Introduction
This first Child focused Civil Society Forum on and around the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) was an innovative and pioneering forum, which brought together members from Civil Society Organisations (CSOs) from across Africa, Child Rights experts and representatives from the African Union (AU). Throughout the meeting there was a clear sense of optimism, collaboration and working towards a common agenda: to ensure there is a united voice on behalf of Africa’s Children and the need to strengthen the work of the ACERWC in order to carry out its mandate.

From the presentations from the ACERWC, to comments made by Civil Society - one element was absolutely clear: working together rather than individually is crucial and will ultimately deliver greater results for the children of Africa. It was strongly felt that harnessing this power of coming together would bring about increased unified action for children and propel the forum towards reaching its goals. It was clear throughout the Forum that all actors have a role to play in ensuring children’s rights are realized, whether it is a State Party, a member of a CSO or the children themselves.

1.1 Summary of how the Forum developed

This Forum highlighted that despite the United Nation Convention on the Rights of the Child (UNCRC) being the most widely ratified treaty, it lacks the “African touch”. For example, the UNCRC is not explicit enough in regards to protection of the girl child, child soldiers, child marriage and protection against harmful traditional practices – which are serious issues in Africa. It was because of this gap the African Union (AU) developed the African Charter on the Rights and Welfare of the Child (ACRWC). This charter is crucial, as it is an important, fundamental instrument to further protect the rights and wellbeing of children in Africa. However, African child rights activists should always use the two legal instruments together as the CRC and ACRWC are complementary and mutually reinforcing.

To ensure African State Parties are honouring their commitments to children as set out in the ACRWC, the AU supported the development of the ACERWC. The sole purpose of the ACERWC is to monitor the implementation and ensure the protection of rights in the ACRWC. This is undertaken through examination of State Party reports on how the ACRWC is implemented in countries, and conducting investigations into reported violations. However, the ACERWC cannot achieve this alone and welcomes an increased role of CSOs to help them reach their objectives.

After several years of joint collaboration between some NGOs, it was felt that the logical next step was to invite and encourage a broad spectrum of NGOs from throughout Africa to come together regularly to discuss and debate child rights issues and find ways to support the ACERWC to fulfil its mandate. Thus a consortium of NGOs (African Child Policy Forum, Africa Wide Movement for Children, Plan and Save the Children) organised the first Child focused Civil Society Forum on and around the ACERWC. The principles were clear: to provide a platform and framework for Civil Society and the ACERWC to engage and develop a partnership. Specifically to enable CSOs to:

- Contribute to proper implementation and monitoring of the ACRWC and the Africa Call for Accelerated action for an Africa Fit for children 2008-2012
- Foster closer collaboration and co-operating among CSOs; the African Union Commission, its structures and organisations; the ACERWC and other stakeholders for promotion and protection of children’s rights and wellbeing in Africa
- Ensure Civil Society inputs into the Strategy Plan for the ACERWC for 2010 – 2014
- Educate, share and learn from one another important child rights issues, mechanisms and processes
- Provide recommendations to the ACERWC on various important child rights topics
1.2 Summary of the Forum

The context for the Forum was set by Madame Mariama Cisse, Secretary to the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) and Acting director of the Department of Social Affairs who gave a concise presentation and overview about how and why the Organisation of African Unity (OAU) evolved into the AU. Details were given about the structure of the AU and when it meets. She went on to give a brief history of ACRWC and how the ACRWC fits within the AU structure. Time was spent discussing the implications of the lack of capacity and limited budget of the ACERWC. Forum participants felt that there should be a specific division within the AU that deals specifically with children’s issues, that it is important to ensure increased child participation within the department and that key documents from the ACERWC are Child Friendly, and that children need to be put higher on the agenda at national level in terms of budgetary allocations.

Madame Seynabou Ndiaye Diakhate, Chairperson of the ACERWC, in her informative presentation detailed how the previous Strategic Plan for the ACERWC has not been fully implemented. She explained the focus of the ACERWC 2010 – 2014 Strategic Plan and highlighted the positive contribution Civil Society can make to the development of this new plan. Participants spent time discussing the implications of the Strategic Plan and developed a full set of recommendations for the 2010 – 2014 Strategic Plan for ACERWC (see point 1.3 for a full list of the recommendations).

