

## **Communique on the 43<sup>rd</sup> Ordinary Session of the African Committee of Experts on the Rights and Welfare of the Child, Maseru, Lesotho 15-25 April 2024**

1. The African Committee of Experts on the Rights and Welfare of the Child finalized its 43<sup>rd</sup> Ordinary Session which was held in Maseru, Lesotho, on 15-25 April 2024.
2. The Session was attended by Representatives of children, Representatives of Member States, 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:
  - Representatives of children, Ntai Pheko, representing the children of the Kingdom of Lesotho and Shemezimana Dandy Miguel, representing the Children of Africa;
  - Representative of the CSO forum, Mrs. Felistus Motimedi-Gazangeni, Regional Director of Children Rights Network for Southern Africa (CRNSA);
  - Representative of the Network of African National Human Rights Institutions (NANHRI), Commissioner Boniface Massah, from the Malawi Human Rights Commission on behalf of the NANHRI Executive Director;
  - Commissioner of Education, Science, and Technology & Innovation (ESTI), H.E Prof. Mohammed Belhocine represented by Ms. Sophia Ndemutila Ashipala, Head of Education Division of the African Union Commission;
  - UN Special Representative of the Secretary General on violence against Children, Dr. Najat Maalla M'jid;
  - Commissioner for Health, Humanitarian Affairs and Social Development, H.E. Amb, Minata Samate Cessouma , represented by Mr. Sabelo Mbokazi, Head of Labour, Employment and Migration Division of the African Union Commission;
  - UN Resident Coordinator, Lesotho represented by Mr. Deepak Bhaskaran, Representative of Unicef-Lesotho;
  - Chairperson of the Committee and AGA, Hon Wilson De Almeida Adao
4. The Session was officially opened by Her Majesty Queen Masenate Mohato Seeiso, the Queen of the Kingdom of Lesotho.
5. During its seating of the 43<sup>rd</sup> Ordinary Session, the Committee conducted various activities and adopted decisions as highlighted below:

6. The Committee, with the assistance of the Office of the Legal Counsel, carried out the swearing in of its newly re-elected Member, Hon Hermine Kembo Takam Gatsing for a term of 5 years.
7. The Committee held panel discussions on education as the theme of the AU and Day of the African Child 2024; on children on the move, and children affected by armed conflict.
8. The Committee held discussion with representatives of Member States that have not ratified the Charter namely Saharawi Arab Democratic Republic, Somalia, and South Sudan on the progress and challenges towards the ratification of the Charter. The three countries expressed their commitments to fast track the ratification of the Charter as well as the deposition of the ratification instrument.
9. The Committee held a Day of General Discussion on Solutions to Challenges of Children with Albinism on 17 April 2024 and subsequently adopted an outcome statement which is available [here](#).
10. A presentation was made on the status of implementation of the Committee's General Comment on Article 30 on children of incarcerated caregivers, which highlighted best practices, persisting challenges, and proposed recommendations for enhanced implementation.
11. The Committee considered the following State Party Reports:
  - The First Periodic Report of the Republic of Malawi;
  - The First Periodic Report of the Republic of Mozambique;
  - The Second Periodic Report of the Republic of Niger;
  - The Third Periodic Report of the Republic of Rwanda;
  - The First Periodic Report of the Republic of Zimbabwe.
12. The Committee considered the CSO complementary report on the First Periodic Report of the Republic of Zambia.
13. The Committee decided to consider the First Periodic Report of the Republic of Namibia during the 44<sup>th</sup> Ordinary Session without the consideration of the CSO Complementary Report due to the delay in the submission of the same.
14. The Committee held hearings on:
  - i. Communication N°: 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 and decided to undertake on-site investigation to further examine the matter.
  - ii. Communication N°: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 decided to further investigate the matter and collect additional evidence on the allegations.

15. The Committee considered and issued rulings on the way forward on the following Communications matters:

- i. On the request of the Respondent State for the review of the admissibility decision on Communication N°: 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. On the admissibility of Communication N° 0024/Com/001/2023-IHRDA Vs the Republic of Botswana;
- iii. On the amicable settlement of Communication N°: 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
- iv. On the amicable settlement of Communication N°: 0022/Com/004/2022 submitted by institute for Human Rights and Development in Africa (IHRDA) against the Republic of Burundi.

16. The Committee adopted the planned activities of its working groups, and their respective documents as follows:

a. *For the Working Group on Children's Rights and Climate Change the Committee adopted:*

- The Resolution for the extension of the mandate of the ACERWC Working Group on Children's Rights and Climate Change
- The campaign of the working group as campaign of the Committee led by the working group. campaign tittle "1.1TooHigh! Child-rights based approach to climate action in Africa" Campaign slogan/hashtag #1.1toohigh #1point1TooHigh
- The proposal to develop Guidelines on child-rights based climate action

b. *For the Working group on children's rights and business the Committee adopted:*

- Guidelines for developing policy briefs by the Committee
- Resolution on the regulation of the informal business sector to ensure enhanced protection of children's rights
- Resolution on the integration of a child rights-based approach in the implementation of the AfCFTA
- The proposal to develop a Policy Brief on access to remedies for victims of corporate child rights violations in 2024 and a Policy Brief on due diligence, monitoring systems, and continuous child rights impact assessments of business in 2025

c. *For the Working group on children's rights with disabilities the Committee decided for:*

- The development of a Position Paper on education for children with disabilities
  - The development of a Dissemination strategy for the Working Group
- d. *For the Working group on implementation of decisions the Committee decided:*
- To include external experts in the Working Group
17. The Committee considered and decided on applications for observer status from:
- AfriChild Center
  - African Early Childhood Network
  - Lumos foundation
18. The Committee adopted as amended the below documents:
- The Child Safeguarding Policy of the African Union
  - The MOU with the UN Convention on the Rights of the Child
  - The Revision to its Guidelines for Granting Affiliate Status for NHRIs in Africa
19. The Committee further decided to submit the Child Safeguarding Policy to the STC on Social Development and further to the STC on Justice and Legal Affairs for the consideration and adoption of the AU policy organs.
20. The Committee decided to revise its Rules of Procedures with assistance from the Office of the Legal Counsel to provide guidance, among others, on the rotation of chairpersonship based on gender and regional representation, and dates of its ordinary sessions.
21. Recalling its decision to focus on four priority areas for the coming two years on Children without parental Care, Female Genital Mutilation (FGM), Children of imprisoned mothers and care givers, and children in conflict situation, the Committee further decided to include issues of child marriage with FGM and documents best practices on the priority areas based on availability of funds.
22. Following the consideration of the requests from partners during the Session, the Committee decided that the proposed activities in the areas of conflict, education, and harmful practices can be undertaken in consultation with the respective thematic rapporteurs provided that the requesting partners avail funds.
23. The Committee decided to strengthen the mandates of its thematic rapporteurs by allocating funds and mobilizing resources from partners.
24. The Committee decided to strengthen its engagement with RECs and assigned three of its members namely, Hon. Anne Musiwa, Hon. Ghislain Roch Etsan, and Hon. Sabrina Gahar to identify areas of engagement.

25. The Committee decided to hold its 44<sup>th</sup> Ordinary Session on 02-12 October 2024 and to hold the meetings of its Working Groups on 30 September-01 October 2024.

**Done in Maseru, Lesotho at the 43<sup>rd</sup> Ordinary Session on 25 April 2024**