

## **Communique on the 42<sup>nd</sup> Ordinary Session of the African Committee of Experts on the Rights and Welfare of the Child, Addis Ababa, Ethiopia 08-17 November 2023**

1. The African Committee of Experts on the Rights and Welfare of the Child finalized its 42<sup>nd</sup> Ordinary Session which was held in Addis Ababa, Ethiopia, on 08-17 November 2023.
2. The Session was attended by Representatives of children, Representatives of Member States, Representatives of Regional Economic Communities (RECs), Representatives of the African Union Commission, and AU Organs, Representatives of National Human Rights Institutions (NHRIs), Representatives of UN Agencies, and Representatives of Civil Society Organizations.
3. The Opening Ceremony of the Session had remarks from:
  - Representative of children, Sessi Gisele Allobaloke;
  - Representative of the CSO forum, Ms. Felistus Motimedi;
  - Representative of the Network of African National Human Rights Institutions (NANHRI), Ms. Rigbe Gebrehawaria, from the Ethiopian Human Rights Commission on behalf of the NANHRI Executive Director;
  - UN Special Representative of the Secretary General on Violence Against Children, Dr. Najat Maalla M'jid;
  - Representative of UNICEF to the AU, Dr. Laila Omar Gad;
  - Head of ECOSOCC Secretariat, Mr. William Carew;
  - Head of AGA Secretariat, Ambassador Salah Hammad;
  - Representative of the Department of Health, Humanitarian and Social Affairs, Mr. Lefhoko Kesamang;
  - Ag Chairperson of the Committee, Hon Anne Musiwa.
4. During its seating of the 42<sup>nd</sup> Ordinary Session, the Committee conducted various activities and adopted decisions as highlighted below:
  - 4.1. The Committee, with the assistance of the Office of the Legal Counsel, carried out the swearing in of its newly elected Members, namely, Hon Sabrina Gahar, Hon Ghislain Roch Etsan, and Hon Poloko Nuggert Ntshwarang.
  - 4.2. The Committee elected its new Bureau for a period of two years as below:
    - i. Hon. Wilson Almeida Adão - Chairperson of the Committee;
    - ii. Hon. Aver Gavar - Vice Chairperson of the Committee;
    - iii. Hon. Anne Musiwa - Rapporteur of the Committee.

- 4.3. The Committee's Continental Study on Children without Parental Care in Africa was officially launched on 08 November 2023 by the President of the Federal Democratic Republic of Ethiopia, H.E. Sahle-Work Zewde.
- 4.4. The Committee and the African Commission on Human and Peoples' Rights officially launched the Joint General Comment on Female Genital Mutilation (FGM) on 10 November 2023.
- 4.5. The Committee considered the following State Party Reports:
  - The First Periodic Report of the Republic of Benin;
  - The First Periodic Report of the Republic of Chad;
  - The Second Periodic Report of the Republic of Senegal.
- 4.6. The Committee considered the complementary reports on:
  - The Second Periodic Report of the Republic of Niger;
  - The First Periodic Report of the Republic of Malawi;
  - The First Periodic Report of the Republic of Zimbabwe; and
  - The Third Periodic Report of the Republic of Rwanda.
- 4.7. The Committee considered and issued rulings on the way forward for the following Communications:
  - i. Communication No: 0017/Com/001/2021 submitted by Child Rights and Rehabilitation Network, Institute for Human Rights and Development in Africa and Center for Human Rights (On Behalf of Children Affected by Witchcraft Accusations in Nigeria) against the Federal Republic of Nigeria;
  - ii. Communication No: 0020/Com/002/2022 submitted by Lawyers Associated for Human Rights in Africa (on behalf of Children of Jehovah's Witnesses) against the State of Eritrea;
  - iii. Communication No:0023/Com/005/2022 IHRDA and Centre for Human Rights, University of Pretoria (On Behalf of Children in Nigeria) against the Federal Republic of Nigeria; and
  - iv. Communication No 0024/Com/001/2023- IHRDAVs Botswana.
- 4.8. The Committee held hearings on two Communications and decided to amicably settle the matters under its auspicious upon the agreement of the Parties to the Communications below:
  - i. Communication No: 0021/Com/003/2022 submitted by People Serving Girls at Risk and Equality Now (on behalf of Esnart Kenesi) against the Republic of Malawi; and
  - ii. Communication No: 0022/Com/004/2022 submitted by institute for Human Rights and Development in Africa (IHRDA) against the Republic of Burundi.
- 4.9. The Committee revised the assignment of Country Rapporteurs, Thematic Rapporteurs, as well as Chairpersonship and Membership to its Working Groups as follows:

<b>Name</b>	<b>Country Rapporteur</b>	<b>Thematic Rapporteur</b>
Hon. Wilson de Almeida Adão	Mozambique, Sao-Tome, Cabo Verde, Guinea Bissau, Egypt	Special Rapporteur on Vulnerable Situations
Hon. Theophane Nikyema	Benin, Cameroon, Liberia, Gabon, Chad,	Special Rapporteur on Child Justice
Hon. Robert Nanima	Nigeria, Malawi, Eswatini, Namibia, Tanzania,	Special Rapporteur on Children in Conflict Situations
Hon. Karoonawtee Chooramun	Angola, Burundi, CAR, Zimbabwe, Congo Republic	Special Rapporteur on Birth Registration and Nationality
Hon. Hermine Kembo Takam Gatsing	Burkina Faso, Cote d'Ivoire, Ethiopia, Gambia, and Ghana	Special Rapporteur on Child marriage and Other Harmful Practices
Hon. Aboubekrine El Jera	Senegal, Algeria, Comoros, Saharawi Arab Democratic Republic, and Niger	Special Rapporteur on Health
Hon. Aver Gavar	Botswana, Kenya, Rwanda, Sierra Leone, Zambia	Special Rapporteur on Violence against Children
Hon. Anne Musiwa	Eritrea, Somalia, Uganda, South Sudan, Seychelles.	Special Rapporteur on Children without Parental Care
Hon. Sabrina Gahar	Djibouti, Libya, Equatorial Guinea, Mauritius, Tunisia	Special Rapporteur on Children on the Move
Hon. Ghislain Roch Etsan	Guinea, Mali, Mauritania, Morocco, Togo	Special Rapporteur on Child Participation
Hon. Poloko Nuggert Ntshwarang	South Africa, Lesotho, DRC, Sudan, Madagascar	Special Rapporteur on Education

