

**REPORT ON THE PROCEEDINGS OF THE AFRICA TECHNICAL PREPARATORY
MEETING FOR WORLD CONGRESS 3 AGAINST SEXUAL EXPLOITATION OF
CHILDREN AND ADOLESCENTS**

THEMATIC SESSION: LAW ENFORCEMENT AND LEGAL FRAMEWORKS

INTRODUCTION:

The Thematic Meeting began at 8:35am and was facilitated by Mr. David Mugawe, the Deputy Executive Director of African Child Policy Forum

WORKSHOP PRESENTERS:

NAME	ORANISATION	E-MAIL
David Mugawe	African Child Policy Forum	
Meseret Daniel	Forum On Street Children Ethiopia	meseretdd@yahoo.com/meseretd@fsce-e.org
Japheth Kasimbu	Annpcan-Kenya	regional@anppcan.org
Stella Ayo Odongo	Uganda Child Rights NGO Network (UCRNN)	s.ayo@ucrnn.net
Abiola Tilley- Gyado	Plan International	Abiola.tilley-gaydo@plan-international.org
Madam Dikhate Seynabou	African Committee of Experts on the Rights and welfare of the child	
Magie de Monchy	UNICEF ESARO	

OBJECTIVES OF WORKSHOP

The workshop on Law Enforcement and Legal Frameworks had the following objectives:

- ❖ Examine national laws ,policies and practices relating to the commercial sexual exploitation of the children in Africa including the identification of gaps
- ❖ Examine what legislative good practices can be drawn from different parts of the region while identifying channels to facilitate better exchange of experiences.
- ❖ Identify time bound priorities for addressing CSEC to be submitted to World Congress III.

ATTENDANCE:

In attendance were 59 participants from the different countries within the African continent (see the attendance list)

PROCEEDINGS OF THE WORKSHOP

Mr. David Mugawe, the main facilitator of the session made the first presentation on the background on legal frameworks and law enforcement with the following key highlights:

- ❖ The promotion of the rights of the child and their protection from all forms of sexual exploitation is central to the protection and wellbeing of children.
- ❖ He mentioned that tackling the problem of sexual exploitation is not only a policy commitment but also a legal obligation. The absence of legal instruments consistent with international and regional conventions and the extent to which they are observed in practice is an important area of concern in Africa.

- ❖ He mentioned that although African governments have made a number of commitments to protect the rights of children from sexual exploitation, at the international level, there has been a growing recognition and emphasis amongst governments of the importance of children's rights and the call for more effective implementation of international legal instruments on children.

He had the following recommendations:

- ❖ Governments must amend and enact new legislation that clearly defines child prostitution, child trafficking in accordance to international laws and Trafficking protocols.
- ❖ Governments to harmonise customary and religious laws and practises with National laws among others.

CASE STUDIES FROM KENYA AND ETHIOPIA

Ms. Meseret Daniel presented a paper on improved treatment of child survivors of sexual abuse and exploitation in the justice and law enforcement sectors using a multi-sectoral model of Forum on Street Children Ethiopia. She emphasized that the reporting of cases was generally low due to the reluctance of children, and the inefficient legal protection for children.

In terms of intervention, FSCE had established child protection units and embarked on the training of police officers, prosecutors and judges on Child Rights Instruments. The multi-sectoral approach is vital because it takes into consideration prevention, protection and rehabilitation as one issue as opposed to isolating each of them. This results into better coordination approaches among various child focused institutions for improved treatment of child victims.

The Kenyan case study highlighted the fact that very many policies and laws that tackle children's issues had been enacted but there was:

- ❖ Poor implementation mechanism of laws and policies in place
- ❖ Limited knowledge among the people on the existing laws and policies
- ❖ An urgent need to lobby for both ratification and domesticate international instruments.

REPORTING TO THE COMMITTEE ON THE RIGHTS OF THE CHILD ON THE OPTIONAL PROTOCOLS ON SALE OF CHILD, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

Ms Stella Ayo from Uganda Child Rights NGO Network shared Uganda's experience on reporting to the UN Committee of Rights of the Child on the Optional Protocols on the sale of Children, Child Pornography and Child Prostitution with following lessons learnt:

- ❖ Reporting in time helps organizations keep on top of national, regional and global trends.
- ❖ Reporting to the UN Committee on the Rights of the Child is a process not an event.
- ❖ Sustained action by CSOs is key in the reporting process

KEY POINTS FROM PRESENTATIONS AND DISCUSSIONS

- ❖ Monitoring of both ratification and domestication of international instruments
- ❖ Development of mandatory reporting systems (national registers on perpetrators of child sexual abuse)
- ❖ Emphasis on recovery and reintegration of victims of CSA
- ❖ Bilateral and multilateral agreements
- ❖ Mechanisms to popularize the laws and policies that protect children from CSA
- ❖ Monitoring of the implementation of the African Charter by the CRC committee
- ❖ Implementing the Cairo Targets
- ❖ Multi-disciplinary approaches in handling cases of CSA
- ❖ Domestication to include workable NPAs and Regional plans of action

- ❖ Reporting is a process and not an event, therefore should be started early in time and should involve government
- ❖ Documentation of good practice relevant to CSA
- ❖ Legal education at all levels
- ❖ Harmonization of laws addressing CSA
- ❖ Similar coordination mechanisms across African countries
- ❖ Call for Accelerated Action on AFFC – Accelerated legal reforms to ensure all children in Africa are protected
- ❖ Need for collaboration between Civil Society Organizations and Government departments in terms of reporting to the UN Committee on the Rights of the Child for purposes of Accountability and holding Government accountable.

Problems related to sexual abuse and exploitation

- ❖ Limited reporting of cases of Sexual abuse by children in Africa
- ❖ Corruption which has implications on the acquisition of justice for children
- ❖ Legal procedures not brief and speedy
- ❖ The exposure of children to continuous interviews

Main challenges in addressing these problems

- ❖ Poor implementation mechanism of laws and policies in place
- ❖ Limited knowledge among the people on the existing laws and policies Lack of clear guidelines and procedures on how to deal with child victims
- ❖ Out of 52 countries only 27 have ratification the African Charter on the Rights and Welfare of the Child hence the need to lobby for ratification and domestication of international child rights instruments

Have these challenges been overcome

Some of the challenges have been overcome using the FSCE Mutli-Sectoral model through the establishment of child protection units and embarking on the training of police officers, prosecutors and judges on Child Rights Instruments.

The successful interventions can be scaled up and replicated by involvement of all stakeholders including the police, communities, courts and medical center to ensure better coordinated approach the various focused institutions for improved treatment of child victims.

Recommendations and indicators for Africa at Brazil Congress

- ❖ Ratification and dissemination of key international and regional conventions.
- ❖ Include targeted and measurable indicators to assess impact on all audience on legal framework
- ❖ Monitor the implementation of National plans of Action on Commercial Sexual Exploitation of children.
- ❖ Prioritize birth registration aiming at achieving universal birth registration by 2013.

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