ACCELERATING THE AGENDA FOR CHILD RIGHTS IN AFRICA

30 years of the African Charter on the Rights and Welfare of the Child: Progress, challenges and opportunities

Summary Report | July 2020
Accelerating the agenda for child rights in Africa: 
30 years of the African Charter on the Rights and Welfare of the Child - Progress, challenges and opportunities

SUMMARY REPORT

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<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tr>
<td>ACERWC</td>
<td>African Committee of Experts on the Rights and Welfare of the Child</td>
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<td>ACHPR</td>
<td>African Commission on Human and Peoples’ Rights</td>
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<td>ACRWC</td>
<td>African Charter on the Rights and Welfare of the Child</td>
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<td>AU</td>
<td>African Union</td>
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<td>AUC</td>
<td>African Union Commission</td>
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<td>CDC</td>
<td>Centres for Disease Control and Prevention</td>
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<td>COVID-19</td>
<td>Coronavirus disease</td>
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<td>CPIMS</td>
<td>Child Protection Information Management System</td>
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<td>CRC</td>
<td>United Nations Convention on the Rights of the Child</td>
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<td>CRVS</td>
<td>Civil Registration and Vital Statistics</td>
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<td>CSOs</td>
<td>Civil society organizations</td>
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<td>DAC</td>
<td>Day of the African Child</td>
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<td>DHS</td>
<td>Demographic and Health Survey</td>
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<td>DRC</td>
<td>Democratic Republic of Congo</td>
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<tr>
<td>FGM/C</td>
<td>Female genital mutilation and cutting</td>
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<td>GBV</td>
<td>Gender-based violence</td>
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<td>GDP</td>
<td>Gross domestic product</td>
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<td>IOM</td>
<td>International Organization for Migration</td>
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<td>IHR</td>
<td>International Health Regulations</td>
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<td>NGF</td>
<td>Nigeria Governors’ Forum</td>
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<td>MICS</td>
<td>Multiple Indicator Cluster Survey</td>
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<tr>
<td>NGO</td>
<td>Non-governmental organization</td>
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<tr>
<td>NHRI</td>
<td>National human rights institution</td>
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<td>OAU</td>
<td>Organization of African Unity</td>
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<td>PACT</td>
<td>Partnership to Accelerate COVID-19 Testing</td>
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<tr>
<td>PMTCT</td>
<td>Prevention of mother-to-child transmission of HIV</td>
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<td>PSNP</td>
<td>Productive Safety Net Programme</td>
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<td>PTSD</td>
<td>Post-traumatic stress disorder</td>
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<td>RCCE</td>
<td>Risk Communication and Community Engagement</td>
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<td>RECs</td>
<td>Regional Economic Communities</td>
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<td>SDGs</td>
<td>Sustainable Development Goals</td>
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<td>UNECA</td>
<td>United Nations Economic Commission for Africa</td>
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<td>UNICEF</td>
<td>United Nations Children’s Fund</td>
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<td>WFP</td>
<td>World Food Programme</td>
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<td>WHO</td>
<td>World Health Organization</td>
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PREFACE

As the Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child (ACRWC) mark 30 years, the UNICEF Evaluation Office, in partnership with the UNICEF Office to the AU/UNECA, launched a reflection on the successes and failures in advancing child rights in Africa, as well as the challenges and opportunities that the future holds. This report is a summary of the review carried out by two independent experts, John Njoka and Romola Adeola. The full report can be accessed through the following link: https://www.unicef.org/evaldatabase/index_103930.html

I would like to sincerely thank John and Romola for their expertise and dedication throughout the entire process and Elizabeth Harrop for producing this summary.

The review would not have been possible without the support and engagement of the African Committee of Experts on the Rights and Welfare of the Child and the UNICEF country offices and staff in Africa. Special thanks go to colleagues who supported missions and data collection in Nigeria, Morocco, Kenya, South Africa and DRC, including: Milen Kidane, Nkiru Maduechesi, Amandine Inna Renee Bollinger, Rachid Amri, Vikas Singh, Monika Sandvik-Nylund, Won Ki Hong, Christian Michaud and Flore Rossi. I would also like to acknowledge the inputs by UNICEF staff in Geneva, government staff, NGOs and civil society partners in the different countries where the review team engaged.

Let me also thank the members of the Reference Group who offered their guidance throughout the exercise. The members include: Edward Addai, Mme Aver Gavar, Samrawit Getanew, Ratna Jhaveri, Catherine Wanjiru Maina, Marie-Consoole Mukangendo, Jephthe Mve Mvondo, Urs Nagel, Robert Stryk, Michele Tarsilla and Andries Viviers. Sincere thanks are also extended to those consulted for the Annex. As well as some members of the Reference Group these include: Carlos Navarro Colorado, Didobeu Charles Etienne Dago, Benjamin Djoudalbaye and Benjamin Kakule Sivasima.

Finally, many thanks go to Jane Mwangi and Carlotta Tincati for the management of this review, Clare Gillaster for copyediting and Celeste Lebowitz, Geeta Dey and Dalma Rivero for their tireless administrative support.

George Laryea-Adjei
Director of Evaluation
UNICEF
EXECUTIVE SUMMARY

As the new decade dawns, two child rights treaties are at a critical point for reflection upon their implementation. The United Nations Convention on the Rights of the Child (CRC) is the most widely adopted human rights treaty in history, ratified by 196 countries1. The African Charter on the Rights and Welfare of the Child (African Children’s Charter), was the first region-specific child rights instrument in the world, and has been ratified by 49 African Union (AU) Member States. The African Children’s Charter contains the core principles of the CRC, and also recognizes the specific situation of African children, due to factors such as displacement after conflict, apartheid and child marriage.

Both treaties have reached their thirtieth anniversary – the CRC in 2019 and the African Children’s Charter in 2020 – and are more relevant than ever. The child rights community, and the children the treaties serve, are taking stock of successes, failures, challenges and opportunities.

Much progress has been made on health and education in Africa. In the 25-year period to 2015,2 mortality rates for children under 5 years of age reduced by over 50 per cent and huge strides have been made in universal primary education, increasing from 63 million to 152 million students. The CRC, together with the African Children’s Charter have empowered Africa’s children with inalienable rights, and data and evidence have been critical in both assessing the difference that these instruments are making for the African child and in informing evidence-based policy and programming.

While advancements have been made, there are signs of stagnation, and even reversals in some areas which are undermining those gains. Stubborn challenges persist, for example, sub-Saharan Africa remains the region with the highest under-five mortality rate in the world and there are wide variations across regions, with Western and Central Africa having the highest rates of child deaths.

At the same time, Africa’s children face emerging global threats and challenges to their survival and well-being, such as the COVID-19 pandemic (see Annex), attacks on civilians, climate- and conflict-related migration, urbanization, and the impacts of technology. There is a resurgence of measles in certain areas, protracted conflicts and a lack of education due to the closure of schools in these locations, and climate-related disasters such as floods and cyclones. Weak social services and statutory systems as well as under-resourcing compound these situations, and allow social, cultural, political and economic barriers to become further entrenched.

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2 Bashir, Sajitha, Marlaine Lockheed, Elizabeth Ninan, and Jee-Peng Tan, Facing Forward: Schooling for Learning in Africa, Africa Development Forum series, World Bank, Washington, DC, 2018
Against this backdrop, respect for human rights generally – and the rights of children, in particular – are under duress. A renewed commitment to the protection, promotion, implementation and monitoring of child rights in Africa is urgently required, particularly for the most vulnerable and marginalized. These include children from remote rural areas, those from poor households, both rural and urban, children in communities experiencing high maternal and child mortality rates, children without parental care, children with disabilities and girls exposed to early and forced marriage, among others.

The African Children’s Charter remains purposeful and relevant, with the ability to foster changes in legislation, policy and practice in support of child rights at the national, regional and continental levels. But only if it is widely known, widely used and widely respected, and – as this report shows – this is currently not the case.

This review proposes six action points for a bold agenda to accelerate child rights in Africa:

- **Action Point 1**
  Universal ratification of the African Children’s Charter:
  Elevate the status of the African Children’s Charter and ensure its universal ratification and the removal of reservations by State Parties.

- **Action Point 2**
  Respond to emerging child rights challenges in Africa:
  Respond to the continent’s emerging challenges to child rights through General Comments on the African Children’s Charter, research and advocacy, and cross-ratification of other relevant instruments in support of child rights, to ensure clarity on legal obligations and opportunities.

- **Action Point 3**
  Increase reporting synergies between the CRC and African Children’s Charter:
  While the CRC and African Children’s Charter each have different specificities, there may be opportunities to create efficiencies around reporting to the two treaty bodies for each State Party, with feedback consolidated into national and sub-national action plans for advocacy and implementation.

- **Action Point 4**
  Create a coordinated national policy, financing and legal response to support child rights:
  Urgently invest in the revision and enactment of legislation for the protection, promotion and fulfillment of child rights, coordination mechanisms, capacity of independent national human rights institutions (NHRIs) including for children, and a commitment to minimum public investment levels in the social sectors, with accountable and transparent disbursement of funding to reach all children.
**Action Point 5**

Support data generation, reporting and accountability for child rights:

Support statutory data systems, reporting and accountability, evidence generation and knowledge sharing on child rights, including the independent evaluation of child right policies and programmes and strengthening AU accountability mechanisms to deliver on child rights.

**Action Point 6**

Involves all of society – especially children, adolescents and young people, including those with disabilities and other marginalized groups – in the creation of solutions to challenges to child rights challenges in Africa:

Embed a whole-of-society approach into ideas creation for catalysing change, by joining the UNICEF dialogue on boldly fulfilling the promise of the CRC and the African Children’s Charter.

Children themselves should take a crucial participatory role in promoting the child rights agenda through the enhancement of child participation mechanisms such as children’s parliaments and youth ambassadors, at the community level, and through social media. There is also a need to harness seven essential elements (3 S’s – scale, speed and sustainability, and 4 I’s – investment, innovations, institutional strengthening and implementation) across the action points and in the newly revitalised response.

As we mark the influence of the African Children’s Charter in its thirtieth anniversary year, there is cause to celebrate the contribution of the many actors who have supported its implementation including Governments, civil society, development agencies, the private sector, communities and community leaders, the media, academia, and the children who were born with the charter firmly in place to support and protect them. The time has come to ensure that the African Children’s Charter is robustly and comprehensively utilized in that mandate, for every child in Africa.
INTRODUCTION
In 1989, world leaders made an unprecedented commitment to children worldwide through the adoption of the CRC which sets out the civil, political, economic, social and cultural rights that all children everywhere are entitled to, whatever their or their parent’s or guardian’s ethnicity, gender, religion, language, abilities or any other status. The CRC explains how adults and Governments must work together and listen to children, to make sure all children can enjoy all their rights.

Africa has taken a global lead in setting standards for children’s rights in a regional context, through establishing the first region-specific child rights instrument, the African Children’s Charter, which was adopted in 1990 by the AU – then the Organization of African Unity (OAU). Its ratification reinforces recognition of children’s rights as an entitlement rather than a privilege. It contains all the core principles of the CRC, and additionally recognizes the critical situation of African children, due to factors such as displacement after conflict, apartheid and child marriage.

As the CRC and the African Children’s Charter celebrate their thirtieth anniversaries – 2019 and 2020 respectively – the United Nations Children’s Fund (UNICEF) is seeking to contribute to the body of knowledge on the advancement of the rights of children globally, including in the context of the African Children’s Charter. This report reflects on achievements to date and shines a light on the challenges and opportunities for the future, proposing a bold agenda for accelerating the realization of child rights in Africa.

Approach and Methodology

This document summarizes a review undertaken using a qualitative participatory approach to capture information such as the role of the African Children’s Charter in enhancing child rights in Africa, UNICEF contributions in supporting implementation of the African Children’s Charter, efforts by State Parties in using the charter, as well as the engagement of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC).

Field visits were undertaken in four countries (Kenya, Morocco, Nigeria and South Africa) and remote interviews were conducted in the Democratic Republic of Congo (DRC), during which in-depth discussions were held with a range of actors in the child rights field. These included UNICEF country offices, other United Nations agencies, government ministries and departments responsible for children’s issues, civil society organizations (CSOs) working on child rights including national coalitions, NHRIs, and children’s and youth organizations.

Field Visits

4 countries

3 The countries were selected to give a range of contexts, and on the basis of their ratification status: Kenya, Nigeria and South Africa have ratified the African Children’s Charter and reported against its implementation; DRC and Morocco have ratified the CRC but not the African Children’s Charter (DRC is a signatory).
In addition to interviews in the case study countries, face-to-face interviews were conducted at the AU headquarters in Addis Ababa, Ethiopia; with the ACERWC Secretariat and other AU organs (Department of Social Affairs and Department of Labour, Migration and Employment); and with international organizations working with the African Children’s Charter. Data from an online survey administered to 52 UNICEF country offices in Africa augmented this information⁴.