<b>Working Group</b>	<b>Members</b>
Working Group on Children with Disabilities	Hon. Aboubekrine El Jera - Chairperson
	Hon. Anne Musiwa
	Hon. Sabrina Gahar
	Hon. Aver Gavar
	External Experts: <ol style="list-style-type: none"> <li>1. Prof Nkatha Murungi</li> <li>2. Dr. Shimelis Tsegaye</li> <li>3. Dr. Lincoln Hlatywayo</li> <li>4. Dr. Admark Moyo</li> </ol>
Working Group on Business and Children's Rights	Hon. Hermine Kembo Takam Gatsing - Chairperson
	Hon. Karoonawtee Chooramun
	Hon. Theophane Nikyema
	Hon. Wilson de Almeida Adao
	External Experts: <ol style="list-style-type: none"> <li>1. Prof. Julia Sloth-Nielsen</li> <li>2. Ms. Yvonne Tagwireyi</li> </ol>

	3. Dr. Chairman Okoloise 4. Ms. Isabel Magaya
Working Group on Climate Change and Children's Rights	Hon. Aver Gavar - Chairperson
	Hon. Theophane Nikyema
	Hon. Robert Nanima
	Hon. Poloko Nuggert Ntshwarang
	External Experts:  1. Prof Ademola Jegede 2. Dr. Elvis Fokala
Working Group on Implementation of Decisions	Hon. Robert Nanima- Chairperson
	Hon. Anne Musiawa
	Hon. Wilson de Almeida Adao
	Hon. Ghislain Roch Etsan

4.10. The Committee decided to appoint external experts for the Working Group on Implementation of Decisions.

4.11. The Committee appointed new members to its Sub-Committee on Budget, namely, Hon. Theophane Nikyema, Hon. Aver Gavar, and Hon. Ghislain Roch Etsan.

4.12. The Committee considered and adopted as amended the following documents:

- i. The Concept Note for DAC 2024;
- ii. The Study on Climate Change and Children's Rights;
- iii. The Guidelines on Violence Against Children.

4.13. The Committee decided to develop the following documents through its Working Groups on Children with Disabilities and Children's Rights and Business in their respective thematic areas:

- Guiding Note on reporting on children with albinism provided that the requesting partners support the process;
- Guidelines on assistive technology (at) and devices and the rights of children with disabilities in Africa;
- Resolution on harmful practices against children with disabilities;
- Guidelines on developing policy briefs;
- Develop a Resolution on the promotion and protection of children's rights in the informal sector;
- Develop a Resolution on the seamless integration of a child rights-based approach in the implementation and monitoring of the AfCFTA;
- Guidelines on child rights due diligence in the agricultural sector.

4.14. The Committee decided to develop a General Comment on Children without Parental Care.

- 4.15. The Committee decided to hold a Day of General Discussion on Children with Albinism during its 43<sup>rd</sup> Ordinary Session.
- 4.16. The Committee granted affiliate status to the NHRI from Senegal provided that it submits its action plan.
- 4.17. The Committee identified countries to which it will send requests for advocacy, follow-up and investigative missions in 2024 as follows:
- Advocacy missions for reporting to the Republic of Equatorial Guinea, the Democratic Republic of Sao Tome and Principe, the Democratic Republic of Congo, the Central African Republic, and the State of Libya;
  - Advocacy missions for ratification to the Republic of Tunisia and the Kingdom of Morocco;
  - Follow up missions to monitor the implementation of decisions on Communications to the Republic of the Sudan, the Republic of Cameroon, the Republic of Senegal, the Islamic Republic of Mauritania, and the United Republic of Tanzania;
  - Follow up missions to monitor the implementation of concluding observations and recommendations to the Gabonese Republic, the People's Democratic Republic of Algeria, the Republic of Angola, the United Republic of Tanzania, the Republic of Kenya, the Republic of Cameroon, the Federal Republic of Nigeria, the Republic of Mali, the Republic of Guinea Bissau, the Union of the Comoros, and People's Republic of Burkina Faso;
  - Investigation missions to the State of Eritrea, the Democratic Republic of Congo, the Republic of Ghana, and the Federal Republic of Nigeria.
- 4.18. The Committee designated its Bureau to deliberate on the activities of 2024 and suggest possible amendments to support the activities of the Special Rapporteurs.
- 4.19. The Committee decided to give priority to the following thematic areas for the coming two years: Children without parental care, Female Genital Mutilation, children of imprisoned mothers and care givers, and children in conflict situation.
- 4.20. The Committee decided to hold its 43<sup>rd</sup> Ordinary Session on 15-25 April 2024.

**Done in Addis Ababa, Ethiopia at the 42<sup>nd</sup> Ordinary Session  
on 17 November 2023**