



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



OFFICE OF THE SPECIAL REPRESENTATIVE OF
THE SECRETARY-GENERAL ON

**VIOLENCE
AGAINST
CHILDREN**

Joint Statement of the African Committee of Experts on the Rights and Welfare of the Child, the Special Rapporteur on Violence Against Children of the African Committee of Experts on the Rights and Welfare of the Child and the United Nations Special Representative of the Secretary General on Violence Against Children on the occasion of the 30th anniversary of the African Charter on the Rights and Welfare of the Child

30 November 2020

Addis Ababa and New York

2020 is a milestone year for children's rights in Africa because it marks the 30th anniversary of the African Charter on the Rights and Welfare of the Child (ACRWC), the mid-term review of Africa 2040 Agenda "Fostering an Africa fit for children" and the Decade for Action to Accelerate progress on SDGs implementation, leaving no child behind.

However, the pervasive and entrenched nature of Violence Against Children (VAC) in Africa renders it one of the most intractable human rights challenges on the continent. Over years, African children have been routinely subjected to extreme forms of violence and abuse with long-term negative consequences on their mental, physical, psychological, and economic wellbeing. Manifestations of VAC are diverse, including corporal punishment, sexual abuse, neglect, child trafficking, sale of children, child labor, child marriage, female genital mutilation, infanticide, online exploitation, torture and inhuman treatment, recruitment into armed groups among others. The causes of VAC are vast and deep-rooted in culture, while also intersecting with other factors like poverty, illiteracy, conflicts and other emergencies, harmful practices including Child Marriage and Female Genital Mutilation (FGM). Additionally, children are often subjected to violence by those responsible for their care and protection like caregivers and family members, school personnel, coaches, traditional and religious leaders, law enforcement officials among others.

The long persistence of VAC on the continent can be linked to inadequate resourcing through extremely low budgets for children, non-professionalisation of personnel, inadequacy of critical equipment and facilities, poor data-keeping, weak coordination and generally weak child protection systems. Of deep concern also is the fact that most cases of violence go unreported due to cultural dictates, lack of diligent prosecution and proper redress in previous cases, fear of stigma and discrimination, and reliance on generic criminal law systems which are unspecialized and incapable of addressing the complexities of VAC. Such lack of competent response inhibits children from accessing the necessary medical and psychosocial support they deserve as survivors of violence

Notwithstanding the bleak prevailing background, some States have commenced legislative and other measures to end VAC and some positive trends can be observed. For instance, all African Countries except South Sudan have adopted national laws prohibiting sexual abuse against children; 9 countries have prohibited corporal punishment in all settings while 28 have prohibited it in schools. Notably, almost all countries with the exception of Cameroon, Cape Verde, and Libya have set the minimum age of recruitment into the military at 18 years. Most States have abandoned the death penalty against children, except for Sudan and South Sudan. There has also been substantial, measurable progress in the fight against child marriage and FGM.

Despite some progress recorded, there remains a deep concern that 30 years after the adoption of the African Charter on the Rights and Welfare of the child, Africa remains the continent with the highest rate of child labor in the world. Similarly, numerous States are yet to recognize and outlaw child marriage and close to 30 Countries are yet to criminalize child trafficking as recommended by the Palermo Protocol. The practice of harmful traditional practices such as FGM and trafficking have assumed trans-national dimensions. The proliferation of conflicts and humanitarian emergencies in the region have exacerbated the plight of children, exposing them to a heightened cycle of violence and exploitation. Notably the weak social and child protection systems were further stretched by the emergence of the COVID 19 throwing up an escalated incidence of domestic and gender based violence, rape, sexual and other forms of violence traceable to family disruptions and previously-existing economic vulnerabilities. The ACERWC's Guiding Note on mainstreaming the rights and welfare of children in COVID 19 response, though an important advisory is yet to be fully adopted and implemented by States. Many States are yet to leverage fully the Aspirations of Africa's Agenda for Children (Agenda 2040) and the 2030 Sustainable Development Goals.

The 30th anniversary of the adoption of the African Children's Charter presents an opportunity to call on Member States to accelerate action to prevent and response to all forms of violence against children in COVID-19 current and recovery phase.

Therefore, in line with the Guiding Note on Covid-19 and its implication on children's rights and welfare issued by the ACERWC, and the Agenda for Action developed by the UN Inter-Agency Working Group on Violence against Children we urge African countries to undertake the following critical measures:

- Integrate the lessons learned on the violence-related aspects of the first lockdown into emergency preparedness, including the development of protocols for service delivery and the protection of children's rights
- Recognize social and child protection services as life-saving and essential services, along with health, mental health, education, justice as part of an intersectoral and child rights-based response.
- Ensure legal prohibition of all forms of violence against children in all settings, including in the home and family
- Undertake legislative reforms to ensure that domestic criminal laws criminalize online related violence, sexual violence, child marriage, female genital mutilation and other harmful practices against children
- Undertake to diligently investigate, prosecute, and convict perpetrators of VAC, while also providing rehabilitation and other forms of redress to survivors
- Increase budgetary allocations across sectors dealing with children's rights and leverage and maximize existing partnerships with UN Agencies, donor partners, the business sector and civil society organizations.
- Align responses to violence against women and against children and adolescents and mainstream the gender dimension as a crosscutting dimension in preventing and eliminating violence against children
- Sensitize communities including traditional and religious leaders, parents and teachers on the negative impact of VAC and strategically engage community gate-keepers as champions of the fight against VAC
- Establish child-friendly one stop centers to provide multi-faceted integrated response for children who are victims of various forms of violence, including psychosocial support and rehabilitation

- Ensure access to child friendly justice for children, creating specialized Courts to deal with matters of violence against children, train and equip Judges, prosecutors and other specialized personnel for effective dispensation of cases of VAC
- Adopt and institutionalize protective measures for children caught up in conflicts and in humanitarian emergencies
- Guarantee permanent, inclusive social protection system, including universal child grants and universal health coverage, that will protect children and their caregivers from economic risks
- Ensure that children are part of the solutions in all matters that affects their best interest.

Hon. Joseph Ndayisenga

*Chairperson of the African
Committee of Experts on the Rights
and Welfare of the Child*



Hon. Ms. Aver Gavar

*Special Rapporteur on
Violence Against Children
ACERWC*



Dr. Najat Maalla Mjid

*United Nations Special
Representative of the
Secretary General on
Violence Against Children*