⁴ 38 country offices responded to the survey.
THE ADVANCEMENT OF CHILD RIGHTS IN AFRICA: WHERE WE STAND
2.1 Context

Africa is home to an exceptionally rich heritage with an incredible diversity of political and social systems, cultures, religions, languages and historical trajectories\(^5\).

Four of the fastest growing economies in the world are in Africa: Côte d’Ivoire, Ethiopia, Ghana, and Rwanda\(^6\). Meanwhile, the African Continental Free Trade Area will lead to the creation of a single continental market of more than 1.3 billion people, with a combined annual output of $2.2 trillion. It is being heralded as a significant opportunity to steer Africa’s economic relations away from a reliance on external donors, foreign creditors and excessive commodity dependence\(^7\).

However, Africa’s economic growth is not being translated into decent jobs and benefits for a wide range of the population: 416 million Africans still live in extreme poverty\(^8\) and youth unemployment is unacceptably high at over 60 per cent\(^9\). Meanwhile, public debt levels and debt risk are rising, fragility is costing the subcontinent a half of a percentage point of growth per year, and gender-based discrimination persists, all of this are keeping the continent from reaching its full growth and innovation potential\(^10\).

The economic situation is particularly concerning when considering the fact that Africa has the world’s fastest-growing child population\(^11\) (Figure 1). Close to half (41 per cent) of Africa’s population of 1.2 billion people is under 15 years of age\(^12\). Nigeria is the most populous country in Africa (184 million people), followed by Ethiopia (99 million), Egypt (85 million), DRC (71 million) and South Africa (54 million)\(^13\). The greatest number of births currently takes place in Nigeria and by 2050, Nigeria alone will account for almost one tenth of all births in the world\(^14\).

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5 UNESCO, World Report Investing in Cultural Diversity and Intercultural Dialogue, 2009
14 UNICEF, Generation 2030 Africa
Leveraging the demographic dividend will require that this growing population of children is supported through the fulfilment of their rights, including social services such as health, education and protection, and prospects for sustainable employment. However, resources allocated through national budgets for social sectors such as health and education are often inadequate, may not be disbursed\textsuperscript{15}, are focused on paying salaries and administration, or are subject to leakages and a lack of accountability for spending. Social services are therefore limited in many African countries, compounded by declining extended family support structures, leading to increased vulnerabilities of women and children.

2.2 National and continental progress in child rights

The CRC and the African Children’s Charter have indelibly changed the way Africa and the world see children: as rights holders.

Although huge progress has been made on the child’s right to health and education in Africa, globally the worst 22 performing countries for under-five mortality are all in Africa, with Somalia having the highest risk of a child dying before reaching five years of age (at 122 deaths per 1,000 live births; global average 38.6)\textsuperscript{16}. There are wide variations across regions in Africa, with Western and Central Africa having the highest rates of under-five mortality (Figure 2).

\textbf{Figure 2:} Under-five mortality rate by African Union sub-region, 1990 and 2017

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\includegraphics[width=\textwidth]{figure2}
\caption{Under-five mortality rate by African Union sub-region, 1990 and 2017}
\end{figure}

\textbf{Source:} UNICEF and African Union, Children in Africa: key statistics on child survival and population, 2019

\textsuperscript{15} For example, in South Sudan, social sectors have been underspending as funds have not been disbursed due to both the credibility of revenue projections and the fact that Government as unable to raise the requisite amount for the resource envelope. UNICEF, National Budget Brief South Sudan, \texttt{<www.unicef.org/southsudan/media/2201/file/%20UNICEF-South-Sudan-National-Budget-Brief-2019.pdf>}, 2019

The varied picture is similar in education. Girls are more disadvantaged due to factors such as the burden of domestic chores, child marriage, caregiver preference for boy’s education as well as pedagogies that are gender unaware. Less than one in 20 poor, rural girls in sub-Saharan Africa is on track to complete secondary school, seven times less likely than non-poor, urban boys\textsuperscript{17}. To reach universal pre-primary, primary and secondary education in 2030, sub-Saharan Africa will need to enrol 3.3 times the number of children in total that it does today\textsuperscript{18}.

Children may suffer multiple vulnerabilities and risks by virtue of their age, sex and gender, ethnicity and race, locality, religion, disability and other factors including children affected by conflict, children in street situations and other orphans and vulnerable children.

\textbf{Less than 1 in 20 poor rural girls in sub-Saharan Africa is on track to complete secondary school}

\textsuperscript{17} The International Commission on Financing Global Education Opportunity, The Learning Generation: investing in education for a changing world, undated
\textsuperscript{18} UNICEF Education Strategy, 2019–2030
Children in Africa – a snapshot

Child mortality:
Although mortality rates for children under 5 decreased by 58 per cent between 1990 and 2017, on current trends, 31 million under-5 deaths will occur in Africa between 2018 and 2030. A quarter of those children could be saved (8 million) if all countries at risk of missing the Sustainable Development Goal target on under-five mortality19 achieved it20.

Stunting:
Stunting among children under five has reduced by 8 per cent over the last 16 years but still affects almost a third of children (30.4 per cent)21.

Children affected by armed conflict:
Children are 24 times more likely to die during armed conflict due to illness and injury than in peacetime23. Conflict interacts with already retrogressive provision of social services, thereby generating more conflict, violence and underdevelopment24.

In countries such as DRC, over half of armed groups are made up of children under 18 years of age25. These children miss schooling and face mistreatment, violence, and stigma from their communities upon their release.

Education:
Although education enrolment numbers are impressive at over 90 per cent in many African countries, more than half of children are not learning as expected22. Learning outcomes are hindered by a range of inter-related factors including a lack of trained teachers, inadequate learning materials, makeshift classes and poor sanitation facilities.

Violence against children:
African countries have some of the highest rates of forced sex in childhood in the world. Cameroon has the highest rates affecting 1 in 6 young women and 1 in 25 young men26.

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19 SDG Target 3.2: By 2030, end preventable deaths of newborns and children under 5 years of age, with all countries aiming to reduce …under-5 mortality to at least as low as 25 per 1,000 live births.
20 UNICEF and African Union, Children in Africa: key statistics on child survival and population, 2019
25 Global Child Protection Area of Responsibility 2019 Desk Review Data on DRC
2.3 Trends affecting child rights

There are several emerging trends in Africa which impact the fulfilment of child rights, not least the COVID-19 pandemic which is creating regressions in multiple areas of child rights (see Annex). These need to be urgently addressed by states, child rights actors and policymakers, or they will become large-scale and unmanageable risks to the fulfillment of the rights and well-being of children.

Climate- and conflict-related migration
Climate change, conflict and associated displacement are becoming more frequent and intense in Africa, causing family separation and disintegration, increasing the numbers of unaccompanied and separated children and the significant protection risks to those children.

Climate-induced migration is especially recurring in Western and Northern Africa, for example in the four countries around the Lake Chad Basin – Cameroon, Chad, Niger and Nigeria – which are experiencing increased dry spells leading to hunger, starvation and suffering for children and their families. In a recent survey by the International Organization for Migration (IOM)\(^{27}\), over 50 per cent of respondents in Cameroon had been forced to flee their villages because of climate-related factors. A lack of access to livelihood activities and/or a dependence on humanitarian assistance in the four countries was attributed both to changing climatic factors and the Boko Haram insurgency.

The effect of displacement of children is multidimensional affecting a plethora of rights including health and education, and protection from violence. A total of 337 girls and boys died during migration within Africa during 2014–2018\(^{28}\), a figure which is probably much higher given the dearth of data and the need for improved knowledge on children on the move. Statelessness of children is a major issue in the context of migration, and child abduction and forced recruitment of children on the move are also evident challenges.

In addition, climate change will also have a direct impact on child survival through changing disease environments, greater food insecurity, and threats to water and sanitation\(^{29}\).

Urbanization
Africa is rapidly urbanizing, with 43 per cent of its population living in urban areas and with the highest urban population growth rates in the world\(^{30}\). Regionally, West and Central Africa has seen the second biggest increase in the proportion of children living in cities (after East Asia and the Pacific), with nearly one half of children now living in cities, compared with less than one third in 1989\(^{31}\).

Recent trends in developing regions, particularly in sub-Saharan Africa, have challenged the association between urbanization and economic growth. Although urbanization has contributed to advances in the well-being of children, there is a huge

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\(^{28}\) International Organization for Migration, Fatal journey volume 4: missing migrant children, 2019, 6

\(^{29}\) UNICEF, For Every Child, Every Right: The Convention on the Rights of the Child at a crossroads, 2019

\(^{30}\) United Nations Department of Economic and Social Affairs, The World Urbanization Prospects: the 2018 Revision

\(^{31}\) UNICEF, For Every Child, Every Right: The Convention on the Rights of the Child at a crossroads, 2019
population of urban poor (189 million people live in urban slums in sub-Saharan Africa32) and increasing urbanization of the continent means new challenges for child rights programming. These include changes in the character of certain forms of child abuse especially child trafficking; exposure of young people to drug and substance abuse, an increase in the number of children on the streets and working children33.

Urbanization rates are projected to slow down in most countries, yet several low-income countries in sub-Saharan Africa will have increasing rates, such as Chad, Comoros, Malawi, Niger, South Sudan and Sierra Leone34.

While some urban children are now worse off than their rural counterparts, rural-urban inequalities continue to overwhelmingly negatively affect children in rural and remote locations due to factors including a lack of access to services. In Morocco for example, the infant mortality rate is almost 50 per cent higher in rural compared with urban areas (14.86 urban and 21.59 rural)35.

Technology

New technologies are rapidly expanding in Africa bringing economic and social benefits. Africa has a vibrant industry in technological innovations such as mobile money, which started in Kenya and is now entering other countries in Eastern and West Africa36. Through social media and the internet, children and young people now have access to information to support their rights and well-being as never before.

However, there are associated risks. The so-called Fourth Industrial Revolution and the labour-substitution effect of automation threatens African economies’ ability to leverage manufacturing for job creation37, with impacts for youth employment in Africa. Cybersecurity and the prevention of cyber-bullying and online exploitation of children are major concerns, and there are threats to child well-being including loss of privacy, replacement of play and exercise time, and mental health challenges.

Equal access to technology is also imperative, given the growing role of technology in education, especially for children in hard to reach areas. Technology can enhance the quality of knowledge to ensure that children are afforded similar opportunities in the context of global advancements on learning.

32 United Nations Department of Economic and Social Affairs, The World Urbanization Prospects: the 2018 Revision
33 UNICEF, For Every Child, Every Right: The Convention on the Rights of the Child at a crossroads, 2019
34 United Nations Department of Economic and Social Affairs, The World Urbanization Prospects: the 2018 Revision
Supporting child rights through technology

Supporting children’s right to be heard in Kenya:

Child Helpline protecting and advocating for children throughout Africa:
Child Helpline International are most often the first point of contact for children who are in need of support and protection in 35 countries in Africa38. Information collected from child helplines is used to bring out the voices of children to influence Governments and policymakers on issues such as protection from abuse and violence.

Attacks on children
The wave of attacks on civilians including children in parts of the continent, including by groups designated as terrorist, requires a child rights response. Non-state armed groups, such as Boko Haram in Nigeria and Al-Shabaab in Somalia, continue to commit grave violations against children, including killing and maiming, recruitment and use, abduction, and rape and other sexual violence, which is a particular risk to the girl child. The Nigerian military has detained thousands of children, some as young as five, for suspected involvement with Boko Haram, in many cases with little or no evidence, and few are ever charged with any crime39. Recruitment and use need to be prevented and children in armed groups and administrative detention need to be urgently released, and receive medical attention and psychosocial support, before the process of reuniting them with their families and reintegrating them into society begins.

Children in areas in which armed groups operate may be denied access to education and other services vital for their survival and development. For example, since 2009 due to the Boko Haram insurgency in northeast Nigeria, over 2,295 teachers have been killed and 19,000 have been displaced. Almost 1,400 schools have been destroyed with the majority unable to open because of extensive damage or because they are in areas that remain unsafe. An estimated 3 million children are in need of emergency education support40.

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3 FRAMEWORKS AND ACTORS FOR CHANGE
3.1 African Union Commission and ACERWC

Many years before the idea of an African treaty on children was conceived, the AU (then OAU) placed children on its agenda when it adopted a Declaration on the Rights and Welfare of the Child in 1979, the African Charter on Human and People’s Rights in 1981, and the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa 2003 (popularly known as the Maputo Protocol), which includes rights of the girl child. The OAU adopted the African Children’s Charter on 11 July 1990, and it came into force nine years later having received the requisite 15 State ratifications to become operational.

