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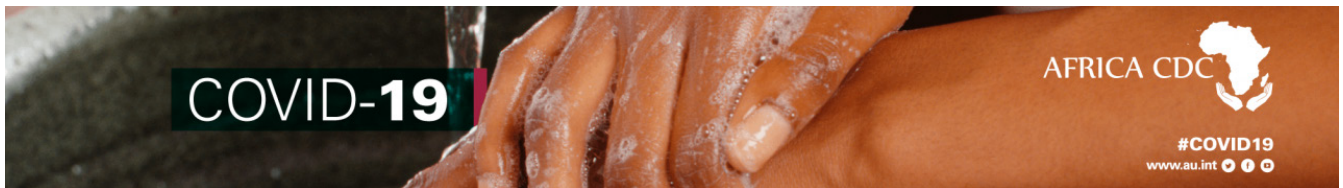
African Committee of
Experts on the Rights
and Welfare of the Child

CAEDBE

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COVID-19 and its Implication on Children's Rights and Welfare- Guiding Note to Member States of the African Union

The African Committee of Experts on the Rights and Welfare of the Child (ACERWC), an Organ of the African Union established to monitor protection of children's rights on the Continent, expresses its grave concern on the ongoing global outbreak of COVID-19 virus and its devastating impacts on the overall rights and welfare of children in Africa;

The ACERWC recognises the various measures that Member States of the African Union are taking in scaling up laboratory diagnosis, enhancing screening at ports of entry and surveillance; strengthening infection prevention and control measures to limit the spread and mitigating the impact of COVID-19 virus;

The ACERWC also applauds the African Union (AU) and its mechanisms for stepping up efforts to address the pandemic on a continental level. Particularly, the ACERWC appreciates His Excellency President Cyril Ramaphosa, in his capacity as the Chairperson of the African Union, for his able leadership in providing guidance to enhance the continental coordination in fighting the outbreak; the decision of the Bureau of the Heads of State and Governments to establish a continental anti-COVID-19 Fund; and the role that the Department of Social Affairs and the African Center for Disease Control (Africa CDC) play in designing and coordinating the continental response;

In addition to the foregoing, the ACERWC would like to further note the particular impact of the pandemic on the rights and welfare of children, and the measures that Member States should consider employing in line with their treaty obligation under the African Charter on the Rights and Welfare of the Child and other relevant continental instruments.

The ACERWC would like to stress the fact that beyond its immediate impacts on children health and that of their parents or caregivers, the social and economic disruptions caused by the outbreak also harms children's rights and welfare. Reports indicate that millions of children in Africa are likely to face increasing threats to their safety and wellbeing, including



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gender-based violence, exploitation, and separation from families. Millions of others are ‘temporarily’ out of school due to the COVID-19, with the risk of permanent drop out, especially of children in vulnerable situations, such as *inter alia*, the girl child, children with disabilities, children who belong to economically disadvantaged parents and children living in rural areas to mention but a few.

The pandemic is likely to result in a devastating effect on family functioning by limiting sources of income for households, resulting in limited access to adequate nutritious food, health care, appropriate shelter and other basic needs, which will then have an immediate and longer-term consequences on the life, survival and development of children.

Against the backdrop of the above-mentioned facts and reiterating the obligations under the African Children’s Charter, which requires States to ensure the survival, protection and development of the child, enabling them to enjoy the best attainable state of physical, mental and spiritual health, the ACERWC strongly recommends Members States of the African Union to integrate the following child protection measures in their responses to the global pandemic of COVID-19:

i. Establish child friendly information and communication procedures-

Member States have the legal duty to ensure children’s right to receive child-friendly information on matters concerning them. ‘Child-friendly information’ is information which is adapted, among others, to a child’s age, maturity, language, gender and culture. In the context of the current pandemic, any information that Member States are providing to the public regarding COVID-19, must be tailored in line with children’s ages and maturity. The content of the information, the complexity of the terms adopted and the modes of transmission must take into account their level of understanding. Children are more likely to adhere to some hygienic practices, such as hand washing, that prevent, or reduce the risk of the infection, only when the message is communicated in a language they understand taking due regard to their evolving capacities.

ii. Establish child friendly quarantine procedures and environment-

In cases where children contract the virus, mandatory quarantine procedure, whether home based or facility based, could be applied by Member States. Such measures, though they are necessary, can have multifaceted impacts on children ranging from deprivation of family environment, to lack of adequate food, and heightened levels of anxiety and depression. In this regard, Member States should respond to the needs of children by establishing ‘a child friendly quarantine’ procedure, which, among others, provide:

