



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

ACERWC Secretariat

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CALL FOR INDIVIDUAL CONSULTANCY SERVICES

DEVELOPMENT OF A GENERAL COMMENT ON ARTICLE 28 OF THE AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE CHILD

I. Background

1. The African Committee of Experts on the Rights and Welfare of the Child (ACERWC/the Committee) is mandated to promote and protect the rights and welfare of children across the continent in accordance with the African Charter on the Rights and Welfare of the Child (ACRWC/the Charter). Article 42(c) of the Charter empowers the Committee to interpret its provisions upon the request of a State Party, an institution of the African Union (AU), or any other recognised entity. The Committee fulfils this interpretive mandate through the development of General Comments, guidelines, and other normative documents.
2. Among the provisions of the Charter, Article 28 provides that 'States Parties to the present Charter shall take all appropriate measures to protect the child from the use of narcotics and illicit use of psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the production and trafficking of such substances'. Despite the obligation, considerable gaps persist in the domestic legal, policy, and institutional frameworks and are further compounded by broader child protection concerns such as limited access to education and health services, socio-economic status, limited technical capacity, and the absence of comprehensive, child-sensitive approaches to prevention, treatment, and rehabilitation.
3. In response to a request from the Social Welfare, Drug Control, and Crime Unit under the Department of Health, Humanitarian Affairs, and Social Development (HHS) of the African Union Commission (AUC), the Committee, during its seating of the 40th Ordinary Session, decided to hold a Day of General Discussion (DGD) and subsequently develop a General Comment on Article 28 of the Charter. The request to hold the DGD and develop a General Comment is indeed supported by evidence generated through various initiatives of the HHS Department, including the 2021 Report of the Pan-African Epidemiological Network on Drug Use which highlighted emerging patterns of increased substance use among children and adolescents and reinforced the urgency of addressing their unique vulnerabilities. In addition, other key initiatives include the development of the Common African Position for the United Nations General Assembly Special Session on Drugs (2016), which advocates for



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treating drug use and dependence as public health issues, and the African Union Plan of Action on Drug Control and Crime Prevention (2019–2023) which was structured around nine strategic pillars and has contributed to strengthening Member States' capacities in both drug supply reduction and drug demand reduction through targeted capacity-building and technical assistance.

4. The DGD on the protection of children from substance use was held during the 41st Ordinary Session and led to the adoption of an [Outcome Statement](#) with key recommendations to AU Member States, AUC, ACERWC, and civil society organisations. Among these was a renewed call for the Committee to develop a General Comment on Article 28 to provide normative guidance to States Parties. The issue of substance use becomes more imperative against the background of Africa's young demographic with projections indicating that by 2055, the continent will be home to nearly 1 billion children, or approximately 40% of the global child population. While this presents significant potential, it also poses challenges. A General Comment on Article 28 is therefore critical to clarify States' obligations, promote a harmonised approach to child protection, and support integrated, evidence-informed responses to substance use affecting children.
5. Within this context and in continued collaboration with the HHS Department of the AUC, the Committee is undertaking the development of a General Comment on Article 28. To support this effort, the ACERWC is issuing a call for individual consultancy services to draft the General Comment, which will provide practical guidance to Member States in fulfilling their obligations under the African Charter on the Rights and Welfare of the Child to protect children from substance use and its related harms.

II. Objective and scope of the General Comment

6. The objective of the General Comment on Article 28 is to clarify the obligations of States Parties to protect children from substance use and their involvement in the production and trafficking of illicit substances. It will support the implementation of Article 28 by providing authoritative guidance on its interpretation and assist States Parties to the Charter in implementing the obligations under Article 28 in a child rights-based and child-sensitive approach.
7. The scope of the General Comment includes elaborating on the practical steps States Parties must take to fulfil their obligations under Article 28. It will be guided by the four general principles of the ACRWC (non-discrimination, the best interests of the child,



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survival and development, and child participation) and informed by the DGD, relevant legal standards, and good practices. Specifically, the General Comment will:

- Define the full scope of obligations under Article 28, including prevention, protection, treatment, rehabilitation, and reintegration;
- Outline the legal, policy, institutional, and other measures required to protect, prevent and address substance use and related exploitation of children;
- Provide guidance on child rights-based and child-sensitive treatment with regard to support services for children affected by substance use;
- Highlight the importance of data collection, research, and monitoring on substance use among children; and
- Promote coordinated, multi-sectoral responses that involve health, education, child protection, law enforcement, and justice sectors.