The normative framework established by the African Children’s Charter is also complemented by other treaties relevant for child rights such as for children on the move, for example the OAU Convention Governing the Specific Aspects of the Refugee Problems in Africa 1969 and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa 2009 (the Kampala Convention). Children’s issues within the AU are housed within the Department of Social Affairs. However, the ACERWC was established with a distinct mandate to promote and protect the rights enshrined in the African Children’s Charter and has four functions (Article 42); namely promotion, protection, monitoring and interpretation of the African Children’s Charter. In particular, the Committee is expected to formulate and lay down principles and rules aimed at protecting the rights and welfare of children in Africa. The ACERWC can receive and consider communications (Article 44) and can resort to any appropriate method of investigating any matter falling within the ambit of the Charter (article 45). The 11 members of the ACERWC are each responsible for different thematic areas and for three to six countries. The ACERWC has achieved much in its 20 years of existence (Figure 3).

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41 Article 1(k), “Women” means persons of female gender, including girls.
42 African Committee of Experts on the Rights and Welfare of the Child (ACERWC), Mapping children on the move within Africa, 2018
44 ACERWC Committee Members, <https://www.acerwc.africa/the-experts/>, accessed 3 January 2020
Collaboration between the ACERWC and other bodies

The African Charter on Human and Peoples’ Rights has been used for the promotion of child rights, and there has been joint work between the African Commission on Human and Peoples’ Rights (ACHPR) – which oversees the African Charter on Human and People’s Rights – and the ACERWC, for instance in issuing a recent Joint General Comment to End Child Marriage in Africa\(^45\), which also took into account Article 6(b) of the African Women’s Protocol, on the minimum age of marriage. There is increasing collaboration and interaction between the CRC Committee and ACERWC. The committees have members in common, and in 2011, thanks to the facilitating role of UNICEF, adopted a common platform for action.

However, besides the Peace and Security Council (with which the ACERWC, with the support of UNICEF, is paving the way for an office on children affected by armed conflict) and ACHPR, the ACERWC has not forged strong links with other AU entities. The ACERWC is at times even considered as an NGO within the AU, undermining its political status to advance child rights.

The advocacy function of the African Children’s Charter and ACERWC

The African Children’s Charter is an important advocacy tool with Governments. Over the years, it has been referenced in a plethora of advocacy and campaign strategies by various institutions. For example, the African Common Position on the AU Campaign to End Child Marriage in Africa recognizes Article 21(2) of the African Children’s Charter. Of the 30 high-prevalence countries targeted

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by the campaign, 24 have launched national campaigns to end child marriage. A further seven countries have launched their own initiatives outside of the AU campaign, most of which had previously not developed a national response to child marriage46.

General Comments issued by the ACERWC on the effective implementation of specific articles of the African Children’s Charter (see section below), are also important advocacy tools, and the Joint General Comment on ending child marriage explicitly references the AU Campaign. These advocacy tools are thus mutually reinforcing.

Key to the mandate of the ACEWRC is to develop themes for the Day of the African Child (DAC) which is an important continental advocacy platform. DAC unites actors across Africa in support of child rights and is used by the ACERWC to draw attention to States Parties’ obligations to children’s rights under various annual themes. However, follow up momentum from DAC – especially on how the themes are taken up at country level – remains weak.

In 2015 the AU adopted Agenda 2063: The Africa we want, which brings all continental and regional initiatives under one umbrella. The ACERWC adopted its own strategy, Africa’s Agenda for Children 2040: Fostering an Africa Fit for Children which was supported by UNICEF in its development. Agenda 2040 elaborates on Paragraph 53 of Agenda 2063 (African children shall be empowered through the full implementation of the African Charter on the Rights of the Child) with the main objective of assessing the achievements and challenges of effective implementation of the African Children’s Charter47. However, the review found limited awareness or support for Agenda 2040, with some actors feeling that this is an additional (unnecessary) tool.

46 UNICEF, ‘Case study: UNICEF support to the AU continental campaign to end child marriage’, September 2018
47 UNICEF, ‘Case study: UNICEF’s support to the African Children’s Charter Committee’, September 2018
The African Children’s Charter and children with disabilities

It is estimated that 6.4 per cent of children aged 0–14 years old have a disability in sub-Saharan Africa, compared to the global average of 5 per cent\(^{48}\). Identifying these children is the first step to supporting them, however, the population of children living with disabilities is hardly captured in national statistics on children in Africa.

The CRC was the first international treaty to explicitly recognize the rights of children with disabilities\(^{49}\). Article 2 specifies that signatory states shall respect and ensure the rights of each child without discrimination of any kind, including on the basis of disability. Article 23 of the CRC is also devoted to the rights of children with disabilities. In 2006, the United Nations Convention on the Rights of Persons with Disabilities was adopted, and now has 181 State Parties, many in Africa\(^{50}\).

Article 13 of the African Children’s Charter states that “every child who is mentally or physically disabled shall have the right to special measures of protection ... effective access to training, preparation for employment and recreation opportunities” and requires State Parties to progressively achieve movement and access for children with disabilities to public buildings and other places.

However, the African Children’s Charter fails to include disability as a prohibited ground for discrimination. In addition, the rate of children with disabilities for sub-Saharan Africa is higher because inadequate healthcare and nutrition leads to high rates of sensory and motor impairment in many African countries\(^{51}\). While the CRC requires States Parties to promote the exchange of appropriate information in the field of preventive health care, the African Children’s Charter does not, presenting a missed opportunity.

\[ \text{sub-Saharan Africa: } \frac{6.4\%}{\text{of children}} \rightarrow 0-14 \text{ years old are disabled} \]


3.2 The normative role of the CRC and the African Children’s Charter

The African Children’s Charter complements or elaborates on some of the CRC’s provisions as follows:

**Definition of the child:**
The CRC provides that a child is an individual below 18 years ‘unless under the law applicable to the child, majority is attained earlier’ (article 1). However, the African Children’s Charter defines a child as an individual below the age of 18 years (article 2) with no caveat.

**Child marriage:**
The CRC is not explicit regarding child marriage but requires states to take all effective and appropriate measures with a view to abolishment of traditional practices prejudicial to child health (article 24). The African Children’s Charter (article 21) explicitly prohibits child marriage and sets the minimum age of marriage at 18 years. It further provides for compulsory registration of marriage in an official registry.

**Recruitment of children:**
The African Children’s Charter does not permit recruitment of children under the age of 18 years (article 22): “State Parties to the present Charter shall take all necessary measures to ensure that no child shall take a direct part in hostilities and refrain in particular, from recruiting any child”. The Optional Protocol to the CRC on the involvement of children in armed conflict notes that the recruitment of under-15s by either armed forces or armed groups constitutes a war crime (Article 5). It prohibits the recruitment of under-18s under any circumstances by armed groups (Article 4) and permits the recruitment of 15–18-year-olds by armed forces under certain conditions (Article 3).

**New areas:**
The African Children’s Charter contains new areas that are not contained in the CRC such as the responsibility of the child (article 31) and protection against apartheid (article 26).
Gender inequalities in children's lives and the lives of those who care for them often hinder their life chances.

Female genital mutilation and cutting (FGM/C) is almost universal in Djibouti, Guinea and Somalia, with levels of around 90 per cent. Worldwide, the levels of child marriage are highest in sub-Saharan Africa, where nearly 4 in 10 young women were married before age 18. Progress to date has been stronger among the richer segments of society, and the gap in child marriage prevalence between the richest and poorest has widened in West and Central Africa, and Eastern and Southern Africa.

Other issues affecting girls include sexual abuse and exploitation, and menstrual health and hygiene which can have a detrimental effect on school attendance where facilities and support are not available. During conflict, girls in particular face increased threats of trafficking, exploitation and sexual and gender-based violence. Girls as well as boys are associated with armed forces and groups in large numbers, as domestic helpers and as 'wives' or sexual slaves. Girls accounted for 35 per cent of the 745 children recently released in Yambio, South Sudan.

The African Children’s Charter stipulates that signatory Governments shall protect children from any form of discrimination, including on the basis of gender. In addition:

- Article 21 protects children against harmful social and cultural practices which are discriminatory to the child on the grounds of sex or other status, and explicitly prohibits child marriage
- Article 21 provides protection Against Child Abuse and Torture including sexual abuse
- Article 27 protects children from sexual exploitation

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54 UNICEF, For Every Child, Every Right: The Convention on the Rights of the Child at a crossroads, 2019
Advancing the interpretation of child rights through General Comments

A significant impact of the African Children’s Charter is its advancement of the child rights agenda through General Comments of the ACERWC which support States Parties, and other stakeholders, in the effective implementation of specific Articles of the African Children’s Charter. The ACERWC draws on the General Comments in its concluding observations and recommendations to Member States thereby further supporting implementation.

Over the last decade, the ACERWC has developed five General Comments:

• General Comment Article 30 2013 on children of incarcerated and imprisoned parents and primary caregivers
• General Comment Article 6 2014 on the right to birth registration, name and nationality
• General Comment Article 31 2017 on the responsibilities of the child
• Joint General Comment with ACHPR 2017 on ending child marriage
• General Comment Article 1 2018 on systems strengthening for child protection

General Comments are important advocacy tools launched at critical moments. For example, the General Comment on the right to birth registration, name and nationality was launched at the Third Conference of African Ministers responsible for Civil Registration in Côte d’Ivoire 2015. The General Comment was heralded as a ground-breaking document as it goes beyond the scope of the CRC by saying that a child who cannot acquire the nationality of his or her parents shall acquire the nationality of the country where he or she is born.

Leveraging the explicit prohibition of child recruitment in Article 22(2) of the Charter, the ACERWC has also engaged in studies on children in armed conflict and is in the process of developing a General Comment for the protection of children in this context.

The African Children’s Charter as a trigger for legal reform

The roles of the African Children’s Charter and CRC are complementary and help to influence national policies and legislation in support of child rights (Figure 4).

Many countries report having developed laws on children following ratification of the African Children’s Charter. In some cases, explicit reference is made to the African Children’s Charter as a basis for legal texts such as in Lesotho, Liberia, Rwanda, Sierra Leone and South Africa. In most cases, the laws specifically incorporate provisions in relation to the value areas of the African Children’s Charter.

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57 UNICEF, ‘Case study: UNICEF’s support to the African Children’s Charter Committee’, September 2018
Examples of national legislation provisions influenced by the African Children’s Charter

**Definition of the child:**
Algeria, Egypt, Ghana, Guinea, Kenya, Madagascar and Uganda define a child as a person who has not attained the age of 18 years\(^{59}\).

**Recruitment of children:**
Nigeria’s Child Rights Act explicitly prohibits recruitment of children into the armed forces and mandate the Government to ensure that children are not directly involved in military operations or hostilities\(^{60}\).

**Child marriage:**
The Child Care, Protection and Justice Act of Malawi prohibits subjecting a child to ‘social or customary practice that is harmful to the health or general development of the child’\(^{61}\). It further prohibits child marriage and criminalizes the act as an offence punishable with an imprisonment term of 10 years. Similarly, the Children’s Law of Liberia prohibits and criminalizes child marriage\(^{62}\).

**Child responsibility:**
Article 23 of the 2005 Children’s Act of the Gambia recognizes that ‘every child has responsibilities towards his or her family and society, The Gambia, and other legally recognized national and international communities’. However, these duties are predicated on differentiated age and ability\(^{63}\). The 2011 Rwandan Law on the Rights and Welfare of the Child frames the duty in the context of respect for any human being, especially parents or guardians, love for country (patriotism) and duty to study\(^{64}\).

The communications procedure elaborated in Article 44 is also a powerful tool in holding states accountable for child rights. For example:

- **Children of Nubian descent in Kenya:**
  The ACERWC recommended that the Government of Kenya ‘take all necessary legislative, administrative, and other measures in order to ensure that children of Nubian decent in Kenya, that are otherwise stateless, can acquire a Kenyan nationality and the proof of such a nationality at birth’\(^{65}\).

- **Children affected by armed conflict in Uganda:**
  The ACERWC found the Government in violation of Article 22 given evidence of recruitment of children in the Ugandan armed forces. While there were reports of consent on the part of the children, the ACERWC expressed that ‘the African Children’s Charter does not leave room for the voluntary recruitment of children in armed conflict’\(^{66}\).