- ✓ dedicated frontline social workers and psychologists with the relevant expertise to respond to the needs of children, including those who can provide psychosocial support;
- ✓ provisions of adequate food and nutrition; and
- ✓ services tailored to the specific needs and maturity of children, including recreational, cognitive or social stimulation materials.

iii. Ensure every child's right to education- Education, being one of the most fundamental rights of every child, plays an irreplaceable role in the promotion and development of the child's personality, talents and mental and physical abilities to their fullest potential. According to the latest report from UNESCO, as of 19 March 2020, over 850 million children and youth, roughly half of the world's student population, are staying away from schools and universities due to the outbreak; the numbers keep increasing as the pandemic unfolds. COVID-19 indeed puts the world under a global education emergency. The impact of closure of schools is daunting on children as it goes beyond interruption of classes. The ACERWC notes that, with closure of schools the, right to adequate food could be compromised, in countries where school feeding programs are available, many children rely on free or subsidized school meals; closure of schools may also leave children, particularly girls, with more vulnerability to abuse, domestic work, and harmful practices such as FGM and child marriage. The current measure, despite its 'temporary' nature, may lead to permanent dropout, particularly for girls, children with disabilities and children coming from economically disadvantaged parents. Countries have adapted to digital learning methods and this may expose children to Online Child Sexual Exploitation and Abuse. Taking these and other challenges into consideration, Member States of the African Union, as the principal duty-bearers under the African Children's Charter, in collaboration with partner organizations, are called upon to uphold the right to education, taking the following measures:

- a.** Ensure that the impact of the pandemic is minimized on accessing, transitioning, and completing education. In this regard, reference should be made to recommendations included in the joint letter by the AU Department of Human Resources Science and Technology (HRST) and UNICEF AU Liaison Office, dated 30 March 2020, as addressed to all Ministries in charge of education in Africa. Particular reference should be made to the recommendation for Member States to ensure continuity of learning based on the Digital connectivity, Online and Offline learning, Teachers as facilitators and motivators of learning, Safety online and Skills focused learning (DOTSS) procedure which is endorsed by the Specialized Technical Committee on

Education, Science, Technology and Innovation. In cases where access to internet is limited, Member States should create other modes of distance learning platforms, such as using Radios and TVs, so that those without internet access will not be disadvantaged.

b. Member States should create platforms to facilitate tailored learning activities at home for children. In this regard, the ACERWC recommends Member States to refer to UNESCO's educational applications, platforms and resources which aim to help parents, teachers, schools and school administrators facilitate student learning and provide psychosocial support during periods of school closure.¹;

c. Take deliberate action to redeem the lost academic time; respond to the needs of children with disabilities; plan for reopening of schools, including by establishing mechanisms to ensure retention of all children (particularly of girls and others in more vulnerable situation), and provide follow up psychosocial support in school. In this regard, the ACERWC encourages Member States to use the Guidelines developed by International Federation of Red Cross and Red Crescent Societies (IFRC), UNICEF and WHO on the required measures to protect children and support safe school operations during the pandemic².

iv. Ensure continued provisions of essential services which are crucial to life, survival and development of children- The ACERWC notes that the pandemic is disrupting provisions of essential services which are of crucial implication to the fulfillment of the right to life, survival and development of children. Such services may range from access to essential health services to basic commodities that might save the lives of children, to access to nutrients, safe water, sanitation and adequate hygiene. The Committee recognizes the difficulty arising out of the pandemic which may force governments to adapt their service delivery systems. A choice may have to be made to ensure delivery of some services and discontinue others as the capacities to respond to COVID-19 become severely stretched. However, the Committee strongly recommends that Member States identify priority services which cannot be interrupted even during the pandemic. Services, such as, essential neonatal care, treatment of severe diarrhoea and pneumonia, and immunization programs should not be interrupted.

