

CONCEPT NOTE

Concept Note on the child-focused Civil Society Forum. – (CSO Forum – ACERWC)

Background

Since June 1931, when two hundred people gathered for four days in Geneva to discuss 'The African Child' in a conference organised by the Save the Children International Union, there have been significant developments on the rights and welfare of the African child. In 1990, the United Nations Convention on the Rights of the Child (CRC) came into force recognising children as rights holders and regulating the way society interacts with children and States' responsibilities towards them. The CRC today is the most ratified treaty with the widest coverage. However, in spite of its comprehensive and progressive nature, the CRC lacks the 'African touch' and is not strong or explicit enough with regards to areas such as sexual abuse, protection of the girl child, child soldiers, child marriage and protection against harmful traditional practices which are all serious challenges in Africa.

In order to supplement, complement and give the CRC specific application within the African context, the African Charter on the Rights and Welfare of the Child (ACRWC) was adopted in 1990 and came into force on 29 November 1999. This year, therefore, marks the 10th anniversary of the ACRWC. In addition the establishment of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) in 2001 to, among other things, monitor the implementation and ensure protection of the rights enshrined in the Charter was a great step forward. The vision and aspiration of African leaders to offer protective and promotional human rights mechanisms that were internationally acceptable and context sensitive was further reinforced in the 2001 Declaration and Plan of Action of Africa Fit for Children The Call for Accelerated Action on the implementation of the Plan of Action towards Africa Fit for Children 2007 contextualises the vision, determination, urgency, framework and parameters within which African leaders and institutions are to discharge their duties to promote and protect the best interests of the child.

Rationale and Justification

The ACERWC is central to the entire enterprise of moulding an Africa fit for children's lives, survival and development. In this regard, the ACERWC has a far-reaching mandate under chapter three of the ACRWC in terms of promoting and protecting children's rights and welfare in Africa. This includes interpreting the provisions of the ACRWC, cooperating with other African, international and regional institutions concerned with children's rights, and formulating principles and rules aimed at protecting children's rights and welfare in Africa. Its monitoring role over the obligations of States Parties to implement the Charter is perhaps its most important protective function and this involves three different procedures: Examining reports that each State Party has a duty to periodically submit on how it implements the Charter and addresses children's rights in its country and producing recommendations for States Parties to consider and implement; responding to individual communications; conducting investigations into reported violations of the Charter.

Since its meeting in 2002, the ACERWC has succeeded in institutionalising its operations and in promoting the ratification of the ACRWC thanks to the resilience of its members. Lack of human and financial resources and poor civil society engagement with the ACERWC have, however, slowed further progress in the work of the ACERWC. The civil society organisations (CSOs) have the resource and the expertise necessary to support and complement the works of the ACERWC. Therefore, the CSOs could

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'contribute to the work of the Committee by delivering first-hand information and advice which provide invaluable insights into the situation of children and a good basis for engaging States Parties on relevant laws and practices.'(Dr. Assefa Bequele, Former member of the ACERWC). A partnership between the ACERWC and CSOs could, therefore, help the ACERWC become more visible and discharge its mandates in an effective and informed manner. Such partnership, on the other hands, could strengthen and embolden the CSO's work in holding their governments accountable and in monitoring the implementation of the ACRWC.

Such mutually beneficial partnership, cooperation and collaboration have already started. However, such civil society's engagement is still *ad hoc* and relatively weak and more efforts are needed to engage civil society in Africa in the work of the ACERWC. Therefore, an initial civil society's Forum has been suggested that would provide a platform and framework for the process of institutionalising CSO-ACERWC engagement and partnership.

The Proposed CSO Forum – ACERWC

The child-focused civil society Forum is being proposed to engage with the reporting mechanism of the ACERWC, provide a platform for partnership and networking and a springboard for advocacy around children's rights and wellbeing in Africa. In collaboration with the ACERWC and other child-focused organizations, the convening organisations of this Forum – The African Child Policy Forum (ACPF); ANPPCAN; Africa - Wide Movement for Children; Institute for Human Rights and Development in Africa (IHRDA); Plan International; and Save the Children are proposing to facilitate the participation of civil society organizations, academicians and other professionals from Africa and beyond to discuss, debate and provide input into the ACERWC bi-annually meetings.

