes consensual sex between children of the age 12 and 16, unconstitutional. The Court held that it was deeply stigmatizing to children and an affront to their dignity. It hampered frank disclosure

and could inhibit access to reproductive and health services. She stated the age for sexual consent could be related to a wide variety of issues including access to reproductive health, and mandatory reporting obligations on health care workers, educators and social workers. It was also indicated that in many countries, criminal law deters children from accessing health support. She finally stated that children should not be convicted for acts that are not offences when committed by adults (so called status offences). In addition, she indicated that it needs to be asked whether the existence of criminal conviction for consensual sex amongst adolescents drives families to negotiate marriage rather than face the consequences of teenagers being involved in sexual behaviour.

71. Mr Abdoulaye Diallo made a presentation a program that his Organization is implementing; Curbing Early Marriage and Protecting Children's Rights in West Africa through a Civil Society –Driven Multi-Actor Approach. He mentioned that the main objective of the program is to develop and popularize a comprehensive regional CSOs approach for a wide range of CSOs and other actors, including the media, the private sector and cultural agents towards addressing Early Marriage in West Africa. Furthermore, he stated that the program defines concrete actions to be carried out at regional, national and sub-national levels towards ending the practice of Child/Early Marriage in West Africa. The program specifically aspires to achieve the following: Strengthened capacity of regional CSOs to influence Regional Policies and Programs on Early Marriage, Improved availability of literature, documents and other advocacy tools used by stakeholders to develop awareness and improve implementation at regional, national and local levels, and Availability of a CSOs regional framework and Plan of Action on Early Marriage. For that, we need to work with the RECs to put the issue in the agenda.

72. Karen Stefiszyn from the Centre for Human Rights of the University of Pretoria presented a report of the study on child marriage in ten African countries. The study focuses on the laws, measure of implementation to comply with human rights obligations, and the challenges in ten African countries. She mentioned that the study has been done in collaboration with the Special Rapporteur on the Rights of Women of the ACHPR and the Centre for Human Rights (CHR). She also indicated that the study aims to inform a report to the African Commission on Human and Peoples' Rights which will include concrete recommendations to states.

73. She finally mentioned that while advocating for legal reform, there is a need to address the structural causes of child marriage, namely, poverty, education, and stereotypes. Interventions should be informed by a human rights based approach using the African Women's Rights Protocol and the African Charter on the Rights and Welfare of the Child as key tools.

74. Josephine Kulea presented her experience in child marriage and her work as a founder and director of the organization called Samburu Girls Foundation. In her presentation she stated that growing up as a girl in her community is a very challenging experience. Girls in her community do not have the privilege to be in school. She explained the challenges that girls in her community are facing based on her own experiences. She then briefly mentioned what her Organization, Samburu Girls Foundation, is carrying out with regard to rescuing girls from harmful cultural practices child marriage being the biggest issue. She presented a documentary of testimonies by some of the girls rescued.

75. Following the presentations, discussions were made and participants raised a number of issues related to the gravity of child marriage in Africa and the measures to be taken to address the challenge. The following were among the major points discussed:

- The role of community and religious leaders in addressing the challenges of child marriage;
- The lack of statistical data on the phenomenon of child marriage;
- The role of first ladies;
- The gap between the law and practice;
- The challenges related to existence of plural legal system at national level;
- The role of sexual education in schools and families;
- Contextualizing the AU Campaign on ending child marriage in Africa to local realities;
- Using Human Rights perspective;
- A need for harmonization of laws;
- The relevance of legislations on minimum age of consent and attention to be given on how sexuality can be seen as a right;
- The need to adopt awareness campaign to respective countries and religious leaders;
- The need to have multi-sectorial approach to work with politicians and RECs;
- Domestication of legislation since states bear the primary responsibility;
- The possibility of launching the AU campaign on ending child marriage in rural places out of Capitals and;
- The various forms of harmful practices which cause child marriage including the practice of virginity test in South Africa.