Asa Rapp Baro, Save the Children Sweden and Dr Abiola Thompson Tilley-Gyado, Plan International detailed how Civil Society can interact and collaborate with the ACERWC. The presenters gave a concise overview of the reporting process of the ACERWC as well as details of how Civil Society can submit complaints on child rights violations (communications) to the ACERWC. Underlying the presentation was the view that Civil Society should link its child rights monitoring and advocacy activities for the implementation of the ACERWC and the UNCRC. Through a post presentation discussion forum participants made the following recommendations:

- The Committee should put in place procedures to address and respond to Communications in a timely fashion
- The secretariat of the Social Affairs Department should propose a separate division specifically for child rights
- There should be clear key performance indicators in the Plan of Action for members of the African Committee of Experts on the Rights and Welfare of the Child

Ms Helen Seifu, Director from the Children Legal Protection Center of the African Child Policy Forum gave an in-depth presentation about the new NGO legislation affecting Ethiopia and the current obstacles to Civil Society engagement. Attention was drawn to the example of Ethiopia and how the State is trying to control and minimise the work of Civil Society Organisations. It was highlighted that this could be a growing trend across Africa and the recent legislative developments can be expected in other African countries. This proclamation has significant consequences for Civil Society in Ethiopia and across Africa, Forum participants felt strongly that there needs to be a common Civil Society voice to ensure that this issue is taken forward. Forum participants felt that Civil Society should collectively stand up and make themselves heard at the AU and international level, as this is no longer just an Ethiopian issue.

Dr Assefa Bequele, from the African Child Policy Forum gave an overview of the recently published report “The African Report on Child Wellbeing 2008: How Child Friendly are African Governments?” The report identifies how well African governments are doing who have ratified international treaties on child rights, how well they are implementing their duties and why a gap still remains between law and practice. Dr Assefa Bequele went on to highlight the findings of the report and the rankings of the African countries. The Forum participants felt that this was an informative and innovative report, but suggested that child participation needs to be more visible, as does issues of equity. Further, extended information is needed on budget data from countries as well as spelling out how countries that did not perform well can move up the scale.

The larger group split into three parallel sessions to develop recommendations on Communications, Reports and Concluding Observations and Rules of Procedure. The Communications group focused on: how to ensure official Communications (which are complaints of child rights violations) they are reviewed by the ACERWC and brainstormed on possible other Communications that should be
submitted. The Reports and Concluding Observations group focused on developing recommendations on How state reports, alternative reports and concluding observations can be made more effective. The third group focused on Rules of Procedure and developed recommendations on observer status for NGOs, Communications and the link to the African Court and the report obligation of the Committee to Heads of State.

Hannah Forster, Africa Centre for Democracy and Human Rights Studies detailed how the centre has successfully bridged the gap between Civil Society and the African Commission on Human and Peoples' Rights and how other forums such as this can learn from their experience. She also highlighted challenges from their previous experience.

1.3 Key Recommendations from the Forum

Through intensive group work, the Forum participants came up with two sets of recommendations. The first were general recommendations to the ACERWC and the second were recommendations for additions or input into the Committee’s Plan of Action for 2010-2014.

The following are the general recommendations from the meeting:

A) The ACERWC to:

**General Functions (Article 42 ACRWC):**
- Continue in its efforts to forge a progressive and sustained relationship with the ACHPR in order to create a common platform for the promotion and protection of children’s rights;
- Communicate at least three months in advance the identified themes to mark the Day of the African Child not only to Member States, but also to NGOs/CSOs and other partners;
- Participate actively with all stakeholders in the celebration of the Day of the African Child;
- Use its influence and position as an institution of the AU to initiate discussions on the need for countries to create a conducive environment for the operations of NGOs/CSOs.
- Use all available channels and means, including promotional missions, to ensure that the African Children’s Charter reaches full ratification status in line with the African Union Heads of State and Government’s Report for complete ratification by December 2008;
- Circulate the Session’s agenda four weeks in advance as per the Rules of Procedure of the ACERWC;

