

AFRICAN UNION

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

الاتحاد الأفريقي



"An Africa Fit for Children"

UNION AFRICAINE

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

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## RESOLUTION ON THE APPOINTMENT OF A SPECIAL RAPPORTEUR ON CHILDREN ON THE MOVE

The African Committee of Experts on the Rights and Welfare of the Child (ACERWC), meeting at its 30th Ordinary Session, held from 6 to 16 December 2017, in Khartoum, Sudan:

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

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

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

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

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

**Recognizing** that children in the continent migrate inside and outside the continent seeking better opportunities and conditions of life;

**Noting** that children on the move especially unaccompanied minors are vulnerable, deprived of most of their rights provided in the Charter, and subjected to various kinds of abuses and exploitations such as sexual violence and worst forms of child labour;

**Alarmed** by the increasing number of children on the move from time to time and by the fact that these children are mostly forcefully moving due to trafficking, poverty, conflict, and ethnic discriminations;

**Concerned** that migrant children are stigmatized, suffer from lack of basic services such as registration, education and health care services, and also suffer from chronic health and nutrition conditions while transiting and often in the destination country;

**Recognizing** that studies and investigations need to be conducted in the area of children in the move to document the situation of children who are migrants as well as inform policies and decisions regarding these children;

**Being cognizant** that as a child rights organ, the ACERWC should contribute towards the protection of children on the move and activities undertaken to address the challenges of migrant children;

**Decides** to appoint Mr Joseph Ndayisenga as Special Rapporteur on Children on the Move with effect from December 2017. The mandate calls on the Special Rapporteur to:

- i. Undertake investigations in State Parties on the situation of children on the move;
- ii. Contribute to the studies undertaken by the Committee on issues related to children on the move;
- iii. Collect and receive information on the situation of migrant and displaced children;
- iv. Identify the pull and push factors for children's migration in State Parties that are countries of sources;
- v. Assess the measures undertaken by State Parties to address the main causes which force children to migrate;
- vi. Identify the main legislative and policy gaps in the protection of asylum seeker, refugee and displaced children in State Parties;
- vii. Examine the special needs of infants, separated children, unaccompanied children, and children with disabilities who are on the move and assess laws, policies, and other measures in State Parties developed to address the special needs of these categories of children;
- viii. Engage with State Parties, National Human Rights Institutes, UN agencies, regional and international organs, CSOs and other stakeholders on issues children on the move;
- ix. Bring to the attention of the Committee serious violations against the right of children on the move for the Committee's consideration;

- x. Provide recommendations on actions needed to be taken as well as laws and policies to be adopted concerning the rights of children on the move and undertake follow-up on the implementation of the recommendations;
- xi. Conduct sensitization and promotional activities to inform communities about the negative impacts of migration and trafficking especially in State Parties where parents and communities encourage children to migrate for better life;
- xii. Take the lead in the development of the ACERWC's various principles and norms such as general comments as well as in missions undertaken by the ACERWC in relation to children on the move; and
- xiii. Report to the African Committee of Experts on the Rights and Welfare of the Child annually on the activities undertaken under the mandate.

Done in Khartoum, Sudan, December 2017.