

Resolution No. 41/2025 of the Working Group on Children with Disabilities of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) on the Protection, Promotion, and Fulfilment of the Rights of Children with Intellectual and Psychosocial Disabilities in Africa

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The Working Group on Children with Disabilities of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC/the Committee), during its ninth meeting held on 25 November 2025 in Maseru, Kingdom of Lesotho,

Recalling that Article 13 of the African Charter on the Rights and Welfare of the Child (Charter) recognises the rights of all children with disabilities, including intellectual and psychosocial disabilities and sets out the corresponding obligation of State Parties,

Noting the principles of the Charter particularly non-discrimination, the best interests of the child, right to life, survival and development, and child participation,

Further Recalling the protection of the rights of children with disabilities under the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Person with Disabilities (African Disability Protocol), the Convention on the Rights of Persons with Disabilities (CRPD), the Convention on the Rights of the Child, and other treaties and soft laws relating to the rights and welfare of children with disabilities,

Guided by its Establishing Resolution which lays down its mandate which includes to promote the inclusion of children with disabilities in all spheres of life through a child rights-based approach that ensures the protection of their rights and welfare as enshrined in the Charter and other regional and international human rights instruments,

Considering that children with intellectual and psychosocial disabilities include but are not limited to children with developmental and mental impairments, which impact their behavioural, cognitive, and psychosocial capacity,

Aware that measures aimed at advancing the rights of children with disabilities in general are often inadequate to address the peculiar needs and circumstances of children with intellectual and psychosocial disabilities,

Acknowledging that children with intellectual and psychosocial disabilities face unique and often compounded forms of discrimination, stigma, superstition, exclusion, and violence, which are frequently deeply rooted in harmful stereotypes, cultural prejudices, and a lack of understanding of their capacities and rights,

Deeply Concerned by the widespread practices of segregation, institutionalization, neglect, and the denial of legal capacity that disproportionately affect children with intellectual and psychosocial disabilities, thereby depriving them of family life, quality education, health care, and participation in community,

Noting that children with intellectual disabilities are deprived of their agency and participation despite their evolving capacity in all aspects of life,

Acknowledging the need to support families, caregivers, and organizations of persons with disabilities (OPDs), as they play a critical role in supporting, representing and advocating for children with intellectual disabilities and their families,

Emphasizing the urgent need for targeted measures to ensure that all systems, including justice, health, education, and social protection, are inclusive, accessible, and responsive to the specific requirements of children with intellectual disabilities,

Hereby Agree and Call upon

Member States of the African Union to:

- Review and amend national legislation, and policies to ensure harmonisation with the Charter, and other regional and international instruments, explicitly prohibiting discrimination on the basis of intellectual and psychosocial disability
- Recognize the decision-making capacity of children with intellectual and psychosocial disability by providing the necessary platform, including supported decision-making regimes, to ensure their participation based on their evolving capacity
- Develop, fund, and implement comprehensive national inclusive strategies for children with disabilities which takes into account the specific needs and situation of children with intellectual and psychosocial disabilities including specific, measurable, and time-bound actions
- Ensure data on children with intellectual and psychosocial disabilities is adequately disaggregated, up-to-date, and available for informed interventions
- Eliminate the institutionalisation of children based on intellectual and psychosocial disability and invest in deinstitutionalization, redirecting resources towards the development of family-based and community-based support services that enable children with intellectual and psychosocial disabilities to grow up in a family environment
- Provide adequate financial and psychological support services to families and caregivers to enhance their capacity to care for their children with intellectual and psychosocial disabilities within the family unit
- Conduct extensive awareness-raising campaigns to combat stigma, stereotypes, and harmful practices against children with intellectual disabilities, and to promote their dignity and rights
- Establish guidelines and provide training for health professionals on early identification and intervention of intellectual and psychosocial disability among children
- Ensure that the health sector is sensitive to both the medical needs and human rights of children with intellectual and psychosocial disabilities by ensuring accessible services and supported decision-making services thereby preventing non-consensual medical and surgical interventions, including forced sterilization
- Guarantee the right to inclusive, quality, and free primary and secondary education for all children with intellectual and psychosocial disabilities and using special schools and classes as transitional resource centres to support inclusive practices in mainstream schools.
- Strengthen child protection systems to prevent and respond to all forms of violence, abuse, harmful practices, neglect, and exploitation, including in homes, schools, institutions, and communities, and ensure accessible reporting mechanisms and support services to children with intellectual and psychosocial disabilities and their caregivers.
- Ensure that children with intellectual and psychosocial disabilities are provided with age-appropriate information and support to express their views freely on all matters affecting them, and that their views are considered in accordance with their evolving capacity, and that they are equally represented in child participation platforms.
- Report to the Committee on efforts undertaken to protect and promote the rights of children with intellectual and psychosocial disabilities in State Party reports.

Calls upon other Stakeholders including NHRIs, CSOs, Organizations of Persons with Disabilities (OPDs), International Agencies and Partners, Private Actors, Media to:

- Continue and intensify advocacy, monitoring, and awareness-raising efforts on the rights of children with intellectual and psychosocial disabilities.
- Ensure a specific focus on intellectual and psychosocial disabilities in projects and programmes.
- Strengthen the capacity of parents and self-advocates to claim their rights through providing human rights education and training as well as building awareness on how to utilise available mechanisms and platforms.
- Provide community-based support and services that complement State efforts for children with intellectual and psychosocial disabilities.
- Prioritize initiatives that support deinstitutionalization, inclusive education, and community-based care for children with intellectual and psychosocial disabilities
- Provide assistance to Member States for data collection, policy development, and capacity building.
- Represent and portray children with intellectual disabilities in a respectful and accurate manner that promotes their rights, participation in community, and counters stereotypes.
- Play a proactive role in documenting, reporting, and litigating violation of the rights of children with intellectual and psychosocial disabilities
- Enhance collaboration with State and other actors to implement effective and wide coverage strategies to promote the rights of children with disabilities with intellectual and psychosocial disabilities.

**Done on 06 December 2025 during the 46th Ordinary Session of the ACERWC in
Maseru, Kingdom of Lesotho**