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\(^{60}\) Nigeria: Child Rights Act, 2003, art. 34

\(^{61}\) Malawi: Child Care, Protection and Justice Act, 2010, art. 80

\(^{62}\) Liberia: Children’s law, 2011

\(^{63}\) Gambia: Children’s Act, art. 23(2)

\(^{64}\) Rwanda: Law relating to the rights and welfare of the child 2011, arts. 21-23

\(^{65}\) Decision on the communication submitted by the Institute for Human Rights and Development in Africa and the Open Society Justice Initiative (on behalf of children of Nubian decent in Kenya) v the government of Kenya, 2011 para. 69 (1)

\(^{66}\) Decision on the communication submitted by Michelo Hansungule and others (on behalf of children in northern Uganda) v the Government of Uganda (2013), para 58
3.3 Role of State Parties to the African Children’s Charter

Although the African Children’s Charter is ratified by 49 countries, some have made reservations to certain articles, watering down commitments made under the Charter. The impact of the African Children’s Charter is further undermined by the lack of participation in the State Party reporting process, through which states are required to submit an initial report within two years of ratification and thereafter, every three years (Article 43).

The ACERWC through its Agenda 2040 notes that Benin, Botswana, Burundi, Cape Verde, Djibouti, Equatorial Guinea, the Gambia, Guinea-Bissau, the Seychelles, Swaziland and Zambia have never submitted a state report to the ACERWC, but have all submitted at least their initial reports to the CRC Committee. The ACERWC notes that “This data set strongly suggests a predilection for the UN system.”

Reporting to the Committee on the Rights of the Child and ACERWC is the responsibility of the State Party. UNICEF and civil society provide alternative reports, and UNICEF also supports the State Party in its reporting to the Committees. However, some Governments claim not to have resources for the process, and there are also limitations to implement the concluding observations and recommendations due to resource constraints as well as a lack of political will.

Value and impact of the African Children’s Charter in Nigeria

In Nigeria, the African Children’s Charter has had a notable impact on the development of the Child Rights Act 2003. This instrument reflects aspects of the Charter such as the responsibility of the child, the prohibition of child marriage, and prohibition on recruitment of children in the armed forces of the Federal Republic of Nigeria. Policies have also been developed making reference to the Charter such as the National Child Policy and the National Strategy to End Child Marriage in Nigeria (2016–2021).

However, struggles between the federal Government and state Governments have seen the Child Rights Act become difficult to domesticate in 10 out of the 36 states.

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67 Botswana: Does not consider itself bound by Article 2 which defines the child. Egypt: Does not consider itself bound by Article 24 regarding adoption; Article 30 (a-e) regarding the special treatment of children of imprisoned mothers; Article 44 which establishes that the Committee can receive Communications; and Article 45 (1) regarding the Committee conducting investigations in member states. Mauritania: Does not consider itself bound by Article 9 regarding the right to freedom of thought, conscience and religion. Sudan: Does not consider itself bound by Article 10 regarding the protection of privacy, Article 11 (6) regarding the education of children who become pregnant before completing their education or Article 21 (2) regarding child marriage, https://www.acerwc.africa/reservations/, accessed 7 January 2020

State actions arising from the reporting process of the African Children’s Charter

The African Children’s Charter reporting process has the potential to add significant value:

**Definition of a child in Rwanda:**
The ACERWC (in its first concluding observations) recommended that Rwanda should engage in legislative reform in order to harmonize and define a single age for children – 18 years – in line with the African Children’s Charter. In 2016, Rwanda adopted the Persons and Family Law setting the age of majority at 18 years and the minimum age for marriage to 21 years.

**Refugee children in South Africa:**
The ACERWC recommended that the Government of South Africa eliminate barriers (legal and non-legal) that impede access to social services for refugee children. In response, the South African National Action Plan for children (2019–2024) includes a protocol to streamline delivery of services in a timely manner to refugees, asylum-seekers and migrant children.

**Responsibility of the child in Kenya:**
The ACERWC recommended that Kenya educate children on their responsibility to family and the national community, and empower them to contribute to building solidarity. In its second report to the ACERWC, Kenya emphasized that through platforms including the child rights clubs, DAC celebrations and children’s assemblies, children are sensitized to responsibilities to family, community and the nation.

**Harmful traditional practices in Tanzania:**
The ACERWC urged Tanzania to design and implement advocacy measures to address harmful traditional practices in its concluding observations following consideration of Tanzania’s first report in 2010. In its following report to the ACERWC, Tanzania emphasized that it had launched a Child Marriage-Free Zone campaign to scale up action against child marriage and had complied with the Committee’s recommendation on FGM/C through collaborative efforts with community stakeholders and in developing programmes for alternative sources of income for persons who perform FGM/C.

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69 Concluding recommendations by the ACERWC to the Republic of Rwanda on the initial report of the implementation of the African Charter on the Rights and Welfare of the Child, 2010, 3
70 Rwanda: Law No 32/2016 Governing Persons and Family, 2016, para. 24
71 Concluding recommendations by the ACERWC on the Republic of Tanzania report on the status of implementation of the African Charter on the Rights and Welfare of the Child, 2010, 8
72 Tanzania Consolidated second, third and fourth reports on the implementation of the African Charter on the Rights and Welfare of the Child by the Government of the United Republic of Tanzania, October 2015
73 Concluding observations and recommendations of the ACERWC to the Government of the Republic of South Africa on its first periodic report on the implementation of the African Charter on the Rights and Welfare of the Child, 2019, 14
74 Concluding recommendations by the ACERWC on the Kenya first periodic report on the status of implementation of the African Charter on the Rights and Welfare of the Child, para. 54
3.4 Other key child rights stakeholders

The promotion of child rights in Africa is characterized by an array of actors which perform their roles under different mandates and often cooperate in thematic or geographical partnerships (Table 1).

<table>
<thead>
<tr>
<th>STAKEHOLDER</th>
<th>ROLE</th>
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<tbody>
<tr>
<td>REGIONAL ECONOMIC COMMUNITIES</td>
<td>There are eight Regional Economic Communities (RECs) accredited to the AU. RECs support child rights through initiatives such as the Southern Africa Development Community (SADC) Model Law on Eradicating Child Marriage, and Protecting Children Already in Marriage 2016.</td>
</tr>
<tr>
<td>UNITED NATIONS AGENCIES</td>
<td>Several United Nations agencies have a role in advancing children’s rights in Africa, notably, UNICEF. Since 2005, UNICEF has provided support to ACERWC through technical assistance and also has a long history of providing technical and financial support towards the full ratification and implementation of the African Children’s Charter at State Party level.</td>
</tr>
<tr>
<td>NON-GOVERNMENTAL AND CIVIL SOCIETY ORGANIZATIONS</td>
<td>Africa has a vibrant civil society with a strong advocacy role, while also filling gaps of service provision and holding Governments accountable through for example the production of shadow reports which accompany State Reporting to the ACERWC and CRC Committee. They range from international organizations to national and local organizations working at the lowest level of communities. Important civil society actors include faith-based organizations and religious and tribal leaders. One way for CSOs to strengthen their advocacy is through the CSO Forum on the African Charter on the Rights and Welfare of the Child.</td>
</tr>
<tr>
<td>CHILDREN AND YOUNG PEOPLE</td>
<td>Child-led CSOs such as the African Movement for Working Children and Youth based in Dakar, Senegal are emerging entities working with vulnerable children and managed by young people themselves. The CSO recently organized a children’s summit and has been regularly participating in sessions of the ACERWC presenting children’s voices.</td>
</tr>
<tr>
<td>OTHER CHILD RIGHTS ACTORS</td>
<td>Other actors within the architecture of child rights in Africa include academia (vital to research and accountability such as South Africa Child Gauge, an annual publication by the Children’s Institute of the University of Cape Town), the private sector, media (with an increasing use of social media to mobilize young people themselves), and independent national human rights institutions (NHRIs).</td>
</tr>
</tbody>
</table>

76 A study by the by the AU Campaign to end child marriage in Africa found that traditional and religious leaders in Africa can be a “determining factor” in the growing movement to end child marriage, ‘African Union, The Role of Religious and Traditional Practices in Child Marriage; Findings of a New Study by the AU Campaign to End Child Marriage in Africa’, 1 December 2015 <https://au.int/en/pressreleases/20151201> accessed 6 January 2020


Children’s Rights is one of seven focus areas identified by the South African Human Rights Commission as requiring a dedicated focus.

The Commission collaborates with a range of stakeholders in the child rights sector as well as with government departments, supra national bodies, civil society, and the private sector. The Commission initiates hearings and investigations into social and political issues affecting children’s rights, such as the impact of protest-related action on the right to access a basic education. In 2012, the Commission developed a Charter of Children’s Basic Education Rights. 79

Other initiatives include a collaboration with the mining sector on children as stakeholders in sustainable development. The Commission is in the process of accelerating its operational accessibility to children through the implementation of child-friendly complaints procedures, trained staff, and child-friendly materials and infrastructure. 80

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ACTION POINTS FOR ACCELERATING THE AGENDA FOR CHILD RIGHTS IN AFRICA
As the African Children’s Charter approaches its thirtieth anniversary, it is time to recommit to the Charter, and the interrelated Sustainable Development Goals (SDGs), by stepping up efforts to ensure that the rights of every child are realized. Multiple stakeholders have a role to play in this endeavour (Figure 5).

**ACTION POINT 1:**
Ensure universal ratification of the African Children’s Charter

**ACTION POINT 2:**
Respond to the continent’s emerging child rights challenges through General Comments, research and joint advocacy

**ACTION POINT 3:**
Increase reporting synergies between the CRC and African Children’s Charter for each State Part

**ACTION POINT 4:**
Urgently address the need for a robust and coordinated national policy, financing and legal response to support child rights

**ACTION POINT 5:**
Support statutory data systems, reporting and accountability, evidence generation and knowledge sharing on child rights

**ACTION POINT 6:**
Embed a whole-of-society approach – including children, adolescents and young people – to catalyse change by joining the UNICEF dialogue on boldly fulfilling the promise of the African Children’s Charter
4.1 Universal ratification of the African Children’s Charter

The African’s Children’s Charter needs a stronger identity and higher profile to ensure it is seen as a robust and relevant child rights accountability mechanism for Africa, conferring distinct ownership for African states.

Each of the five countries still to ratify the African’s Children’s Charter is a signatory to the CRC. A major question is therefore why Africa is yet to achieve universal ratification of the Charter. However, the situation has a lack of clarity. In the case of DRC for example, following missions by the ACERWC to popularize the Charter, DRC became a signatory in 2010. Some stakeholders claim that ratification has taken place, but this is not valid until the ratification instruments are filed with the AU.

Related to this is the need to ensure that countries that have reservations to articles of the African Children’s Charter, withdraw those reservations. For example, while Egypt does not consider itself bound by Article 24 regarding adoption, this is under review and a similar reservation to the CRC has already been removed.

Action Point 1:

Ensure universal ratification of the African Children’s Charter

- Ensure full ratification of the African Children’s Charter by non-State Parties and removal of reservations by State Parties, through further country missions of the ACERWC and strategic engagement of the Permanent Representatives Council of the AU by organizations such as UNICEF.
- Elevate the status of the African Children’s Charter and ACERWC through creating stronger links with other departments of the AU based on identifying important synergies, particularly in emerging priorities.

4.2 Responding to emerging challenges

Climate change and other trends cloud the future of Africa’s children and demand a robust, immediate and coordinated response. While the African Children’s Charter does not contain explicit provisions on emerging issues such as protection from online exploitation and violent acts, it does incorporate significant provisions that may be leveraged.

Research and studies also have a role to play in this area. For example, the ACERWC reinforced state obligations to protect children on the move in a 2018 study.81

Furthermore, in 2014, the AU passed the Convention on Cybersecurity and Personal Data Protection that criminalizes the production, procurement, dissemination and possession of child pornography through a computer system (Article 29). The convention is yet to enter into force having been ratified by only 5 of the necessary 15 countries (Ghana, Guinea, Mauritius, Namibia, Senegal)82. The ACERWC has a role to play in promoting this and other relevant conventions in its fight against child rights abuses arising from emerging issues.

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81 African Committee of Experts on the Rights and Welfare of the Child Mapping children on the move within Africa, 2018
82 The treaty will enter into force 30 days after the fifteenth instrument of ratification or accession is deposited. AU, List Of Countries Which Have Signed, Ratified/Acceded To The African Union Convention On Cyber Security And Personal Data Protection, 28 June 2019, <https://au.int/sites/default/files/treaties/29560-sl-AFRICAN%20UNION%20CONVENTION%20ON%20CYBER%20SECURITY%20AND%20PERSONAL%20DATA%20PROTECTION.pdf>
Unlike the CRC which contains provisions on freedom of expression (Article 13), freedom of association (Article 15) and access to information (Article 17), the African Children’s Charter contains no article on access to information (only on expression – article 7, and association – article 8). There is scope for the ACERWC to elaborate on this right in a General Comment.