76. The Chairperson of the ACERWC then wrap-up the discussions with a recommendation of having a comprehensive legislation on child marriage which might include the following elements:

- It may consist of guidance on practical measures to be taken,
- If government officials and civil servants take part in child marriage to have their engagement as an aggravating circumstance in criminal charges,
- The implementation of criminal law to have broad purpose that goes beyond prevention since criminal conviction can also be a cause of retaliation, including the role of immigration officers.

ITEM 19: PANEL DISCUSSIONS ON ENDING CHILD MARRIAGE IN AFRICA BY UNICEF, ACPF, PLAN INTERNATIONAL, GIRLS NOT BRIDES AND INTER-AFRICAN COMMITTEE

77. Ms Miranda Armstrong from UNICEF informed the participants that nearly 4 in 10 girls in Africa were married or in a union before age 18. Thus the need for Regional/continental/global policy advocacy to ensure continued attention and increased resources and action to end child marriage. These would address structural and economic factors as well as social norms. The multi sectoral programmes for results at scale would include

- Child protection systems (including birth registration);

- Education system;
- Communication platforms;
- Social protection mechanisms;
- Health system.

78. She stated that there is strong acknowledgement that child marriage is driven by structural, economic and social factors. This means that to reach results at scale, action needs to engage a number of key sectors. Also the efforts to end child marriage need to be systemic in a way that creates a new social norm and entails attention to the following:

- Supply and quality of education services especially secondary education for girls, legislation setting the age of marriage at 18;
- Birth registration;
- supply and quality of health services especially reproductive health info and services for adolescents and ;
- economic empowerment for girls/women and families.

79. She further mentioned that this would promote change in social expectations regarding the appropriate role/future for girls and stimulate and leverage social dynamics to accelerate change.

80. She finalized her presentation by indication that there is still a need for more effective action to promote changes in underlying adverse gender norms and also focus on maintaining and creating positive social norms. A major new opportunity is the AU Campaign to End Child Marriage.

81. Dr. Lucyline Nkatha Murungi from the African Child Policy Forum reflected on the questions related to the legal status of child marriage in Africa, harmonization of laws, approaches that have been adopted in legislating child marriage in Africa, and the legal measures that are available for victims of child marriage.

82. In her presentation, she briefly stated the legal status of child marriage in Africa with a reference to article 21 of the ACRWC. She then discussed the need and status of harmonization of national laws with the ACRWC. She accordingly indicated the fact that there are countries which maintain a law on minimum age of marriage below the international standard. In relation to legislative approaches to child marriage, she mentioned prohibition of child marriage, criminalization of child marriage, and plural systems. She then elaborated the various forms of concluding marriage including civil, religious, traditional, and the combination of all. Dr Nkatha concluded her presentation by discussing the remedies to be taken in cases of violations. Accordingly she mentioned the duty of State Parties to ensure that rights are meaningful, including establishment of legal frameworks and enforcement mechanisms; actionable remedies; provision of safe spaces for victims or high-risk potential victims; and confronting social barriers i.e. cultural, religious, social stereotypes as the major mechanism to have an effective remedy for victims of child marriage.

83. Ms Emmily Kamwendo-Naphambo from Plan International stated that Child marriage is driven by a number of inter-related factors. Underpinning child marriage is a combination of poverty, gender inequality and lack of protection for children's rights. She indicated that

many players have been supporting families and communities in this field for long time, and they are not moving at a desired pace in reducing child marriages. An important and usually missing link in this work is the ability to build a social movement of community people who believe delaying child marriage as an acceptable social phenomenon.

84. Even though gender or indeed any other social norms are deeply entrenched in community's way of life, proper investments can transform such norms. Suffice to mention that transforming social norms is a lengthy and tedious process. Nonetheless, she stated that two critical strategic investments are worth looking at:

- Increasing awareness and understanding about child marriages, girls' education and girls' rights amongst families, community members and gate keepers, would be getting closer to having families and communities who value their girl children and change their social norms and ;
- Increasing support for the mobilization of families, communities and gate keepers into action to support girls' rights and opportunities.

