



ACERWC

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

ACERWC GUIDELINES ON CHILDREN'S RIGHTS DURING ELECTION PERIODS

An Organ of the



ACERWC Guidelines on Children's Rights during Election Periods

The African Committee of Experts on the Rights and Welfare of the Child (ACERWC), an Organ of the African Union (AU) established to monitor the protection of children's rights on the continent,

Recognizing the various measures that Member States of the African Union are taking by ratifying and domesticating pertinent regional and international instruments, including the African Charter on Democracy, Elections, and Governance, as well as by establishing domestic bodies for the regulation of elections; the creation of guidelines and protocols to be followed during election periods; ensuring the presence of security personnel at rallies and polling stations; among others;

Applauding the AU and its mechanisms for the efforts to address the problem of volatile election periods at a continental level. Notably, the ACERWC appreciates the adoption of the Accra Declaration on Unconstitutional Changes of Government in Africa in 2022, the Decision of the AU Extraordinary Summit on Unconstitutional Changes of Government, as well as the AU Commission Department of Political Affairs, Peace, and Security (PAPS) for creating Guidelines for the Amendment of National Constitutions by AU Member States, publishing a continental election calendar, continuously undertaking observation missions to countries holding elections, and reporting on these elections thereafter. Further, the African Peer Review Mechanism's work to safeguard the integrity of elections through the formulation of best practice guidelines, election observation missions, and by conducting sensitization workshops for violence-free elections in various African countries;

Expressing grave concern for the violence and destabilization that children in African countries are subjected to during election periods and the subsequent devastating impacts these periods have on the overall rights and welfare of children in Africa;

Noting the impact of election-related violence on the rights and welfare of children and the measures that Member States should consider employing in line with their treaty obligations under the African Charter on the Rights and Welfare of the Child (ACRWC) and other relevant international instruments;

Acknowledging that because children are not included within the voting constituency, their voices tend to be excluded from the political discourse within a country;

Emphasizing that beyond its immediate impacts on children and their caregivers, the social and economic disruptions caused by election-related violence also harm children's rights and welfare in the long term;

Mindful that children in Africa who are affected by election-related violence are likely to face long-term physical and psychological trauma, stunting, diminished access to education and other

opportunities, and an overall loss of morale as regards the project of nation-building which compounds and impacts the livelihoods of future generations;

Reiterating the obligations of State Parties to the ACRWC, which requires States to ensure the survival, protection, and development of the child, enabling them to enjoy the best attainable state of physical, mental, and spiritual health; and informed by the guiding principles underlying the ACRWC, as well as the principle of evolving capacities and the rule of law; the ACERWC strongly recommends Member States of the AU integrate the following child-centred guidelines for the regulation of national and local election cycles by implementing the following recommended measures:

1. Developing laws and policies for the protection of children from volatility during election periods:

- 1.1. Legislative measures for the protection of children during election periods should include prohibiting school closures during elections or providing suitable alternative care for school-going children on election days.
- 1.2. The use of schools as polling stations should be carefully monitored. The use of teachers as election officials is not encouraged, and the plausibility of hosting an election on weekends or declaring an election as a nationwide public holiday should be considered, as prescribed by law for school-going children.
- 1.3. Any form of harm caused to the child, be it through harmful practices intended for manipulating election results or through instigating and participating in election-related violence, should be subject to criminal sanctions, with appropriate forms of punishment as prescribed by law.
- 1.4. Children found to be implicated in election-related violence should not be subjected to the same criminal penalties as adults. They should be adequately cared for under a child-friendly justice system.
- 1.5. Legislative measures should further make provision for the prevention and regulation of hate speech and misinformation, and explicit rules of conduct for rallies and campaign activities- with a particular emphasis on developing guiding legislation for political parties' dealings with children.
- 1.6. Electoral bodies and political parties should enter formal agreements concerning the protection of children during election periods. Most specifically, provisions regarding the protection of children should be a requirement in the constitutions of political parties.

