

African Union



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



Keeping our Commitment to the African Child



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

Status of implementation of
the Charter & **Agenda 2040**:

in the Southern Africa Region

25 November, 2020



Keeping our Commitment
to the African Child!

#ACERWC36

www.acerwc.africa



Workshop on Status of Children's Rights in Southern Africa Region Outcome Statement

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

26 November 2020, Addis-Ababa

www.acerwc.africa



The African Committee of Experts on the Rights and Welfare of the Child (ACERWC/the Committee) meeting at its 36th Ordinary Session and the Workshop on the Status of Children's Rights in Southern Africa Region in Commemorating the 30th Anniversary of the African Charter on the Rights and Welfare of the Child (the Charter) on 26 November 2020;

Recalling its mandate to protect and promote children's rights in Africa as well as monitor the implementation of the African Charter on the Rights and Welfare of the Child;

In line with the Decision of the Executive Council (EX.CL/DEC.1084(XXXVI)), where the Council 'Welcomes the initiative of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) to lead on the celebration of the 30th Anniversary of the adoption of the African Children's Charter in the year 2020; and Urges Member States of the African Union to take concrete steps to commemorate the Anniversary in 2020 and intensify their efforts to ensure the full implementation of the African Children's Charter;

Recognizing the efforts that Members States have taken in implementing the African Children's Charter and Africa's Agenda for Children' (Agenda 2040); **further recognizing** that the year 2020 sets a milestone in providing an opportunity to assess the implementation of the Charter as well as Agenda 2040;

On the basis of the findings of the ACERWC's studies on the Status of Implementation of Agenda 2040 and Harmonization of Laws, and noting the presentations from:

- i. **Republic of Angola**
- ii. **the Republic of Botswana;**
- iii. **Kingdom of Lesotho**
- iv. **Republic of Malawi**
- v. **Republic of South Africa**
- vi. **the Republic of Zambia**
- vii. **the Republic of Zimbabwe**
- viii. **The Child Rights Network for Southern Africa (CRNSA).**

Commends the measures undertaken by States in southern Africa, particularly for:

- The ratification of the African Children's Charter by all the states, albeit Botswana with a reservation on Article 2;
- Domestication of the provisions of the Charter in all the states through a wholesale child rights law;
- Embedding child rights in the bill of rights of the national constitutions in eSwatini, Malawi, Mozambique, Namibia, South Africa, Zambia and Zimbabwe;
- The Submission of Initial reports by all the states in the region, except Botswana;
- Guaranteeing free and compulsory basic education in Angola, Botswana, Lesotho, Malawi, Namibia, Swaziland, Zambia and Zimbabwe;
- Criminalizing child marriages in Botswana, Malawi, Swaziland, Zambia and Zimbabwe.
- South Africa for being the only country in the region to submit its first periodic report;
- Ensuring that birth registration is mandatory and for enhanced rate of under-five birth registration and;

At the occasion of the 30th anniversary of the Charter, the Committee **calls southern African States to:**

- Continue the commemoration of the 30th anniversary of the Charter in the year 2021 along with the theme and activities of the Day of the African Child for the Year 2021: **30 years after the adoption of the Charter: accelerate implementation of Agenda 2040 for an Africa fit for children;**
- Botswana to revoke its reservation on Article 2 of the African Children's Charter and also submit its initial report on the Charter which has been due for seventeen years;
- Angola, Eswatini, Lesotho, Malawi, Mozambique, Namibia and Zimbabwe to honor their reporting obligations to the African Committee of Experts on the Rights and Welfare of the Child and submit their periodic reports on the Charter timeously;
- Zambia to expedite the adoption of the Children's Code which has been pending for some considerable time;
- Angola to promulgate retention of pregnant girls or adolescent mothers in schools law;
- Botswana to develop a law that prohibits the use of corporal punishment in all settings;
- All States to harmonize minimum ages of marriage, employment, recruitment into the military and age of criminal responsibility in accordance with standards set by the Charter as well as the United Nations Committee on the Rights of the Child;
- All States to repeal laws and practices that discriminate girls who become pregnant outside of marriage and to ensure that pregnant girls/adolescent mothers enjoy their rights in the Charter with necessary support provided, including their right to education;
- All States to ensure the availability and accessibility of Sexual and Reproductive health information and services to adolescents;
- All states for creating state sponsored platforms for inclusive participation of children in decisions that affect the children;
- All states for addressing inequality in the provision of quality basic social services such as healthcare, education and social protection.
- All States to undertake measures to mitigate the negative impact of Covid-19 on the overall wellbeing of children including their physical, psychosocial, cognitive and spiritual wellbeing.

Done at the 36th Ordinary Session of the African Committee of Experts on the Rights and Welfare of the Child held virtually from 23 November to 04 December 2020.