**Action Point 2:**
Respond to the continent’s emerging child rights challenges through General Comments, research and joint advocacy

- The ACERWC should issue General Comments on thematic emerging areas to help states understand their obligations and how to apply existing articles to support child rights in a dynamic and changing environment. This includes on the right to children with disabilities (see above).

- Research should be conducted by the ACERWC and other stakeholders on emerging issues and used in advocacy for evidence-based policymaking.

- Joint advocacy should be conducted with the ACERWC, the AU and other treaty bodies to ensure cross-ratification of relevant instruments in support of child rights.

**4.3 Increasing synergies between CRC and African Children’s Charter state reporting**

This review highlights that many UNICEF staff from country offices in Africa and even staff at the AU, are unaware of the significance of the African Children’s Charter, the ACERWC and Agenda 2040. There is a general perception that there is no real difference between the African Children’s Charter and the CRC, hence operating on the basis of the CRC only.

However, increasing synergies between reporting to the CRC and African Children’s Charter’s respective Committees may offer significant opportunities in terms of efficiency of the reporting process, advocacy opportunities, and visibility for the African Children’s Charter, and of the ACERWC. In South Africa for example, UNICEF has brought together the concluding observations and recommendations from both the CRC Committee and ACERWC and prepared a National Plan of Action 2019–2024 to implement them. This then informs UNICEF’s Country Programme.

**Action Point 3:**
Increase reporting synergies between the CRC and African Children’s Charter for each State Party

- Conduct awareness raising among Government, UNICEF country offices, CSOs and other stakeholders such as NHRIs involved in producing government and shadow reports, on the benefits of reporting on the African Children’s Charter as distinct to but in concert with CRC reporting.

- Involve children’s voices in the reporting process including through the data collection and analysis processes.

- Coordinate reporting to the two committees and consolidate feedback into national and sub-national action plans for advocacy and implementation, and into UNICEF country programmes.

- Encourage the two committees to produce concluding observations and recommendations in a timely manner.
4.4 National child rights frameworks, coordination and budgeting

States should urgently amend legislation in accordance with the CRC and African Children’s Charter and be capacitated to enact that legislation. Policies related to children’s rights should be fast-tracked and firmly entrenched in costed national action plans with clear targets and indicators. Giving children a voice in this process is key.

A key priority rests in supporting the multisectoral coordination of actors including at the inter-ministerial level. Coordination also means integration of child rights across the different policy areas including across the humanitarian-peacebuilding-development nexus and in emerging areas.

In 2002, the CRC developed a General Comment on independent NHRIs as an important mechanism to promote and ensure the implementation of the CRC and advance the universal realization of children’s rights. However, many of the 44 NHRIs in Africa currently fail to effectively support child rights, due to factors such as children’s issues being handled generically alongside other broader human rights programmes and projects. Capacity-building of independent NHRIs should be a priority to enhance accountability as these institutions can demand accountability for child rights issues through parliaments. Furthermore, work should be done with parliamentary committees on human rights and issues related to children (education, health, labour and social protection). This means forging alliances with other civil society actors.

Children themselves need to be engaged in the policy formulation cycle including implementation, monitoring and evaluation. Public participation for children to determine their destiny needs to become a norm and not an ad hoc event. Meetings of children’s parliaments and councils should be regularized and the involvement of hard to reach or marginalized children proactively sought, invested in and sustained. This includes encouraging the equal but distinct participation of girls and boys.

Governments need to devote ample resources to promoting and protecting children’s rights, to reach all children under their jurisdiction — such as children with disabilities and those who are on the move as migrants, internally displaced persons or refugees. While gauging the impact of public spending on children is challenging because of data-quality issues and the difficulty in capturing some spending in areas such as on child protection, which is often not as obvious as on say education, efforts need to be made to transparently and regularly report on expenditure in the social sectors. This includes the amount that Governments spend on child-related sectors and the quality and equity of that spending.

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**Action Point 4:**

Urgently address the need for a robust and coordinated national policy, financing and legal response to support child rights

- UNICEF should further invest in making government child rights coordination mechanisms operational and streamlined, with government ownership and including grassroots actors including CSOs, religious

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83 ACERWC, *General Comment No. 2: The Role of Independent National Human Rights Institutions in the promotion and protection of the rights of the child* CRC/GC/2002/2, November 2002

leaders and children themselves, noting the need for coordination between United Nations agencies at country-level.

- Government and stakeholders should commit to capacitate and adequately resource NHRIs to act as governmental child rights champions, alongside conducting advocacy work with parliamentary committees.

- States should continue to be supported to enact and revise child rights related legislation and policies for the protection, promotion and fulfillment of child rights, especially taking into account emerging issues in a timely manner.

- Governments need to commit to minimum public investment levels in the social sectors according to international standards, with fundingaccountably and transparently disbursed to reach all children. Metrics of spending levels, trends and distribution should be included in government finance statistics. Advocates of children’s rights will use this to assess the quantity and quality of child-related public expenditures.

- Knowledge exchange and learning will be encouraged to promote good practice models for policy formation, coordination and budgeting on the continent.

4.5 Investments in data and evidence

While sub-Saharan Africa is most off-track towards meeting the SDGs, it is also the region with the most complete set of data across the SDG indicators. Further work is needed in order to push Governments towards action and enhance accountability for both the SDGs and the African Children’s Charter.

Supporting government investments in data and evidence generation should also be a primary priority. Currently UNICEF supports Multiple Indicator Cluster Surveys (MICS) and Demographic and Health Surveys (DHS) in many countries, as well as child protection databases and management information systems such as in education and health. It is critical to identify and fill data gaps – such as on gender and children with disabilities – and utilize this for effective child rights programming.

Supporting the development of government data systems and generating data required for monitoring the African Children’s Charter, CRC and SDGs should be the basic reference point. This means working with and strengthening statistical agencies, academia and think tanks based on an effectively coordinated knowledge management mechanism.

Action Point 5:
Support statutory data systems, reporting and accountability, evidence generation and knowledge sharing on child rights

- Support the enhancement and development of statutory data systems in support of child rights such as civil registration and vital statistics (CRVS) for birth registration and through support to National Statistical Agencies, ensuring data captures all children everywhere, and is sufficiently disaggregated.

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85 For example, the Incheon Declaration 2015 requires that at least 15-20 per cent of total public expenditure should be for education; the Abuja Declaration 2001 requires that 15 per cent of the national budget of AU countries should be for the health sector.

86 UNICEF, For Every Child, Every Right: The Convention on the Rights of the Child at a crossroads, 2019
4.6 A whole-of-society approach to catalysing change

• In preparing this review, UNICEF is keenly aware that each individual organization or actor has only some of the answers, and that against a backdrop of a changing Africa – with major trends affecting child rights – some of those answers are dynamic or still to emerge.

• Children can show adults what is needed, making them wake up and take collective responsibility for children, as children have on the issues of climate change.

• Governments can take bold steps, making the rights and well-being of children a number-one national priority in terms of both policy priorities and resourcing.

Support to national statistics agencies in Angola and Kenya

Multiple Overlapping Deprivation Analysis (MODA) in Angola
In partnership with Angola’s National Statistics Institute, UNICEF conducted a national multidimensional child poverty analysis using its Multiple Overlapping Deprivation Analysis (MODA) methodolog. The analysis provides timely and relevant evidence for advocacy and programmatic purposes, as well as providing the Government with a baseline for the child-related SDG 1.2 indicator: “By 2030 to reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions.”

Data generation on children in Kenya
UNICEF has been instrumental in supporting data generation on violence against children, working with the Kenya National Bureau of Statistics. Through UNICEF efforts, child-related data is becoming core to the country’s information management systems. Other data is gathered by the respective ministries within their databases, such as on education and health, with UNICEF sectoral support. In the education sector, there is specific support to data gathering on education for children in emergencies including refugees, internally displaced children and children within pastoralist regions.

87 National Statistics Institute (Instituto National de Estatística, INE) and UNICEF, Childhood in Angola - A Multidimensional Analysis of Child Poverty, 2018
The private sector can treat its contribution to children’s futures as a business priority, in line with the child rights and business principles approach, accounting for that contribution on an annual basis along with revenue growth and profits.

New institutional arrangements may catalyse change, such as new AU agreements and priorities.

Civil society can strengthen its collective voice for the promotion of child rights.

What new ideas and actors will emerge for accelerating the agenda for child rights in Africa?

**Action Point 6:**
Embed a whole-of-society approach – including children, adolescents and young people – to catalyse change by joining the UNICEF dialogue onboldly fulfilling the promise of the African Children’s Charter

Individuals (especially children and young people) and organizations (especially children- and youth-led) are invited to contribute ideas, feedback and inspiration for accelerating action in support of child rights in Africa through:

- Direct contact with the UNICEF Liaison Office to the African Union and United Nations Economic Commission for Africa
  aabeba@unicef.org or
  jmmvondo@unicef.org;
  Telephone: +251 115 184 034

- Via twitter and social media using the hashtag #ACRWCagenda4action

The voice of children and children themselves is crucial in all of the above spheres. There is also a need to harness seven essential elements (3S’s – scale, speed and sustainability – and 4I’s – investment, innovations, institutional strengthening and implementation) across the action point and in the newly revitalized response (Figure 5).

**Figure 5:** The 3 S’s and 4 I’s approach to accelerating the agenda of child rights in Africa

***Source:** UNICEF Liaison Office to the African Union and United Nations Economic Commission for Africa and briefing paper author

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88 Developed by UNICEF, the United Nations Global Compact and Save the Children, the Children’s Rights and Business Principles (the Principles) are the first comprehensive set of principles to guide companies on the full range of actions they can take in the workplace, marketplace and community to respect and support children’s rights. [https://www.unicef.org/corporate_partners/index_25078.html](https://www.unicef.org/corporate_partners/index_25078.html)
CONCLUSIONS

While much progress has been made, the child rights agenda for the African continent requires an urgent renewal – in addition to addressing critical emerging issues – in view of the grave risk of losing the gains made in the last 30 years.

As Africa unites in the protection and promotion of child rights, there is hope in the fact that many established and emerging partners on the continent are uniting on important issues explicitly promoted by the African Children’s Charter, such as ending early and child marriage and supporting children affected by armed conflict. There is hope in the potential of digital and mobile technology, and other innovations which can be used to share knowledge and solutions, facilitating the delivery of essential services to hard-to-reach, remote and marginalized communities, and giving voice to children.

Most of all, there is hope in the children and young people of Africa who are speaking out on issues that directly affect their lives, such as climate change and protracted conflict. As they demand urgent action and propose new solutions, many of these children and young people are emboldened by Article 7 of the African Children’s Charter, which articulates their right to express their views freely and to be heard; and by Article 31, which supports young people to serve his or her national community by placing their “physical and intellectual abilities at its service”.

It is time to recommit to the African Children’s Charter and step up efforts to ensure that all the rights of every child are realized, through a new bold agenda for action.
ANNEX

COVID-19 IN AFRICA PRESENTS A CATASTROPHE AND AN OPPORTUNITY FOR CHILD RIGHTS

While child rights regress, ‘invisible’ issues affecting children’s rights are spotlighted for action to ‘build back better’

July 2020

1. Summary
COVID-19 has the potential to decimate progress in multiple areas of Africa’s development, from poverty reduction to gender equality. The impact of COVID-19 and the response to the disease are creating regressions in multiple areas of child rights.

Health systems are overburdened – especially those that are already fragile – with resources diverted to the COVID-19 response and away from other vital health services such as immunization and sexual and reproductive health and rights. Children already disadvantaged – such as from lack of quality education, disability, being on the move, minority groups, in institutions, or living and working on the streets – face yet more risk, deprivation and exclusion (Box 2); sexual and gender-based violence has become the ‘shadow pandemic’; and girls once at school are now married, and burdened with unpaid domestic and care work.

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Countries with a backdrop of already compounded vulnerabilities, such as conflict and disasters, including drought and climate-related migration, are straining under the impact of COVID-19. Other “crises within a crisis” could emerge whereby, for example, lack of healthcare is compounded by increased hunger, with a vicious feedback loop that leaves more people weakened and vulnerable to the virus. In addition, a number of the measures being taken to address the pandemic, including through enactment of emergency and de facto emergency legislation, constitute and lead to violations of human rights and child rights, resulting in significant harm and risk to children.

Yet this is not the whole picture. COVID-19 is shining a light on long-standing structural inequalities and barriers to child rights – such as exclusion, discrimination and lack of access to basic services, including critical gaps in social protection – as well as widening inequities. The COVID-19 response is thus calling on Governments in Africa to acknowledge and address these.

