

AFRICAN UNION

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



UNION AFRICAINE

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

الاتحاد الأفريقي

"An Africa Fit for Children"

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RESOLUTION ON THE APPOINTMENT OF A SPECIAL RAPPOREUR ON THE RIGHT TO EDUCATION OF CHILDREN IN AFRICA

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;

Noting with concern that there are millions of children out of school in many African countries due to various reasons;

Being cognizant that education is a basic right, which is paramount to empower children and enhance their development;

Concerned that the right to education is facing numerous challenges that are forcing children to be out of school such as poverty, conflict, migration, and inaccessibility of education facilities;

Bearing in mind the magnitude of the work of the ACERWC shall undertake to address the problems and challenges in relation to the provision of education for all children in Africa;

Decides to appoint Mme Nanikie Nkwe as Special Rapporteur on education for a period of two (2) years, renewable once, with effect from December 2017 whose mandate is to:

- i. Undertake investigation in State Parties on issues pertaining to the right to education;
- ii. Collect and receive information on the situation of the right to education and take measures on those information;
- iii. Identify major challenges in State Parties in the provision of accessible, affordable, acceptable, and quality education;
- iv. Identify legislative gaps that do not ensure compulsory primary education or that discriminate against girls, children with disabilities, and children in vulnerable situations;
- v. Bring to the attention of the Committee serious violations against the right to education of children for the Committee's consideration;
- vi. Provide recommendations on actions needed as well as laws and policies adopted concerning the right to education and conduct follow-up on the implementation of the recommendations;
- vii. Engage with State Parties, National Human Rights Institutes, UN agencies, regional and international organs, CSOs and other stakeholders on issues of education;
- viii. Conduct sensitization and promotional activities to inform communities about the importance of child education;
- ix. Seek and gather information about the progress achieved on the right to education in State Parties;
- x. Take the lead in the development of the ACERWC's various principles and norms such as general comments concerning the right to education as well as in missions undertaken by the ACERWC in relation to education; and
- xi. 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.