85. Central to these are empowered communities that can organize themselves and act to change the situation. Supporting families in a transformation process and, complimentary investments in strengthening family or community incomes can also assist in making families value their children. She concluded her presentation by stating the fact that if families and communities are given the necessary support, they have the power to change the norms and practices that drive child marriages in their locality and indeed begin to value their girl children in a different way.

86. Ms Sol Pradelli from Girls not Brides made a presentation on steps that can be taken to ensure that girls that have been victims and survivors of child marriage are assisted and rehabilitated in order to have necessary opportunities for education, income generation and assimilation back into society. In her presentation she stated that married girls and former child brides occupy a difficult and often neglected space within society, receiving little attention from social and child protection programmes. She therefore indicated that interventions to support married girls should respond to their needs of; inter alia, information, resources, autonomy and care. Besides, programmes aimed at former child brides should provide safe accommodation, schooling, skill training to engage in income generating activities, and legal advice, among others. She concluded her presentation indicating that both groups need to increase their sense of self-worth, independence and capacity to take decisions to ensure their children do not repeat the cycle.

87. Dr Morissanda Kouyate from the Inter-African Committee on Traditional Practices (IAC) informed the participants that though efforts have been made to address child marriage and eliminate it, there still are factors standing in the way such as existing laws, declarations, resolutions and protocols relating to children that are not fully applied at national levels. There is no political will in most cases for the protection and promotion of the rights of women and girls. He stated that there is a traditional paradigm that makes children to be viewed as absolute private property of parents, particularly the girl child. Hence parents can take any decisions on their behalf and in the instance of child marriage, decisions that are not in the interest of the child. He then ended the presentation by stating that girls need to

be given the full opportunities to gain an education as a powerful tool to prevent child marriage.

88. Following the presentations, participants reflected on the issues that the panelists have discussed. The following points were highlighted:

- The importance of promoting change in social expectations regarding the appropriate role/future for girls;
- The significance of harmonization of laws at national level so that the age of adulthood is 18 years;
- The role of education as a key factor to help children understand the consequences;
- Emphasis was also made on laws to criminalize child marriage and implementation of these laws;
- An effective birth registration system should be established;
- Community based child protection should be in place;
- Building children's capacity so that they can protect themselves;
- Strengthening Member States capacity in child protection systems through trainings to the judiciary and executive Organs so that they can implement the national, regional and international treaties;
- Synergies should be in place among AU Organs with Human Rights mandates (the ACHPR, the AfCHPR, the ACERWC), the UN CRC and Human Rights Council;
- As the issue of child marriage has cross cutting effects, the focus should go beyond human rights to include political and development aspects so that a holistic approach be developed at the all levels;
- Human rights based approach should be in place;
- Mechanisms of addressing violations should be in place and;
- Other opportunities such as education and skills training be in place so that girls are economically empowered and not being pushed into marriage due to poverty.

ITEM 20: DISCUSSIONS ON THE OUTCOME OF THE DAY OF GENERAL DISCUSSION AND WAY FORWARD

89. The participants discussed the draft Declaration on ending child marriage in Africa and made comments. The Committee then reserved the adoption process to its closed session.

ITEM 21: CONSIDERATION OF COMMUNICATION RECEIVED

90. The Committee considered the compliant and closely studied the submitted facts and heard oral arguments from both sides, based on this the Committee has made a Decision on the communication.

ITEM 22: CONSIDERATION OF INVESTIGATION REQUEST RECEIVED: INVESTIGATION ON CHILDREN WITH ALBINISM

91. The Committee received a request for investigation on the violations of the rights of children with albinism in Tanzania. The Committee then appointed Dr Azza El Ashamawy as a Rapporteur to do the background work and report back to the Committee in the next Session.