The Almajiri system in Nigeria, for example, has been banned as a result of the pandemic (Box 4), and education mechanisms for reaching all children, not just those in school, are being scaled. Measures to strengthen community and health worker hygiene practices have the potential to make lasting change. Investments in community health, innovative solutions (Box 6), in addition to substantial increased funding and capacity building in integrated non-disease specific healthcare, have the power to transform Africa’s health systems in the long term.

Much needed social protection mechanisms are being expanded or accelerated to build the resilience of vulnerable individuals and communities. Global supply chains have been disrupted, offering the opportunity for investments in local production – investments that can support youth employability going forward, as Africa seeks to harness the potential of its large population of young people.

Due to its multifaceted impacts, COVID-19 has shown that there is no place for an either-or response in dealing with concurrent vulnerabilities. The centrality of the Government response to addressing deeply entrenched and far reaching barriers to child rights is being highlighted. If Governments in Africa and the international community can mobilize, in such a rapid and unprecedented
way, to address an urgent multisectoral crisis, then they can do the same to address the continent’s other deep-seated systemic inequalities and barriers to realizing children’s rights, too-long ignored. These include mental health, particularly in conflict-affected countries; sexual and gender-based violence; lack of water, sanitation and hygiene; HIV/AIDS and Tuberculosis; and illiteracy and educational exclusion, all of which existed long before COVID-19.

In doing so, COVID-19 offers a remarkable opportunity for Governments to take immediate, resourced steps to fulfill their responsibilities under international human rights law, such as those enshrined in the ACRWC and CRC, for advancing child rights and creating a positive legacy of the pandemic to ‘build back better’.

2. Context and background: COVID-19 in Africa

The COVID-19 outbreak continues to evolve in Africa, with the numbers of new cases and deaths rapidly increasing, albeit disproportionately between countries 92. Testing rates are low, which could be distorting the understanding of how far the virus has spread 93, and the worst of the pandemic may yet be ahead.

As of 21 July 2020, at least 14.7 million cases of COVID-19 were reported globally 94; over 700,000 of these in Africa 95. Africa is home to 15.8 per cent of the world’s population 96, yet the proportion of reported cases on the continent – at just 5 per cent of the global total – is low. In this context, frontline workers are especially hard hit, with, for example, 20 per cent of health workers in 38 African countries reportedly infected since the beginning of the outbreak 97.

The World Health Organization (WHO) has praised African heads of state for building on investments from previous epidemics (Box 1), and taking early and decisive action in reinforcing public health and health systems capacities, along with physical distancing measures in response to the pandemic 98.

Many AU Member States were shutting down and declaring states of emergency either before any cases were recorded or with few cases reported. In Rwanda, for example, the first coronavirus cases resulted in tracing, isolating and testing those whom confirmed or suspected carriers might have encountered. Ethiopia and Uganda also responded to their first cases with aggressive contact tracing and isolation 99. Countries like Uganda are providing more quality information on the outbreak and their response than many developed countries.

94 COVID-19 Dashboard by the Center for Systems Science and Engineering at Johns Hopkins University https://coronavirus.jhu.edu/map.html accessed 21 July 2020
95 Africa CDC Dashboard https://africacdc.org/covid-19/ accessed 21 July 2020
96 World population 7.6 billion, Africa population 1.2 billion https://worldpopulationreview.com/ accessed 16 June 2020
BOX 1

Lessons from Ebola and HIV

Africa’s response to two deadly diseases have created valuable lessons in responding to COVID-19. Country preparedness was strengthened during the Ebola outbreaks in 2014–2016, through emergency operations centres, point of entry screening and laboratories, which have quickly been adapted and repurposed to the COVID-19 response, generating significant testing capability.100

During the most recent Ebola outbreak in the DRC 2018–2020, all bordering countries stepped up their preparedness, just before COVID-19 arrived. For example, South Sudan quickly repurposed its Ebola protocols (developed in 2019) and infrastructure, such as airport screening areas, as early as March 2020; airports in developing nations had no such screening at the time. South Sudan also harnessed the work of rapid-response teams for responding to suspected coronavirus cases101. Similarly, in the DRC, screening efforts that have been in place to monitor early signs of Ebola among travelers leaving the country made it easy to start screening for coronavirus disease102. Further, the DRC COVID-19 response is being led by the same individuals as for Ebola, making experienced human resources the biggest legacy of the Ebola response. Senegal has been commended for its thorough response to COVID-19, which is founded in the country’s WHO-recommended Health Emergency Operation Centre, established in December 2014 due to the Ebola outbreak spreading in nearby countries103.

The AU’s AfricaCentres for Disease Control and Prevention (CDC) was also established in the aftermath of the Ebola epidemic to support African ministries of health and other health agencies in their efforts to prevent, detect and respond to any disease outbreak104. In early June, the AU rolled out the Partnership to Accelerate COVID-19 Testing (PACT) as part of the AU Joint Continental Strategy for COVID-19. PACT will see a scale up of testing for COVID-19, including through the deployment of one million community workers who will help trace contacts of confirmed cases105.

100 Dr Matshidiso Moeti, WHO Regional Director for Africa 2:00
101 New Yorker, What African Nations Are Teaching the West About Fighting the Coronavirus, 15 May 2020
As well as a health crisis, the coronavirus pandemic is also a socioeconomic crisis. In Africa, there have been 15,418 deaths as of 21 July (2.5 per cent of the global total)\textsuperscript{110}, but the worst-case scenario predicts the loss of about 20 million jobs, and a doubling of the number of people facing acute food insecurity\textsuperscript{111}.

Many countries in Africa are already affected by ongoing crises and COVID-19 has further compounded an already dire situation. In Western and Central Africa, for example, the continuation of conflict in Borno State, Northeast Nigeria, has created a complex humanitarian crisis with people more vulnerable to the repercussions of contracting COVID-19, as 93 per cent of hard to reach communities have no access to a functional health facility\textsuperscript{112}. Several countries in Eastern and Southern Africa face multiple intersecting crises which have been worsened by the effects of the virus. Without continuity of essential services and programming, there is significant risk of losing some of the progress that has been achieved over the past 5-10 years for children\textsuperscript{113}.

3. Women, children and young people risk being the biggest victims of the pandemic in Africa

There is growing evidence that women, children, adolescents and young people – particularly the most vulnerable (Box 2) – are the hardest hit by the pandemic in Africa. Coronavirus affects children and families far beyond those it directly infects, and shutdowns in Africa have come at considerable socioeconomic cost. Women and the families they support have been hugely affected, as they make up the majority of informal sector workers (3 in 4 informal economy workers in sub-Saharan Africa are women\textsuperscript{114}). Schools are closed, family incomes lost and parents are struggling to care for their

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\textsuperscript{107} Ibid
\textsuperscript{108} Ibid
\textsuperscript{110} Africa CDC Dashboard and COVID-19 Dashboard by the Center for Systems Science and Engineering at Johns Hopkins University accessed 21 July 2020
\textsuperscript{111} UNDP, Coronavirus vs. inequality https://feature.undp.org/coronavirus-vs-inequality/ accessed 15 June 2020
children and make ends meet. Many children are losing their main caregivers in the form of their grandparents.

Along with this comes an increase in protection risks which are a well-documented aspect of public health emergencies. The Ebola outbreak in West Africa, for example, contributed to spikes in child labour, neglect, sexual abuse and teenage pregnancies.

UN Special Procedures – independent human rights experts with mandates to report and advise on human rights from a thematic or country-specific perspective – have taken various initiatives in relation to COVID-19 to stress the importance of adopting a human rights approach in addressing the crisis, particularly the application of the principles of non-discrimination, participation, empowerment and accountability, with particular attention paid to people in vulnerable situations. Over 70 press statements have been released, including on the human rights situations in the Central African Republic and Eritrea.

Children out of school and facing increased risk and vulnerability
There are 34.8 million out-of-school children of primary age in Africa and 70.5 million out-of-school adolescents and youth of secondary school age – the highest rates globally, with their number ever-growing due to rapid population growth. An additional 297 million pupils and students in Africa have been affected by school closures due to COVID-19. Beyond their studies, children are missing out the social interaction they have with their fellow students and teachers that are essential to their well-being, protection and development.

Africa has the largest number of child labourers in the world; 72.1 million African children are estimated to be subject to child labour and 31.5 million in hazardous work. Losses in household income may lead to increased expectations that children contribute financially to the household, with more children forced into exploitative and hazardous jobs. Those already working may do so for longer hours or under worsening conditions. Gender inequalities may grow more acute within families, with girls expected to perform additional household chores and agricultural work. Temporary school closures may exacerbate these tendencies.

In countries where school feeding programmes are available, many children rely on free or subsidized school meals which are no longer available with school shutdowns.

In Egypt, for example, over 11 million children are missing out on school meals. For many in the poorest countries, these are the only

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meals children can count on. Similarly, health programmes delivered through school – including deworming or vaccination – have a critical impact on the health of children from struggling families123.

Increasing violence against women and children

Globally it is estimated that every three months of lockdown will potentially result in 15 million extra cases of sexual and gender-based violence124. Yet social workers and support services are often unable to reach those at risk due to the COVID-19 containment and mitigation measures put in place by national authorities. In countries such as Nigeria, social workers are not included in the list of critical staff to reach at-risk populations during the pandemic, thus disrupting critical services for victims of violence and harmful practices.

Evidence shows direct links between school shutdowns and an increase in abuses such as FGM/C and child marriage. Reports from Tanzania, for example, indicate that girls sent home from boarding schools, where they were being protected from FGM/C, have already been cut125. In Kenya, the Children’s Department in Machakos County stated that about 4,000 school girls have been impregnated in the last 4 months alone, with increases linked to school closures from COVID-19. A significant number of the girls are aged 10–14 years126.

Government responses to the pandemic have also at times taken a law enforcement, rather than public health, approach, resulting in harm and injury to children. Security forces are accused of targeting women and the young.127 In Kenya, for example, there are reported cases of people breaking curfews who have been killed, including children128. In Uganda, security forces have been using excessive force to impose the Government’s COVID-19 measures, including beating women market traders.129

Health impacts on women and children

Health systems in Africa are severely strained. The continent has only 2.8 doctors and 11 nurses for every 10,000 people130, compared with WHO’s “SDG index threshold” of 4.45 doctors, nurses and midwives per 1,000 population131. UNICEF and WHO have warned that an additional 51,000 children under the age of five might die in the Middle East and North Africa Region by the end of 2020 due to COVID-19-related disruptions in

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124 UNFPA, New UNFPA projections predict calamitous impact on women’s health as COVID-19 pandemic continues, 28 April 2020
125 Guardian, ‘Many girls have been cut’: how global school closures left children at risk, 1 June 2020 www.theguardian.com/global-development/2020/jun/01/many-girls-have-been-cut-how-coronavirus-global-school-closures-left-children-at-risk accessed 17 June 2020
127 Bineta Diop, African Union Special Envoy on Women, Peace and Security, Africa Media Leader Briefing on COVID-19 - June 18, 2020 (25:30) www.youtube.com/watch?v=UDEO_ozvDw4&list=PLVw52Y8qwlLC9ffIPmL6P-ZItwRatiQhJ&index=3&t=0s&app=desktop accessed 1 July 2020
primary health care. In North Africa, services have either decreased or were interrupted, notably in Egypt, Libya and Sudan.\textsuperscript{132}

The fight to control COVID-19 threatens to reverse progress made on other diseases, such as malaria, polio or HIV.\textsuperscript{133} In Morocco, for example, more than one third of children did not receive the scheduled immunizations (43 per cent in rural areas) in February–March 2020 in comparison to 2019 levels, and around 30 per cent of pregnant women and mothers are not accessing pre-natal care checks.\textsuperscript{134} Progress in prevention of mother-to-child transmission (PMTCT) of HIV in Africa may be put back by 10 years as a result of the pandemic and, within 6 months, there could be an additional 500,000 AIDS-related deaths.\textsuperscript{135}

Projections from statistical modeling also reveal the calamitous impact on women’s health as the COVID-19 pandemic continues, due to the lack of, or limited set of, health services for women and girls, with many choosing to skip important medical checkups due to distress of contracting the virus.\textsuperscript{136}

Fear, stigma, racism and xenophobia resulting from COVID-19 could fuel a mental health crisis in Africa, yet the continent has only 1.4 mental health workers per 100,000 people, compared to a global average of nine.\textsuperscript{137}

One person in five (22 per cent) living in an area affected by conflict is estimated to have depression, anxiety, post-traumatic stress disorder (PTSD), bipolar disorder or schizophrenia.\textsuperscript{138} Countries such as South Sudan, are already experiencing profound mental health problems due to conflict, with an estimated 900,000 children suffering from psychological distress.\textsuperscript{139} As an indicator of things to come, in one study, nearly 50 per cent of families, survivors and those who had contact with survivors of Ebola, had PTSD and depression.\textsuperscript{140}

\textsuperscript{133} Munyaradzi Makoni, Keeping COVID-19 at bay in Africa, The Lancet, Respiratory Medicine, Volume 8, Issue 6, June 2020, Pages 553-554 https://doi.org/10.1016/S2213-2600(20)30219-8
\textsuperscript{135} Winnie Byanyima, Executive Director of UNAIDS, Africa Media Leader Briefing on COVID-19 - June 18, 2020 (14:58) www.youtube.com/watch?v=UDEO_ozvDw4&list=PLVw52Y8qwvlC9fIPUml6PZlwRatlOhJ&index=3&t=0s&app=desktop
\textsuperscript{138} WHO, Mental health in emergencies, 11 June 2019 www.who.int/news-room/fact-sheets/detail/mental-health-in-emergencies accessed 7 July 2020
\textsuperscript{139} UNICEF, Humanitarian Action for Children South Sudan www.unicef.org/appeals/south_sudan.html accessed 7 July 2020
\textsuperscript{140} SciDevNet, Africa ‘not ready’ for COVID-19 mental health issues, 24 April 2020
The protection risks in the COVID-19 pandemic in Africa are mounting and disproportionately impact children in the most vulnerable and marginalized situations, including the poorest, those with disabilities, the internally displaced and those living in marginalized communities and fragile environments (such as refugee camps, urban and informal settlements), those deprived of their liberty, and those in countries experiencing armed conflict.

