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RESOLUTION NO.23/2022 ON THE APPOINTMENT OF A SPECIAL RAPPORTEUR ON CHILDREN IN CONFLICT SITUATIONS

The African Committee of Experts on the Rights and Welfare of the Child (ACERWC), meeting at its 40th Ordinary Session, held from 23 November 2022 to 01 December 2022.

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, 2015 and 2020 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;

Recalling the obligation of State Parties under articles 22, 23 and 25 of the Charter armed conflict, refugee children and separation from parents, respectively;

Cognizant of the fact that decade of protracted armed conflict had and continues to have devastating impact on the rights and welfare of children in Africa;

Reaffirming that States Parties to the Charter have a responsibility to ensure respect for rules of international humanitarian law applicable in armed conflicts, which affect the child and ensure that no child takes a direct part in hostilities;

Further reaffirming that States Parties have an obligation to ensure the protection and care of children who are affected by armed conflicts, including internal conflicts, tensions and strife;

Decides to amend the mandate of the Special Rapporteur on Children and Armed Conflict and appoint **Robert Doya Nanima** as Special Rapporteur on Children in Conflict Situations. The mandate calls on the special rapporteur to:

1. Seek, receive, examine and act upon information on the situation of children in conflict situations from Governments, Civil Society Organizations and other stakeholders with the view of identifying legislative and administrative gaps in the protection and promotion of the rights of welfare of children in situations of armed conflict in Africa;
2. Submit reports on national practices, emerging trends and challenges of children in situations of conflict at Ordinary Sessions of the ACERWC;
3. Bring to the attention of the Committee grave violations and situations of serious concern in relation of the rights and welfare of children in the context of children and armed conflict, and call upon the Committee, States and other stakeholders to take necessary measures;
4. Undertake investigative and fact-finding missions of the Committee related to children in conflict situations and produce a report of the mission;
5. Cooperate and engage in dialogue for action with Member States, National human Rights Institutions, other African Union Organs, in particular the Peace and Security Council, relevant intergovernmental organisations, international and regional mechanisms, United Nations bodies, Offices and mechanisms such as UNICEF and the Special Representative of the Secretary General on Children and Armed Conflict, civil society organisations and other stakeholders on issues relating to the promotion and protection of the rights

and welfare of children in the context of conflicts

6. Take the lead in the development of the ACERWC's documents, including General Comments and resolutions, related to children in conflict situations;
7. Set standards and develop effective strategies to better protect the rights and welfare of the child in situations of conflict in Africa;
8. Conduct activities to raise awareness on various challenges on the protection of children in conflict situations and best practices in the area;
9. Report to the African Committee of Experts on the Rights and Welfare of the Child annually on the activities undertaken under the mandate, and;
10. In general serve as a focal point on issues related to children in conflict situations in Africa.

Done in Maseru, the Kingdom of Lesotho, 01 December 2022.