ITEM 23: DISCUSSION ON NATIONAL HUMAN RIGHTS INSTITUTIONS IN AFRICA AND THE POSSIBILITY OF GRANTING THEM AN AFFILIATED STATUS

92. The Committee had a discussion with Mr. Gilbert Sebihogo, Executive Director of the Network of African National Human Rights Institutions (NANHRI) on how to engage with National Human Rights Institutions. Mr. Gilbert Sebihogo explained that the Network of African National Human Rights Institutions is a regional representative body that brings together about 42 African National Human Rights Institutions. The mandate of the Network is to support and strengthen National Human Rights Institutions in Africa. He added that the National Human Rights Institutions (NHRIs) generally refer to bodies established by Governments to support in the promotion and protection of human rights within their respective jurisdictions through, for example, handling complaints, conducting research, advocacy and educational programmes. The Network and many of its members have affiliate status with the ACHPR. He indicated the importance for the Committee to share information with the NHRIs on Child Rights and undertake joint visit to the Members State for lobbying. The Committee has to explain to the NHRIs what he is expecting from them and how to engage with him

93. After the discussions, the Committee decided to work closely with the Network of African National Human Rights Institutions (NANHRI) and the NHRIs. In this regard, the Committee will:

- request support from the Network of African National Human Rights Institutions (NANHRI) for its missions in South Sudan and the Central African Republic through NHRIs;
- send a letter to all National Human Rights Institutions to explain its mandate, activities and the need for collaboration with them ;
- The Representative of IHRDA proposed to support the collaboration between the Committee and the National Human Rights Institutions ;
- invite the NHRIs during its session, and discuss on their role in promoting Child Rights and ;
- Organize a workshop with National Human Rights Institutions.

ITEM 24: DISCUSSION ON THE COLLABORATION BETWEEN THE ACERWC, AfCHPR AND ACHPR

94. The Committee discussed possible areas of collaboration with the ACHPR and the AfCHPR. During the discussion Ayalew Getachew from the Secretariat briefly mentioned the agreements reached at the Arusha Workshop on collaboration. Following his remarks, Commissioner Maiga Soyata from the ACHPR stated the possible areas of collaboration between the Committee and the ACHPR and the AfCHPR. In her remarks she indicated a

number of activities through which the Committee could collaborate with the Commission and the Court. She mentioned the following areas of collaboration:

- The ACHPR is planning to launch a campaign on the Universal Ratification of the Women's Protocol and the Committee could support this process and for the Commission to support the Committee's Campaign;
- Establishing a complementarity role on the mandates of the Committee, the Commission and the Committee;
- Enhancing the State Party Reporting process;
- The possibility of undertaking joint Missions through collaborating with the special mechanisms including the working groups and special rapporteurs and the joint Missions with the OHCHR;
- Looking at the mandates of the Committee and the Commission, both have interpretation mandates. She then stated that these bodies should harmonize their approaches with regard to interpretation of the texts of their respective instruments;
- Lobbying jointly for financial and human resource development;
- Collaboration on communications;
- Development of a formal framework with clear roadmap on collaboration and organizing a workshop to define the formal framework on collaboration;
- Having regular joint meeting and for the focal persons from each sides to regularly report to their respective Organs and;
- Development of a roadmap on collaboration.

95. The participants then discussed the status of the Draft Collaboration Plan and made recommendation for the Draft to include the Court. While waiting for the finalization of the current Draft Collaboration Plan, the participants then discussed the possible areas of collaboration which could be done in the meantime. The suggestions include:

- For the Committee to be represented at the upcoming Commission's Sessions and make Opening Remarks;
- For the three Organs to organize a joint meeting during the AU Summit in Malabo and mobilize fund to this effect and;
- Commissioner Maiga then stated that the Committee could also present its activities on the Campaign during the Commission's Session as this agenda is already tabled.

ITEM 25: ADOPTION OF ACERWC HARMONIZED RULES OF PROCEDURE

96. The Committee discussed and adopted the Draft Revised Rules of Procedure with the necessary amendments. The Committee then decided for the Revised Rules of procedure to be sent to the AU Office of the Legal Counsel for clearance.

