

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"

UNIÃO AFRICANA

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SPECIAL RAPPOREUR ON PARENTAL RESPONSIBILITIES AND CHILD RESPONSIBILITIES

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;

Recalling the obligation of State Parties under articles 20 and 31 of the Charter on Parental responsibilities and responsibilities of the child, respectively;

Recognizing the invaluable role parents and care givers play in the wellbeing and development of the child as well as the realization of the rights of the Charter;

Considering the prevailing misconception about the concept of the responsibilities of the child enshrined in the Charter;

Underscoring the importance of standard setting, promoting and monitoring of issues relating to parental and child responsibilities.

Decides to appoint Mrs Maria Mapani Kawimbe as Special Rapporteur on Parental Responsibilities and Child Responsibilities with effect from December 2017. The mandate calls on the Special Rapporteur to:

1. Define, list and elaborate parental responsibilities and child responsibilities. Develop guidelines and set standards on parental and child responsibilities; Elaborate on the scope, nature and enforcement of parental and child responsibilities.
2. Set guidelines on issues related to parental responsibilities such as the protection of the family and alternative family care.
3. Disseminate, seek, receive, examine and act upon information on parental and child responsibilities;
4. Submit reports on national practices, emerging trends, good case practises and challenges in the area of parental and child responsibilities;
5. Bring to the attention of the Committee instances of grave and systematic violations of the rights of the Charter pertaining to parental responsibilities.
6. Cooperate and engage in dialogue with Member States, National human Rights Institutions, other African Union Organs, relevant intergovernmental organisations, international and regional mechanisms, United Nations Agencies, civil society organisations and other stakeholders on issues relating to the promotion and enforcement of parental responsibilities and child responsibilities;
7. Take the lead in the development of the ACERWC's documents, including General Comments and resolutions, related to parental and child responsibilities;

8. Report to the African Committee of Experts on the Rights and Welfare of the Child annually on the activities undertaken under the mandate;
9. Serve as a focal person of the Committee on parental and child responsibilities; and
10. Take necessary measures to follow up on the implementation of his/her recommendations.

Done in Khartoum, Sudan, December 2017.