III. Key deliverables, methodology and reporting line

8. The key deliverables of the consultant are:

- i. Prepare a brief inception report outlining the Consultant's understanding of the assignment, proposed methodology and work schedule, to be submitted after contract signature;
- ii. Develop the draft outline of the General Comment and present it to the ACERWC for review and approval;
- iii. Develop the first complete draft of the General Comment, based on the approved outline;
- iv. Present the draft General Comment during one of the Ordinary Sessions of the ACERWC and collect input and guidance from the ACERWC. The Consultant shall formally document the feedback received and respond to it in a revision note;
- v. Prepare the revised draft of the General Comment incorporating the Committee's feedback, for presentation at a validation workshop;
- vi. Facilitate the validation workshop and gather additional feedback from relevant stakeholders, including but not limited to AU departments and organs, civil society organisations, children and youth representatives, UN agencies;
- vii. Document and respond to the feedback from the validation workshop and any further input from the ACERWC in a consolidated revision note;
- viii. Submit a final draft of the General Comment for adoption by the ACERWC.

9. The word limit for the General Comment shall be 10,000 words, excluding references. The General Comment should draw from a range of sources, including international



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and domestic jurisprudence, academic literature, and soft law instruments to aid its interpretation of Article 28 of the Charter, where relevant and appropriate.

10. The consultant will report to the African Committee of Experts on the Rights and Welfare of the Child through its Secretariat.

IV. Duration

11. The assignment is expected to be completed within a maximum of 30 working days, spread over a one-year period. The final work plan and timeline will be agreed upon with the selected consultant. This is a home-based consultancy; however, participation in consultative meetings may be required, including travel where necessary.

V. Required qualifications and experience

12. The consultant who will be recruited to develop the General Comment must have the following qualifications and experience:

- An advanced university degree (Master's level or higher) in human rights law, international law, or child rights law,
- A minimum of 10 years of demonstrated experience working directly on children's rights. Experience working with African human rights mechanisms will be preferred;
- Demonstrated knowledge of international, regional, and national child rights instruments and mechanisms, including but not limited to the African Charter on the Rights and Welfare of the Child, the mandate of the ACERWC, and the United Nations Convention on the Rights of the Child;
- Proven expertise in the area of child protection, with demonstrated experience or familiarity with relevant legal, policy, and care frameworks related to substance use, prevention, and care in Africa. Experience working on this issue at the national, regional, or international level is desirable;
- Proficiency in one of the AU working languages and knowledge of an additional working language is desirable;
- Excellent conceptual, analytical, and writing skills; and
- Capacity to work independently and deliver high-quality results with minimal supervision.

VI. Application and evaluation criteria



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13. The ACERWC invites qualified individual consultants to express their interest in providing the required services. The application must include the following documents:

- A cover letter not exceeding 2 pages;
- A customised Curriculum Vitae not exceeding 3 pages;
- A technical proposal including:
 - i. Understanding and interpretation of the ToR
 - ii. Methodology to be applied; and
 - iii. A timeline and activity schedule.
- A financial proposal in PDF format, which must be password-protected. The ACERWC Secretariat will request the password after the completion of the technical evaluation. The financial proposal should include:
 - i. The consultant's daily rate in USD;
 - ii. Any other costs (e.g., travel, daily subsistence allowance); and
 - iii. The total estimated cost.
- Evidence of educational qualifications and relevant professional experience;
- Samples of publications or professional work relevant to the subject matter; and
- Contact details of three professional references.

14. The following evaluation criteria will be applied when assessing the applications:

- General education background and relevant training (20 points);
- Experience related to the assignment (25 points);
- Technical approach and methodology (45 points); and
- Work plan (10 points)

15. The applicants must obtain a minimum overall score of 70% in the evaluation of the technical proposal to proceed to the next stage. Only those who meet this threshold will be contacted by the ACERWC Secretariat to provide the password for their financial proposal. The final selection will be based on a combined score, with the technical proposal weighted at 70% and the financial proposal at 30%.

VII. Remuneration

16. The consultancy fees will be based on a daily rate that will be negotiated with the selected consultant. The payment will be made in two instalments: The first instalment, which is equal to 30% of the total contract amount, will be paid after the consultant submits the first complete draft of the General Comment. The remaining 70% will be paid at the end of the consultancy, once all deliverables have been submitted and accepted by the Committee.



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VIII. Submission of application and deadline

17. The applications to undertake the individual consultancy and develop the General Comment on Article 28 should be submitted by email to the Secretariat of the African Committee of Experts on the Rights and Welfare of the Child via ACERWC-SECRETARIAT@AfricanUnion.org with a copy to SenaitY@africanunion.org. The deadline for submission is **04 July 2025** at 23:00 South African Standard Time.