ITEM 26: DISCUSSION ON THE ACCP PROJECT (SIDA PROJECT)

97. Ms Beatrice Arionget, Project Coordinator for the ACCP informed that in 2013 there was remarkable improvement in project delivery and funds absorption and the project monitoring focused not only on delivery but anticipated results using the project logical framework. The effective delivery and coordination of the project since 2011 has laid a firm foundation for the final year ending 31st December 2014 project plans and the intended final project evaluation later in 2014. She further indicated that SIDA has approved a budget of USD 959,114 for 2014 and has shown interest in funding a cost extension period in 2015 which will focus on finalising incomplete activities from the current phase and a full phase 2 period starting January 2016. A working group has already been constituted to coordinate the development of the concept note and application process for both the bridge year and phase two period of the project. This will be in full consultation with the Committee on both processes.

98. After the presentation on the progress of the project the following were agreed upon:

- The Committee logo to be put on the project publications;
- The AfCHPR to be taken into account in the collaboration Plan between the Committee and the ACHPR ;
- To undertake a Child consultation on the selection of the theme of the Day of the African Child;
- The adoption of the Collaboration plan between the Committee and the PSC.

99. The Coordinator further informed that Plan International Pan Africa office had proposed a budget allocation of USD 45, 000 per session for at least two extraordinary sessions between July-December, 2014 and January –June 2015 to address the immediate outcomes of the universal ratification campaign. In addition she noted that under the ACCP, USD 20,000 is allocated for the implementation of the Action Plan of the Collaboration between the Committee, Commission and the Court. However, part of this amount could be used to facilitate the planned June 2014 Malabo, Equatorial Guinea meeting between the Committee and Commission which would among others aim at validating the draft collaboration plan. Further discussions will be held on this proposal while also considering the planned extension of the plan to incorporate the Court. It was further noted that the ACCP Project review meeting is scheduled for 2-3rd July 2014 and the consortium will sponsor two members of the committee in addition to the Secretariat.

ITEM 27: ADOPTION OF GUIDELINES FOR STATE PARTY PERIODIC REPORTS ON THE IMPLEMENTATION OF THE CHARTER

100. The Committee discussed and adopted the Draft Guidelines on the Form and Content of Periodic State Party Reports to be Submitted Pursuant to Article 43(1) (b) of the African Charter on the Rights and Welfare of the Child.

ITEM 28: ADOPTION OF THE THEME OF THE DAY OF THE AFRICAN CHILD 2015

101. 25 years after the adoption of the African Children's Charter: Accelerating our collective efforts to end child marriage in Africa

ITEM 29: PRESENTATION AND DISCUSSION ON STRATEGY TO PROMOTE AND PROTECT THE RIGHTS OF CHILDREN WITH DISABILITIES

102. The presenter Prof Julia Sloth –Nielsen 2nd Vice Chairperson of the ACERWC started by explaining that the Strategy was the outcome of a meeting held in Cape Town, South Africa in December 2013 .Ten Member States that had presented their DAC 2012 reports were selected to attend the meeting.

103. The vision of this strategy is : to promote and protect the rights of children with disabilities, where children with disabilities fully enjoy all their human rights and fundamental freedoms on an equal basis with others; their dignity is ensured and where their self-reliance and active participation in the community is promoted.The strategy recommends that Member States should adopt a three-fold approach to develop a medium term strategy consisting of development, implementation and monitoring and evaluation which should all receive due attention in the process of respecting, protecting and fulfilling the rights of children with disabilities. In addition to taking the above three-fold approach, the medium-term strategy should also include measurable and time-bound indicators to show whether stated objectives have been met. The strategy finally spells out the Roles and Responsibilities of the Member States, the ACERWC and Partners.