2. Committing to the promotion of peace for the benefit of a nation's children by allowing for elections to function effectively and ensuring that timely and constitutional changes of government take place:

- 2.1. Elected officials are to publicly commit to serve their terms for the ultimate benefit of children.
- 2.2. The prohibition of internet shutdowns, mechanisms for its prevention, and any other election-related activity that prevents children from accessing education should be solidified in law, with appropriate sanctions in place for elected officials who violate this prohibition.

3. Establishing a child-rights desk within independent electoral bodies:

- 3.1. Elected officials are to allocate sufficient human and financial resources to establish an effective child rights desk within independent electoral bodies.
- 3.2. Child-focused election observers should be appointed to ensure no aspect of the rights of the child is violated during election processes.
 - a) Child-focused election observers should be sufficiently qualified to fulfil the requirements of the position through transparent training and certification processes.
- 3.3. Child-friendly reporting mechanisms should also be established- with increased capacities in place around elections- so children and adults may report suspected violations of the rights of the child.

4. Conducting sensitization campaigns to ensure citizens and political parties do not contribute to harming children in election contexts:

- 4.1. Campaigns should be undertaken in collaboration with CSOs, AU and UN bodies, community leaders, and children. The context-specific inclusion of children in rural areas should be mandated for.
- 4.2. The goal of awareness-raising on election-related harmful practices affecting children shall be included in any curriculum dealing with issues of electoral violence and its effect on children, such as the killing, raping, and maiming of children as part of rituals to manipulate the outcomes of an election.
- 4.3. Reference may be made to the ACERWC's Child Participation Guidelines for ensuring meaningful child participation in the development and presentation of sensitization curriculums.

5. Developing monitoring and early warning systems for identifying hot spots for election-related violence:

- 5.1. Member States should endeavour to formulate localized early warning systems using reporting mechanisms, social media monitoring- without impinging unfairly on the child's right to freely express and access information, the establishment of a toll-free hotline for

use during election periods, etc.

- 5.2. In developing warning systems, the severity and prevalence of harmful practices inflicted on children must be highlighted – for example, the killing and maiming of children with albinism during the election period.
- 5.3. Child-focused election observers should be deployed in all instances where children may be at risk throughout the election cycle. These include but are not limited to campaign activities, rallies, and protests.

6. Establishing safe and effective mechanisms that allow for the participation of children in elections and surrounding political discourse in alignment with their rights:

- 6.1. Member States should establish a children's parliament with a dedicated budget and enable child participation in the formulation of laws and policies that may impact children and election periods.
- 6.2. In working to protect children from all forms of election-related violence and exploitation, Member States should be careful not to curtail children's civil and political rights.

7. Including information pertaining to measures to protect and empower children during election periods in State Party reports to the ACERWC. Such information should illustrate:

- 7.1. The legislative measures in place to ensure children are protected from election volatility and an assessment of the implementation of such laws and policies. This includes but is not limited to;
 - a) Measures to prevent and prohibit internet shutdowns in the State Party;
 - b) Regulations for campaign rallies and other activities;
 - c) Child protection measures and polling stations;
 - d) Laws governing the protection of children from hate speech and misinformation.
- 7.2. The provision of a child rights desk or equivalent within that State Party's independent electoral body and the human and financial resources allocated thereto;
 - a) Further information outlining the number of trained child-focused election observers and the geographical area they are assigned to.
- 7.3. Measures taken to ascertain the prevalence of election-related harmful practices affecting children within the State Party and measures to prevent and eliminate such harmful practices, including awareness raising, criminal sanction of perpetrators, etc.
 - a) Any curriculum developed for the aim of awareness raising shall be made available to the ACERWC for consideration.

- 7.4. Whether the State Party has introduced an early warning system for the prevention of election-related violence and the violation of the rights of children, and how this system functions.
- a) Whether there is a toll-free hotline for the reporting of election-related child rights violations during election times.
- 7.5. Mechanisms such as the establishment of a children's parliament to enable the positive political participation of the child within the State Party.

**Adopted by the African Committee of Experts on the Rights and Welfare of the Child during
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