1 The Document is available at <https://en.unesco.org/covid19/educationresponse/solutions>

2 The Document is available at <https://www.unicef.org/press-releases/covid-19-ifrc-unicef-and-who-issue-guidance-protect-children-and-support-safe->

Interruption of such services may lead to increased morbidity and mortality of children. The mechanisms that Member States are putting in place to save children from COVID-19, should not expose them to other highly contagious diseases. Moreover, during the pandemic, access to services for pregnant women, women in labour and delivery, and lactating women is negatively impacted. To address the particular challenges that pregnant and lactating women may face during the pandemic, Member States should ensure that all women have access to safe birth, antenatal and postnatal care. In this regard, Member States may consider deployment of house to house pre-natal health service and delivery with assistance of hotlines to help locate mothers. Similarly, Member States should also maintain access to sexual and reproductive health and rights (SRHR) information and services for adolescent children.

v. Ensure that children enjoy their right to parental care and protection-

Article 19 of the African Children's Charter provides: 'every child shall be entitled to the enjoyment of parental care and protection and shall, whenever possible, have the right to reside with his or her parents'. The ACERWC notes that the current pandemic may affect family composition and functioning, renders the realization of children's rights to parental care and protection rather difficult. Reports show that during outbreaks of this nature, parents may be unable to provide care to their children due to illness, death or for other reasons such as psychological distress. Such reduced parental supervision may leave children more vulnerable to violence, exploitation and abuse. Children may also run the risk of family separation due to death of their parents or caregivers, or as a result of the public health measures undertaken to control the spread of the disease. Urging Member States to put in place concrete measures to prevent child-family separation, and ensure support for children who could be left alone without adequate care, the ACERWC recommends Members States to take the following measures:

- a.** Establish a dedicated database to collect, record and monitor data on the number of children left without parental care due to COVID-19;
- b.** Pursue policies that ensure support for families in meeting their responsibilities towards their children;
- c.** Provide financial and material assistance to families whose income generating opportunities are curtailed due to the pandemic;
- d.** Employ innovative measures, share experience and enhance collaboration to minimize the potential impact of the pandemic on the global financial

system at macroeconomic level; for instance, Member States may offer to offset costs to businesses for workers taking paid leave to care for children during school closures; or introduce an emergency paid parental leave for families with younger children and children with special needs.

- e. Provide targeted financial and material support to interim care centres and families, including child-headed households and foster families;
- f. In a situation where a child is separated from her/his parents or primary caregivers, States should formulate and implement clear policies to ensure family tracing and reunification; or in case that is not possible, pursue placement within the extended family;
- g. Facilitate range of alternative care options in line with the principle of the best interests of the child, which may include placement within residential care, agencies and facilities responsible for formal care, and foster care arrangements.
- h. Further to the above-mentioned measures, the ACERWC strongly recommends for Member States of the African Union to take into considerations the principles included in the UN Guidelines for Alternative Care of Children, Resolution 64/142, as adopted by the General Assembly³.

- vi. **Responses should be tailored with the special vulnerabilities of the concerned group of children-** As children are not homogenous group, the impacts of pandemics of this nature on children, despite their common trends, vary from one group to another. One of the elements which defines such variation in impact is the level of vulnerability, which is the result of various factors. Some children find themselves more vulnerable than others due to their, or their parents', social status, physical conditions, gender roles; which render them more susceptible to face the brunt of the outbreak. These groups of children include children without family care, children living and/or working on the street, girls, children with disabilities, children on the move including refugees and internally displaced, children living in rural areas, children incarcerated with their parents and care givers, children of economically disadvantaged parents, children of indigenous communities, and children affected by conflict situations. The manner COVID-19 affects these and other groups of children varies in nature. For instance, due to their assigned traditional roles as caregivers, girls may be disproportionately exposed to directly transmitted infectious diseases like COVID-19; reports show that during outbreaks of this nature the risk of girls facing child marriage and other

3 The Guidelines are available at https://www.unicef.org/protection/alternative_care_Guidelines-English.pdf

harmful practices such as FGM also increases; children with disabilities may face various forms of challenges including access to information about prevention and assistance, barriers to accessing health services, access to WASH services to ensure the use of prevention measures such as handwashing, and access to remote/distance-learning options. Considering the needs and particular challenges of the above-mentioned and other groups of children, Member States should ensure that their responses to child protection during the outbreak of COVID-19 takes into account the specific needs and vulnerabilities of all children.

On the basis of the above recommendations, and with a view to count the cost on children and identify the practical steps which can be taken to mitigate on the losses, the ACERWC encourages Member States of the African Union to undertake a targeted national assessment on the outbreak of COVID-19 and its impact on the rights and welfare of children. The outcome of the assessment could also inform States' intervention strategies in the post COVID-19 era.

The Committee remains engaged to support Members States of the African Union in their effort to protect the rights and welfare of children in these trying times.

Done on 08 April 2020

Hon. Joseph NDAYISENGA

*Chairperson ,
African Committee of Experts on the Rights and Welfare of the Child,*

