

RESOLUTION NO 23/2024 OF THE ACERWC WORKING GROUP ON IMPLEMENTATION OF DECISIONS AND RECOMMENDATIONS ON NATIONAL MECHANISMS FOR IMPLEMENTATION, REPORTING, AND FOLLOW-UP

The Working Group on Implementation of Decisions and Recommendations of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC/the Committee) during its sixth meeting held on 1 October 2024;

Recalling the Resolution establishing the Working Group on Implementation of Decisions and Recommendations, adopted during the Committee's 35th Ordinary Session held virtually from 31 August to 8 September 2020;

In line with the Standard of Operating Procedures for the establishment of Working Groups as Special Mechanisms within the ACERWC;

Recognizing that the primary responsibility to implement the recommendations and decisions of treaty bodies, including those of the ACERWC, lies with states;

Mindful that the main reason for states' deficient compliance with the ACERWC recommendations and decisions emanating from its mandates is the absence of national mechanisms and procedures to facilitate and ensure effective implementation;

Recalling its recommendation in the Resolution No 16/2022 which called upon Member States to establish a comprehensive national reporting and monitoring mechanism for implementation and compliance with the Committee's decisions and recommendations and to report on the status of implementation of decisions to the Committee;

Acknowledging the positive steps taken by some State parties in developing States' national implementation-reporting systems, and **Welcoming** the emergence of National Mechanisms for Implementation, Reporting, and Follow-up (NMIRFs) in numerous Members States;

Further Acknowledging that States parties with established national mechanisms for implementation have shown a better capacity to effectively implement the ACERWC'S decisions and recommendations and to comply with their obligations under the African Charter on the Rights and Welfare of the Child (ACRWC/Charter) in a timely manner compared to those that are yet to set up a NMIRF or operationalize/institutionalize such mechanisms;

Recognizing the important role NMIRFs could play in enhancing State parties timely compliance with their obligations under the Charter and improving overall implementation of decisions and recommendations of the ACERWC;

Drawing on the United Nations General Assembly and Human Rights Council resolutions on NMIRFs, including the recent A/HRC/RES/51/33 of 7 October 2022 on “Promoting international cooperation to support national mechanisms for implementation, reporting and follow-up” encouraging States to establish or strengthen national mechanisms for implementation, reporting and follow-up for further compliance with human rights obligations and commitments;

Reiterating the ACERWC’s strong commitment to continue monitoring States’ compliance with its decisions and recommendations to improve the level of, and ultimately achieve full, implementation of children’s rights;

Underscoring the importance of sustained collaboration with States parties towards supporting their efforts to enhance the implementation of children’s rights and ensure their protection and well-being.

Hereby

CALLS upon Member States to:

- Establish NMIRFs through legislative framework, with a clear mandate and formal structure that includes follow-up the implementation of treaty obligations, and recommendations and decisions of the Committee;
- Provide the necessary resources to NMIRFs allocated through the national budget in accordance with each state’s legal and administrative systems;
- Ensure that the work of the NMIRFs incorporates the participation of NHRIs, CSO’s, and other state agencies involved in children’s rights ;
- Strengthen coordination efforts, transparency and public engagement to enhance existing national implementation-reporting systems;
- Enhance the capacities and effectiveness of the NMIRFs through continuous trainings;
- Ensure children, their representative organizations, and other key stakeholders are actively engaged and fully participate in the work of NMIRFs;
- Encourage and facilitate close and strong engagement and collaboration between NMIRFs and the ACERWC, including through, regular reporting, and participation in follow-up activities and engagement platforms, and in that connection take appropriate measures to facilitate meetings between the Committee and the national mechanisms responsible for implementing recommendations whenever

the Committee decides to conduct a follow-up mission on the implementation of its decisions or concluding observations in the concerned Member States;

- Facilitate engagement and interaction between the ACERWC Country Rapporteurs and NMIRFs to enable necessary communication and meetings with relevant persons and institutions in the State Party concerned; and if requested, to provide information and clarification on steps taken to implement the ACERWC's recommendations;
- Designation of National Focal Points of Committee within NMRFs to deal with all matters related to monitoring and implementation of decisions and recommendations.

ENCOURAGE NMRFs to:

- Ensure that their implementation, reporting, and follow-up processes give appropriate attention to the monitoring and enforcement of children's rights in the African Children's Charter ;
- Ensure that the States fulfill their reporting obligations by establishing calendar of their reporting schedule to the ACERWC, and that State Reports are compiled and submitted timely to the ACERWC ;
- Ensure that States comply with the ACRWC and the decisions and recommendations of the ACERWC from its various mandates such as concluding observations and recommendations on State Reports, decisions on communications, recommendations on findings of missions, letter of urgent appeals, among others while actively monitoring the effective enforcement of the same ;
- Develop roadmap and action plans for the implementation of the recommendations and decisions of the ACERWC ;
- Ensure that there is coordination and collaboration among the various government ministries, agencies, and offices working on children's rights ;
- Promote the ratification of the Charter and withdrawal of reservations by their States to the ACRWC and to ensure full alignment with the Charter's objectives and provisions' ;
- Ensure that the clusters of the ACERWC recommendations and decisions are promptly shared and disseminated to the relevant line ministries and state bodies upon receipt from the Committee, and coordinate efforts to track progress on their implementation for future reports ;
- Foster collaboration and information-sharing among relevant governmental agencies, civil society organizations, and other public and private sector actors or stakeholders during the drafting process ;

- Ensure that Civil Society and NHRI are formally involved in the drafting process of initial and periodic reports and consulted throughout the reporting and follow-up stages ;
- Support children or child-led structures at national level to, independently, submit complementary children's reports on the status of implementation of the ACRWC in their jurisdiction ;
- Promote governmental awareness of the importance of the Agenda 2040 for an Africa Fit for Children and ensure effective oversight of its implementation, thereby aligning legislation, policies and programs with its ten aspirations ;
- Facilitate the preparation and submission of reports to the Committee on the national celebration of the Day of the African Child on the measures that have been undertaken concerning the theme of the year in the commemoration of the Day of the African Child ;
- Develop a national online database on implementation of decisions and recommendations of the ACERWC ;
- Assign focal points to work with the ACERWC and actively engage with the ACERWC in its undertakings.

Done on 12 October 2024 during the 44th Ordinary Session of the ACERWC held from 2 -12 October 2024 in Maseru, Kingdom of Lesotho