**Reporting Procedure (Article 43 ACRWC):**
- Amend the guidelines for initial State Party Reporting to take into account the specificities of the African Children’s Charter;
- Set the maximum number of pages for State reports (excluding the attached annexes) so as to favour a standardized format to expedite consideration of reports;
- Put in place mechanisms to improve the flow of information between the ACERWC and NGOs/CSOs by periodically circulating information on State Party Reports and communications, among others, through the Committee’s own regularly updated webpage and through partners’ websites;

**Communications (Article 44 ACRWC):**
- Develop a template or a form that any person, group or NGO/CSO planning to forward a communication to the ACERWC can use for that purpose;
- Amend its guidelines for the consideration of Communications to include a timeframe of six weeks for the ACERWC to acknowledge receipt of a Communication, to make a decision on admissibility within six months from the date of receipt, and finally to give its decision on the merits of the Communication within one year from the date of admissibility to ensure that victims are not left without redress;
- Take provisional measures, in cases of urgency, to prevent any harm to the child or children who would be victims of violations, as provided for in the Guidelines for the Consideration of Communications;
- Include a progress report on Communications as a standing agenda item for each ACERWC Session;

**Participation & Representation:**
- Provide a progress report on applications they have received from NGOs/CSOs seeking Observer Status to the applicants;

**B) State Parties to the African Children’s Charter to:**
- Proceed with the domestication and application of the provisions of the African Children’s Charter;
- Submit, in a timely manner, initial and periodic state reports in accordance with the African Children’s Charter;
- Call on Central African Republic, Democratic Republic of Congo, Djibouti, Sahrawi Arab Democratic Republic, São Tomé & Principe, Somalia, Swaziland and Tunisia to ratify the African Children’s Charter without any further delay to comply with the African Union Heads of State and Government’s Report for complete ratification by December 2008;
- Jointly plan and implement activities to mark the Day of the African Child in collaboration with the ACERWC, parent ministries and NGOs/CSOs and other partners;
- Respect their obligations under human rights treaties they have ratified by ensuring that NGOs/CSOs are able to work without restrictive conditions to curtail their operations.

**C) The CSO Forum to:**
- Urge Central African Republic, Democratic Republic of Congo, Djibouti, Sahrawi Arab Democratic Republic, São Tomé & Principe, Somalia, Swaziland and Tunisia to ratify the African Children’s Charter without any further delay;
- Encourages NGOs/CSOs and other partners in countries affected by restrictive legislation to collaborate with national and international networks and other human rights organisations to collectively advocate for the continuance of a conducive environment for the operation of NGOs/CSOs in Africa.

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**The following are the recommendations for the ACERWC 2010-2014 strategic plan:**

1. In order to strengthen the work of the ACERWC, the CSO Forum recommends that the ACERWC puts in place a mechanism for reviewing and reflecting its Plans of Action to facilitate learning and input into subsequent plans.

2. As a matter of urgency, the CSO Forum recommends that the ACERWC reviews the 2005-2009 Plan of Action.

3. The ACERWC is encouraged to share the costed Plans of Action and progress indicators with relevant stakeholders to facilitate the exploration of the areas of collaboration.

4. ACERWC is encouraged to explore alternative ways of strengthening the staffing capacity of its Secretariat beyond the African Union Commission.

**Recommendations for Civil Society**

We, the participants to First Child Focused Civil Society Forum on and around the 13th Session of the African Committee of Experts on the Rights and Welfare of the Child held in Addis Ababa, Ethiopia, from 17 and 19 April, 2009, commit to support the ACERWC in fulfilling its mandate within the following areas (based on the objectives set in the 2005-2009 Plan of Action):

**Objective 1: Popularisation of the ACRWC**
- Intensify advocacy work with State Parties that have not ratified to the ACRWC.
- Use various communication channels to raise awareness on the ACRWC and the work for the ACERWC.
• Celebrate and popularize events such as the Day of the African Child.
• Popularise and disseminate the already developed child friendly version of the ACRWC.