104. During the discussions the participants agreed on the following:

- It is necessary to train parents/caregivers and also the peers of children with disabilities on how to deal with them. It was mentioned that lack of knowledge by peers made them to harass the children until they would drop out of school;
- The Strategy should point out the responsibilities of parents to their children with disabilities and also the responsibilities of the Government to their families;
- It is important to encourage children with disabilities to become self-reliant through formal education or vocational training for those who can't continue with formal education and also provide them with life skills;
- The definition of Children with disabilities should be clear and include all types of disabilities, physical, mental, emotional etc.;
- Cultural aspects of disability should be taken into account;
- The Committee and its Secretariat will discuss on how the Strategy will be disseminated.

105. The presenter informed the participants that the Strategy was a road map that may trigger other responses which might include the development of a General Comment or holding a Day of General Discussion on Children with Disabilities among others.

ITEM 30: CONSIDERATION OF OBSERVER STATUS APPLICATIONS

106. The Committee considered applications for an observer status from the following Organizations: Inner City, Under the Same Sun and East African Centre for Human Rights.

107. After discussions, the Committee took the following decision:

- granted observer status without any reservation to Under the Same Sun;

- asked to Inner City Organization to provide missing documents including Certification of Incorporation, summaries of activities and signed and stamped statements of accounts and statements of audits;
- granted observer status to the East African Centre for Human Rights on condition that the Organization submits its activity reports particularly in relation to children's rights.

ITEM 31: ANY OTHER BUSINESS

108. The Chairperson informed that on 17th April 2014 he was to meet with the EU Representative to discuss Collaboration between the EU and the Committee as well as EU support for the 2015 ACERWC budget.

109. The Committee Members agreed that the Extra-Ordinary Session will be held on 11-15th August 2014.

110. They also decided to prepare Guidelines on reporting for Organizations with Observer Status

111. And finally they agreed that they will also prepare a template for reporting after attending missions.

ITEM 32: ADOPTION OF THE DRAFT REPORT

112. The report was adopted as amended.

ITEM 33: CLOSING CEREMONY

113. Before the closing statement the Chairperson of the Committee invited the UNICEF Representative Mme Akila Aggoune to take the floor to give brief remarks as per her request, where she informed that this was the last time that she was leading the UNICEF delegation to the Sessions as she was leaving the Organization. She thanked the Chairperson and the Members elected in the last five years, the Secretary/Coordinator of the Secretariat and her team, the current and previous Commissioners for the Department of Social Affairs and the Director of Social Affairs for the close and fruitful collaboration and mutual trust.

114. She then recalled all the activities that the Committee and UNICEF had undertaken under her leadership. After her remarks, the Chairperson, Committee Members and participants applauded her for her work.

115. After the remarks by Mme Akila, the Chairperson of the Committee welcomed all present to the closing of the Session and started by commending Justice Alfas Chitakunye the Rapporteur of the Committee and the Secretariat for a job well done. He then thanked all for their attendance and said that there was a progressive increase on the participation in the Sessions and also in moving the Agenda on the promotion and protection of child rights forward. He further said that the Day of General Discussion was very productive and the Committee has agreed to appoint a Special Rapporteur on child marriage to lead action towards the elimination of the practice in the Africa.

116. The Communication received by the Committee was also discussed as well as the draft Strategic Plan 2015-2019. The Collaboration Plan with the ACHPR was fruitful and led to a meeting being planned to be held in Maputo, Equatorial Guinea. The Chairperson also made reference to the ACCP project which he said has been pivotal in assisting the Committee to realize its mandate in the Continent. Further to this he said that the Committee had also discussed its Work plan for the coming six (6) months and missions had been designated accordingly. He informed that the next Session (Extra Ordinary Session) will tentatively be held on 11-15th August 2014.

117. Finally he thanked the Chairperson of the African Union Commission, the Commissioner and Director of Social Affairs, colleagues at the Department and Partners especially UNICEF, Plan, Save the Children and African Child Policy Forum for facilitating the 23rd Session. Finally he thanked the Secretariat and the interns and the interpreters, thanked all once again and declared the Session closed.