The Forum will provide a platform and a framework for effective pre-session deliberations, capacity building on the AU legal frameworks and policies protecting children expand on the content of the rights contained in the ACRWC issue common positions on current challenges facing children in Africa and make recommendations to ACERWC and other relevant stakeholders. The CSO – ACERWC Forum is proposed as a permanent, ongoing continental consultative mechanism.

At a continental level, the proposed CSO – ACERWC Forum is proposed to precede the ACERWC sessions. A two or three days consultative meeting between CSOs, international agencies and the AU. The Forum could discuss provisions of the ACRWC to elicit meanings for the purpose of issuing a general comment or a resolution by members of the ACERWC, issue communiqué for onward transmission to the ACERWC and the AU Summit, etc.

Objectives

The main objectives of the Forum are:

- ❖ To contribute to proper implementation and monitoring of the African Charter on the Rights and Welfare of the Child and the Africa Call for Accelerated action for an Africa Fit for children; and
- ❖ To foster closer collaboration and co-operation among Civil Society organisations; The Africa Union Commission, its structures and organs; the African Committee of Experts on the Rights and Welfare of the Child and other stakeholders for promotion and protection children's rights and wellbeing in Africa.

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This Forum will specifically strive to achieve the following sub-objectives:

- To ensure civil society input into the Strategy Plan of the ACERWC for 2010-2014
- To educate, share and learn from one another on important child rights issues, mechanisms and processes.
- To provide recommendations to the ACERWC on various important child rights topics.

Language

The Forum will be conducted in the official languages of the African Union with simultaneous interpretation.

Participation

Participation is open to all child focused and human rights organisations, associations and individuals interested in such questions, especially those operational in Africa. The conveners of the Forum **are not responsible for paying the cost of travel, hotel accommodation, visas cost and other related cost of participation.** However, the cost of tea/coffee and launch during the sessions of the Forum shall be covered by the Convening organisations.

Place and Duration of the Forum

The three-day Forum would take place from the 17th to 19th April, 2009 in Addis Ababa, Ethiopia while the 13th meeting and 2nd Pre-session for the consideration of States' Parties Reports of the African Committee of Experts on the Rights and Welfare of the Child will hold from 20th to 24th April, 2009.

Should you have any comments, proposal to the proposed agenda, please forward to the Africa-Wide Movement for Children. However, please note that any proposal(s) to include a new theme or topic to the afore-said agenda should take cognizance of the fact that the NGO Forum Agenda is determined by the agenda of the proceedings of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) Session. Furthermore, proposals by organizations or individuals must be accompanied by proposed names of resource persons and an expression of their willingness to support their participation in the Forum, if necessary, as well as to provide a summary and any relevant documentation needed to facilitate the presentations on the given theme or topic.

Visa

We would wish to encourage participants to make necessary visa arrangements where required before departing from their respective countries for Ethiopia.

Accommodation

With regards to accommodation, the Africa-Wide Movement for Children would negotiate rates of rooms on behalf of participants and forward such information to participants.

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Application Deadline

Participants must complete the attached reply form and return it to the Africa-Wide Movement for Children no later than **Friday, 10th April, 2009** by either **c/o African Child Policy Forum Building, P.O.Box 1179, Addis Ababa, Ethiopia, Tel.+251-11-662-8192/96/97/99, Mobile.+251-910-282-938, Fax.+251-11-662-8200 or email: [email:miamingi@africanchildforum.org](mailto:miamingi@africanchildforum.org); remember.miamingi@gmail.com** in order to facilitate administrative and logistic arrangements. The Africa -Wide Movement is not obliged to process reply forms received after the deadline. You are kindly encouraged to disseminate this information brochure to your network members as widely as possible