**Objective 2: Protection of the Rights enshrined in the ACRWC**
• Regularly organize the CSO Forum on and around the ACERWC to further strengthen collaboration between CSO and the ACERWC.
• Disseminate the new publication “Advancing Children’s Rights – A Guide to Civil Society on how to engage with the African Committee of Experts on the Rights and Welfare to the Child”.
• Organize training workshops on the ACRWC and the ACERWC to equip relevant stakeholders.
• Carry out in-country advocacy to muster governmental support for investigation missions by the ACERWC.
• Disseminate the ACERWC’s guidelines for conducting investigations.

**Objective 3: Monitoring the implementation of the ACRWC**
• Establish a liaison unit/secretariat for better information flow and collaboration between the ACERWC and CSOs.
• Monitor the implementation of the ACRWC including producing CSO reports.
• Popularise the concluding observations on the State Party reports and support the implementation of the recommendations.

**Objective 4: Strengthening the Institutional capacity of the ACERWC**
• Contribute to an annual review and reflection mechanism for the ACERWC. Contribute to a review of the ACERWC 2005-2009 Plan of Action and to the planning process for the ACERWC 2010 – 2014 Plan of Action.

### 1.4 Major Outcomes of the CSO Forum

**One:**
- Two sets of recommendations to the African Committee of Experts on the Rights and Welfare of the Child that were officially presented at the 13th session of the ACERWC. The first set of recommendations was Civil Society input into their Plan of Action for 2010-2014. These recommendations included some ideas for the Committee as well as a long list of areas in which Civil Society is willing to support the Committee to achieve its goals.
- The second set of recommendations was a culmination of the discussions that took place at the Forum. This list of recommendations was our plea to the Committee to ensure solid cooperation and partnership between civil society and the ACERWC.

**Two:**
- A draft statement to be sent to country delegations planning on attended the AU Summit in July 2009. The theme of this summit is: “Investing in Agriculture for Economic Growth and Food Security”. The Forum developed a statement they will finalize highlighting the areas in which children are positively or negatively impacted in the area of food security. The statement also urged decision makers to remember how best to ensure children's needs and rights are addressed in this area.

**Three:**
- The Uganda state report was put on the agenda of the 2nd pre-session. The Uganda report to the ACERWC has been ready for a long time as has an alternative report done by civil society. However, because of administrative hiccups, the report has not been reviewed. Once again this year, the report was in jeopardy of being postponed for yet another year. A strong delegation of civil society from Uganda attended the Forum and lobbied the Committee to review the report. After some logistical alterations, the Committee agreed to review the Uganda report at this session. This is very important for Ugandan civil society and the Committee because it legitimises their hard work.
1.5 Way forward

Planning the agenda for the next forum in November 2009

There was unanimous consensus that there should be a subsequent NGO forum. Suggested areas for the next forum to focus on include:

- To have a theme set by the ACERWC to guide the agenda of the CSO Forum
- How the Committee of Experts can interface with the UNCRC Committee.
- Issues arising from State parties that have had comments from the Committee of Experts about their reports.
- Looking in detail how organisations can obtain observer status.
- Information about the communications procedures of the Committee.
- How members of the Committee are selected and how Civil Society can promote candidates and lobby States for new members.
- The next Forum meeting could be tied into the 10th Anniversary of the Charter coming into force which is in November.
- Updates about the Day of the African Child.
- Capacity building workshops on the ACRWC and the ACERWC

It was agreed that all present members of the organising committee, ACPF, AMC, Plan International and Save the Children would continue to organize the next forum. The organizing committee should now also include IHRDA and World Vision. These organisations were formally mandated to organise the next NGO Forum that will take place in November 2009 (or in conjunction with the next ACERWC meeting). It was agreed that the CSO Forum should grow and welcome any and all child-focused organisation working in Africa. It was felt that it was very beneficial to have representatives from the AU, and this should be replicated at the next meeting. It was also felt that this forum must endeavor to ensure wide inclusion of all child rights Civil Society representatives from across Africa in the next forum. Further, it is important to remain aware that that partners and smaller Civil Society members are not left out.