The children most at risk are often least able to access or employ protective or risk mitigation measures such as physical distancing or hand washing, and to access protection services and remote learning options. For example, as well as having no access to digital technology, caregivers/parents in the poorest households may have low educational attainment, have never experienced distance schooling or themselves have disabilities, and may struggle to support their children’s learning and need support.

Approaches and mechanisms are needed that can support integration of all children into the COVID-19 response in Africa, so that vulnerable children – illustrated below – do not become ‘double victims’.

**Children in dysfunctional family settings:** Containments measures, such as quarantines, can increase the risk of physical, emotional and sexual abuse for children in dysfunctional family settings and those employed as domestic workers.

**Children subject to grave violations due to conflict and non-state armed groups designated as terrorist:** Armed conflict continues in crisis spots in Africa including in Central African Republic, DRC, Libya, Nigeria, Somalia and South Sudan, where tens of thousands of people have been killed and millions more displaced. Contested authority over these settings poses self-evident challenges for instituting measures to control and mitigate the spread of the virus. Lockdown measures risk ensnaring children in unsafe situations.

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141 UNICEF, All Means All – How to support learning for the most vulnerable children in areas of school closures. A checklist for UNICEF staff on factors to consider when planning COVID-19 education response (live document)


**Children in street situations:** Children living or working on the street are at risk of excessive use of force by law enforcement while enforcing lockdown decisions\(^\text{144}\).

**Children on the move:** Between 2015 and 2017, an estimated 18.2 million children migrated across borders or had been forcibly displaced across the African continent\(^\text{145}\). The COVID-19 crisis exacerbates the already fragile situation of women and children on the move, who face higher risks of exposure to sexual and gender-based violence, child labour, abuse and exploitation, and have difficulty accessing protection and response services. Risks of family separation can increase, as caregivers or single parents may be taken into quarantine, or repatriation and family reunification procedures are suspended. Reduced chances to identify unaccompanied and separated migrant children, due to restrictions on outreach work, increase children's vulnerability and risk of being abused\(^\text{146}\).

**Children from marginalized groups:** Already marginalized children may face heightened exposure to COVID-19 related racism, stigma and xenophobia.

**Children deprived of their liberty:** Existing child protection risks are likely to be exacerbated for children deprived of their liberty as they often have compromised psychosocial, physical and mental health issues, live in crowded or unhygienic conditions and are more vulnerable to abuse and neglect\(^\text{147}\).

**Children with disabilities:** Children with disabilities, such as the visually impaired who may depend on a close support person, are facing significant disruption of their usual support system, exacerbated by social distancing. Anxiety may be heightened, and children with disabilities can suffer from stigma and blame associated with cultural beliefs when there is disease in the community. Girls and women with disabilities may be particularly vulnerable due to e.g. underlying health conditions, lack of information about prevention and assistance, barriers to accessing nutritious diets, inability to rely on service providers for daily tasks, and pre-existing isolation and marginalization\(^\text{148}\).

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4. Africa’s response to the pandemic

In April 2020, the ACERWC produced a Guiding Note on Children’s Rights during COVID-19, expressing its concern about the devastating impacts of COVID-19 on the overall rights and welfare of children in Africa, and urging AU Member States to integrate child protection measures in their responses. This includes establishing child-friendly information and communication procedures; establishing child-friendly quarantine measures; ensuring every child’s right to education; ensuring the continued provisions of essential services; ensuring that children enjoy their right to parental care and protection; and tailoring responses to the special vulnerabilities of the concerned group of children.

New approaches to access quality education

While remote learning strategies aim to ensure continued learning for all children, 71.8 per cent of Africa’s population are still offline, with a significant gender gap (66.2 per cent of men are offline compared to 77.4 per cent of women). The most marginalized children may not be able to access digital learning opportunities. For example, in Nigeria, e-learning favours children in private schools which are well equipped with ICT infrastructures.

Given the digital divide, and the fact that not all households have access to radio and television, the use of multiple delivery channels for remote learning is vital. This includes digital approaches including via mobile phone (Africa has over 80 mobile phone subscriptions for every 100 people) and take-home packages.

The new African Union DOTSS framework supported by UNICEF – Digital and electricity connectivity, Online and offline learning, Teachers as facilitators and motivators of learning, Safe to learn online and offline, and Skills focused learning – allows AU Member States to reach the right of every child to learn, whether in a crisis situation such as COVID-19, or in reaching the most marginalized children with quality and relevant education. African countries are undertaking a wide range of initiatives in this context to support remote learning (Box 3). This includes television- and radio-based education programmes, e-libraries and e-text books, and online eLearning apps and platforms.
Box 3:
Harnessing remote learning

In some African countries, governments or other education actors are delivering devices such as radios (Burkina Faso, Somaliland) and secure digital cards for mobile phones preloaded with audio content (Burundi) to families in hard-to-reach areas\(^\text{157}\).

In Cameroon and Eswatini, caregivers are being engaged to help them both support learning and also provide psychosocial support to children\(^\text{158}\).

In Tunisia, teachers are being encouraged to stay in touch with students and their parents through messaging app groups and phone calls\(^\text{159}\).

Online platforms that track unique users and assessments provide data for monitoring learning outcomes. In Egypt, for instance, students can register on the Egyptian Knowledge Bank platform using a national ID. South Africa has also incorporated assessment tools into its digital platforms\(^\text{160}\).

In Djibouti, UNICEF is supporting training of teachers on remote learning with the digitalization of training programmes\(^\text{161}\).

A new partnership with Airtel Africa will provide children in sub-Saharan Africa with access to remote learning and enable families access to cash assistance via mobile cash transfers. The partnership will reach an estimated 133 million school age children currently affected by school closures in 13 countries\(^\text{162}\).

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\(^{157}\) UNICEF, Innocenti Research Brief, Promising practices for equitable remote learning Emerging lessons from COVID-19 education responses in 127 countries, 2020

\(^{158}\) Ibid

\(^{159}\) Ibid

\(^{161}\) UNICEF, UNICEF MENA COVID-19 Situation Report No.5, 15 - 31 May 2020, 8 June 2020

Protecting children in the context of COVID-19

Considerable resources have been directed towards mitigating the significant child protection risks to children as a result of the pandemic.

UNICEF has undertaken various activities, as part of the child protection response, with important and unexpected breakthroughs made to advance child rights in Nigeria (Box 4). Examples of child protection progress includes:

- **Protecting children in street situations:** In Chad, 65 children living or working on the street benefited from a package of services including accommodation and access to food/meals, psychosocial support and information on COVID-19.\(^{163}\)

- **Protecting children on the move:** In Ethiopia, between April and May 2020, 1,405 child migrant returnees from Gulf States (954 boys and 451 girls) were reached with registration, vulnerability assessments, family tracing and reunification and basic counselling support services.\(^{164}\) In Morocco, a UNICEF-supported public advocacy campaign to promote rights of children on the move in the COVID-19 context reached 10.28 million persons through social media.\(^{165}\)

- **Providing life-saving sexual and gender-based violence services:** In Somalia, in situations where face-to-face engagement could safely occur in women and girls’ safe spaces, community-based socioeconomic activities were modified to develop face masks. This allowed women to access lifesaving sexual and gender-based violence services despite the lockdown, while contributing to protection from COVID-19 through face mask production.\(^{166}\)

- **Releasing children from detention:** In Sudan, with UNICEF support, a total number of 749 children in conflict with the law were released from detention centres in different states, due to COVID-19.\(^{167}\)

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\(^{164}\) Ibid

\(^{165}\) Ibid

\(^{166}\) UNICEF, UNICEF MENA COVID-19 Situation Report No.6, 1 – 15 June 2020

\(^{167}\) UNICEF, Global COVID-19 Situation Report No. 6 15-28 May 2020

\(^{167}\) UNICEF, UNICEF MENA COVID-19 Situation Report No.5, 15 - 31 May 2020, 8 June 2020
Box 4:
Three COVID-19-related child protection breakthroughs in Nigeria

UNICEF in Nigeria leveraged three significant breakthroughs as a result of enhanced partnerships with Government for the COVID-19 response, with the potential to safeguard children in the years to come.

1. Guidelines to safeguard forcibly returned *Almajiri* children after a ban on the Koranic school system: In response to the pandemic, governors of 19 northern states unanimously agreed to ban the *Almajiri* system, causing the forcible return and mass movement of thousands of children to their states of origin, as well as across other states and international borders.

The *Almajiri* system involves parents sending their children, mostly boys aged 4–12 years, to distant locations for the purpose of acquiring religious (Koranic) education. Rural families and those among the lowest wealth quintile who otherwise lack access to public schooling, have adopted this negative coping strategy. The children are often forced by their teachers (*mallams*) to beg in the streets of urban capitals to fund their education. It is estimated that *Almajiri* children account for most of the 14.7 million children who are out of school in Nigeria.

UNICEF Nigeria urgently supported the 19 State Governments with the development of technical and operational guidelines for temporary shelters and remote training of government social workers and child protection actors. The guidelines promote minimum basic health and child protection standards before, during and after returning the children to their home states to support safe family tracing and reunification. In addition, UNICEF is supporting the remote training of social workers and other child protection workers on basic child protection concepts and principles, and on data collection, to enable them to systematically and safely document and provide care to the affected children.

As of 7 July 2020, with UNICEF support, a total of 2,971 *Almajiri* children (2,766 boys, 205 girls) have been registered using the Child Protection Information Management System (CPIMS) mobile registration system so that they can receive support services. Child neglect was identified during registration as a key protection issue, affecting 53 per cent of the children, and child abuse and exploitation, affecting 1 in 5 (18 per cent). The intervention was championed by Mohammed Sabo Keana of the *Almajiri* Child Rights Initiative (pictured).

As part of the commemorations for the 2020 Day of the African Child, under the theme ‘Access to Child-Friendly Justice Systems’, UNICEF engaged over 10,000 people through an online webinar (right) which brought together key actors, including parliament, the Federal Ministry of Justice, Nigeria Police Force and the National Human Rights Commission, in a rare moment for justice for children.

Key policy decisions were secured to scale-up access to child-friendly justice services. The Inspector General of Police signed Standard Operation Procedures for Handling Children for the Nigeria Police Force and officially approved the in-service training manual for police officers, both developed with the support of UNICEF. The Attorney General of the Federation and Presidential Committee on Decongestion commit to focus on release of juveniles in the next phase of the decongestion exercise, which has so far seen over 7,000 adult inmates released.

3. Gender-based violence (GBV) declared a national state of emergency for the first time:

Following the increasing number of GBV cases reported throughout Nigeria during the COVID-19 pandemic, Governors of Nigeria’s 36 states unanimously declared a national state of emergency over GBV through the Nigeria Governors’ Forum (NGF). The NGF communiqué calls on State Governors that have not already domesticated relevant gender-based protection laws to domesticate the 2003 Child Rights Act, the Violence Against Persons (Prohibition) Act, and the updated Penal Code to increase protection for women and children and ensure speedy investigation and prosecution of perpetrators, in addition to creating sex offenders register in each state. Further, the Governor of Kano State has stated that girls must receive an education before marriage – a significant public statement.

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169 10th Teleconference Meeting of the Governors Forum, Nigeria, 10 June 2020
Social protection for the most vulnerable

The COVID-19 crisis risks reversing decades of progress in the fight against poverty in Africa, exacerbating already high levels of inequality, further compounded by the significant size of the vulnerable population and the extent of the informal sector\(^\text{170}\). Immediate and urgent action is required to protect children and families from the economic fallout, notably rapid, large-scale expansion of cash transfer programmes and integration of recipients into national social protection databases so they can be eligible for future social protection responses. These must take into account specific gendered needs at different points throughout the life cycle, including the use of social protection tools to respond to violence\(^\text{171}\). Social protection measures need to protect the most vulnerable, particularly children on the move or children in street situations who may find it impossible to access cash transfers.

Only 16 per cent of children in Africa are covered by social protection\(^\text{172}\). However, as of 12 June 2020, 195 countries and territories have planned or introduced social protection measures in response to Covid-19, including many African countries\(^\text{173}\). The DRC, Madagascar and Nigeria have been noted for their remarkable scale-up efforts despite their very low initial coverage\(^\text{174}\).

Many programmes use multisectoral “cash plus” approaches, including health and nutrition components. For example, UNICEF provided soap as well as hygiene messages to all 600,000 beneficiaries of Ethiopia’s Productive Safety Net Programme (PSNP) and is supporting the government to provide cash transfer top-ups to about 100,000 vulnerable people in the PSNP\(^\text{175}\). In place of school meals, governments and the World Food Programme (WFP) are now providing take-home rations, vouchers or cash transfers to children in 68 countries, including in Africa. UNICEF and WFP are also assisting governments – particularly in low-income or fragile countries – on their strategies to make sure that, when schools open again, health and nutrition services are provided as incentives for the most vulnerable children to return to school\(^\text{176}\).

In Tunisia, UNICEF has successfully advocated for inclusion of temporary cash transfer measures that will reach 623,000 families with children and health personnel\(^\text{177}\). Togo stood out in West and Central Africa for its quick response, providing cash to vulnerable families within just one week of the need being identified. This was facilitated by a quick and simple registration process that, as a result may have had “inclusion errors”, but ensured adequate and urgent assistance.

\[^{171}\text{UNICEF, UNICEF social policy key messages on COVID-19 Extended version, March 2020 working draft (internal document accessed 19 June 2020)}\]
\[^{172}\text{UNICEF, Global COVID-19 Situation Report No.7 29 May – 10 June 2020}\]
\[^{174}\text{Ibid}\]
\[^{175}\text{UNICEF, Global COVID-19 Situation Report No.7 29 May – 10 June 2020}\]
\[^{176}\text{WFP, WFP and UNICEF joint response to COVID-19 www.wfp.org/school-health-and-nutrition accessed 22 July 2020}\]
\[^{177}\text{David Stewart, Chief of Child Poverty and Social Protection, and Sola Engilbertsdottir, Child Poverty Specialist, UNICEF HQ, internal document, June 2020}\]
Box 5:
Community engagement vital to the response in Africa and creating a foundation for more resilient communities

Countries like Ethiopia, Mauritania and South Africa are mobilizing thousands of community health workers to support the COVID-19 response. These efforts can be sustained and transitioned beyond COVID-19 to benefit other priorities. In addition, home-based care for people with mild symptoms and new approaches in providing outreach care and delivering mass campaigns can provide important lessons to inform the provision of services in the future, to expand access to integrated people-centred and human rights-based care.

Traditional and religious leaders are highly respected in both households and communities and play an essential role in sensitizing communities, integrating COVID-19 messages on prevention, reporting and testing into their meetings and outreach in countries such as Niger and Nigeria. CSOs, community-based organizations and faith-based organizations also play an important role in bringing economic and livelihood opportunities to communities and adapting responses to the community context.

Community trust in messaging is leading to a culture change where washing hands is becoming a daily part of life. UNICEF has observed that health workers in Africa are also much more aware of hygiene practices as a result of COVID-19 prevention measures. This may be a very positive legacy of COVID-19.

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178 Dr Matshidiso Moeti, WHO Regional Director for Africa 4:16
179 Dr Matshidiso Moeti, WHO Regional Director for Africa 4:38
Children, adolescents and young people, mobilizing their voice and agency

Extreme pressure on the provision of basic services has resulted in a focus on economic and social rights – including the rights to health (such as water and sanitation information and facilities, and food), education, and protection from violence, abuse and exploitation\textsuperscript{183}. However, the impact on children’s civil and political rights has also been felt as a result of the pandemic, including restrictions to the freedom of expression; thought, conscience and religion; association and peaceful assembly; privacy; and access to information\textsuperscript{184}.

UNICEF has committed to supporting meaningful child participation in the development and implementation of programmes responding to COVID-19\textsuperscript{185}.

\textsuperscript{183} UNICEF Programme Division, Human Rights Unit, COVID-19 and the impact on children’s rights: the imperative for a human rights-based approach, April 2020
\textsuperscript{184} Ibid
\textsuperscript{185} UNICEF, Protecting the most vulnerable children from the impact of coronavirus: An agenda for action, 3 April 2020 www.unicef.org/coronavirus/agenda-for-action accessed 22 July 2020
Children, adolescents and young people on the continent, have also played a vital role in spearheading communications and participation as part of the response:

- **In Egypt**, dozens of young people have mobilized to assemble hygiene and dignity kits for distribution to health workers working on the front lines of the COVID-19 response\(^{186}\).

- **In Djibouti**, a COVID-19 Youth Challenge by UNICEF and UNDP has seen four projects receive cash prizes to help them develop their ideas. Products include the manufacturing of masks, hand sanitizers, door openers and a solar-powered hand washing system\(^{187}\).

- **In Nigeria**, young people living in Lagos slum communities and the conflict-affected state of Borno engaged with their peers using WhatsApp, during a 3-day virtual bootcamp, to co-create solutions to education challenges in their communities. The solutions designed ranged from developing a business literacy application for youth to learn basic entrepreneurship skills and access educational resources, to creating online/offline platforms where young people can access audio-visual learning contents\(^{188}\).

- **In Kenya**, Catherine Kamau has created an initiative called Vijana Tustawi (“Youth Thrive” in Swahili) where she and three of her peers are creating mental health support networks through Facebook for young women who are struggling to cope with stress and uncertainty in this time of crisis\(^{189}\).

- Children in the DRC and South Africa have participated in awareness raising on COVID-19 through UNICEF video diaries\(^{190}\).

At the continental level, in March and April 2020, the AU Office of the Youth Envoy convened, in collaboration with Africa CDC, 10 Virtual AU Youth Consultations Series on COVID-19 with over 170 youth leaders from over 40 African countries\(^{191}\). In May, the AU launched the African Youth Front on Coronavirus as a multi-stakeholder youth advocacy group to support the implementation of the African Continental Strategy for COVID-19 Pandemic. This makes the AU the first intergovernmental organization to create a high-level policy and advocacy framework for young people to co-lead Africa’s response to the pandemic\(^{192}\).

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African Innovation for the COVID-19 Response

Africa has employed and developed multiple innovations as key features in the COVID-19 response, some of which are leading the way globally. These include trials in Senegal to develop a $1 COVID-19 testing kit that produces results in less than 10 minutes, which will be jointly manufactured in the United Kingdom and Senegal — a first for the African continent.\(^{193}\) WHO is studying some of Ghana's innovative techniques, including the potentially time-saving practice of "pool testing" in which multiple blood samples are tested together and processed separately only if a positive result is found\(^{194}\).

In Sierra Leone, rainwater harvesting is being introduced in informal settlements to make water more accessible\(^{195}\). In Nigeria, the e-health startup 54gene is piloting its first COVID-19 mobile laboratory, aimed at expanding testing across the country\(^{196}\). A District Health Information System 2 (DHIS2) digital data package — to accelerate COVID-19 case detection, situation reporting, active surveillance and response — is operational or in development in nearly 30 countries in Africa\(^{197}\).


\(^{194}\) Washington Post, When it comes to coronavirus response, superpowers may need to study smaller nations, 16 May 2020 www.washingtonpost.com/world/2020/05/16/when-it-comes-coronavirus-response-superpowers-may-need-study-smaller-nations/ accessed 17 June 2020

\(^{195}\) Yvonne Aki-Sawyerr, Mayor of Freetown, Sierra Leone, ODI, Africa beyond Covid-19, webinar, 16 June 2020


Many countries in Africa are using digital technologies for health messaging and surveillance:

- In **Egypt**, 11,000 children received Psychosocial Support Services messages through Facebook and over 8,500 through WhatsApp.\(^{198}\)
- In **South Africa**, HealthAlert – a WhatsApp-based helpline – disseminates accurate and timely information about COVID-19 from the National Department of Health to the South African public, and includes real-time data insights for national policy decisions.\(^{198}\)
- In **Kenya**, Safiri Smart is a disease and epidemic surveillance and awareness system that alerts subscribers of disease and epidemics as soon as they travel to the affected region\(^{199}\).
- In **Ghana**, anonymized and aggregated mobile phone data is being utilized to monitor changes in mobility patterns in order to establish whether the current restrictions are likely to contain the spread of the disease\(^{200}\).
- UNICEF has developed a U-Report (UNICEF’s safe and free mobile empowerment platform) chatbot to support global COVID-19 Risk Communication and Community Engagement (RCCE). Through communication channels such as SMS, Viber, Facebook Messenger and WhatsApp, users can ask U-Report questions about the coronavirus and receive pre-programmed answers from experts. Over 20 million young people and communities have engaged on COVID-19 through U-Report\(^{201}\).

A huge amount of data is being collected in Africa as part of the COVID-19 response, including through real-time surveillance platforms using geographic information systems technologies\(^{202}\). Countries such as Ghana and Sierra Leone have live COVID-19 platforms.\(^{203}\) These data can be harnessed for evidence-based decision making and action for health provision for women and children more broadly.\(^{204}\)

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\(^{198}\) UNICEF, UNICEF MENA COVID-19 Situation Report No.5, 15 - 31 May 2020, 8 June 2020


\(^{204}\) Dr Matshidiso Moeti, WHO Regional Director for Africa 5:39
5. Conclusion and opportunities

COVID-19 presents a catastrophic disruption for the rights and well-being of women and children. Disruption of education, of health care, of social and child protection, of livelihoods, of support networks and of ways of being in relation to others. Yet the magnitude of the opportunity to ‘build back better’, is as great as that of the crisis.

Africa is seeing huge investments related to COVID-19 and this is creating possibilities to accelerate action to achieving health for all, including through expanded community mobilization and outreach; shifting from disease-specific approaches towards sustained improvements in resilience and readiness capacities and more integrated approaches; and through a culture change in hygiene practices of communities which can continue to impact reductions in communicable diseases going forward.

Social protection mechanisms and emergency cash transfers have been drastically scaled up in response to the pandemic and can lay stronger foundations – through scaling and database development – for an emerging social protection landscape for individual and community resilience in Africa. Educational opportunities have opened up to include digital, multimedia and home-based support, with a vision for education that includes greater investment in non-discriminatory approaches in ensuring the right of all children to access education. With the release of children from detention, there is an opportunity to amplify and reinforce advocacy for community diversion for children in conflict with the law.

In the context of disrupted global supply chains, local production has ramped up in Africa. This is an opportunity to strengthen local industries and routinely produce essential supplies domestically. In doing so, there are opportunities to link skills development as part of a broader education agenda with youth employability, and to introduce special emergency public procurement procedures with dedicated attention to business opportunities for women and youth.

The voice and agency of children, adolescents and young people has come to the fore through their creative activities around communications and solutions for the pandemic. This needs to be harnessed going forward so that children and young people enjoy their full civil and political rights and are fully empowered in a time of immense shock and social upheaval.

In support of children’s rights, the pandemic offers a timely opportunity to revisit and revise the International Health Regulations (2005) (IHR). The IHR are a key instrument of international law that is legally-binding on 196 countries and defines countries’ rights and obligations in handling public health events and emergencies that have the potential to cross borders. However, the IHR contains no mention of children or State’s obligations to incorporate the rights and well-being of children into a pandemic response.

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205 Dr Matshidiso Moeti, WHO Regional Director for Africa 6:28
207 WHO, International Health Regulations www.who.int/health-topics/international-health-regulations#tab=tab_1 accessed 1 July 2020
Africa’s ability to bounce back depends on its resilience, adaptability and harnessing of innovation, and sustained investments in these areas – for example through social protection and youth empowerment – which can protect against future shocks.

Most of all, African leaders can be encouraged by the response to COVID-19, and be reminded that a powerful impetus exists for resolving all of the continent’s crises, so that ‘invisible’ issues affecting children’s rights are highlighted, and action taken.
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