



ACERWC

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

MAPPING THE STRUCTURES AND FUNCTIONS OF NATIONAL HUMAN RIGHTS INSTITUTIONS (NHRIs) IN AFRICA ON CHILD RIGHTS

An Organ of the





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ACRONYMS

ACERWC	African Committee of Experts on the Rights and Welfare of the Child
ACHPR	African Commission on Human and People's Rights
ACHPR	African Charter on Human and Peoples' Rights
ACRWC	African Charter on the Rights and Welfare of the Child
AU	African Union
EHRC	Ethiopian Human Rights Commission
CBDH	Bénin Human Rights Commission
CHRAGG	Commission for Human Rights and Good Governance
CHRAJ	Commission of Human Rights and Administrative Justice
CNIDH	Independent National Commission for Human Rights
CNDH	National Commission of Human Rights
CNDHL	National Commission for Human Rights and Freedoms
CRC	Convention on the Rights of the Child
CRC Committee	Committee on the Rights of the Child
DAC	Day of the African Child
DIHR	Danish Institute for Human Rights
DOVVSU	Domestic Violence and Victim Support Unit
FGM	Female Genital Mutilation
GANHRI	Global Alliance of National Human Rights Institutions
HRCSL	Human Rights Commission of Sierra Leone
HRE	Human Rights Education
KNCHR	Kenya National Commission on Human Rights
MHRC	Malawi Human Rights Commission
MDAs	Ministries, Departments, and Agencies
MoGCSP	The Ministry of Gender, Children and Social Protection
NCCE	The National Council for Civic Education
NANHRI	Network of African National Human Rights Institutions
NCHR	National Commission of Human Rights in Rwanda

NHRC	National Human Rights Council of Algeria
NHRC	National Human Rights Commission
NHRI	National Human Rights Institution
OHCHR	Office of the High Commissioner for Human Rights
SAHRC	South African Human Rights Commission
SSHRC	South Sudan Human Rights Commission
UHRC	Uganda Human Rights Commission
UN	United Nations
UNICEF	United Nations Children's Fund
UPR	Universal Periodic Review
ZHRC	Zimbabwe Human Rights Commission

TABLE OF CONTENTS

Acronyms.....	2
Table of Contents.....	4
Foreword.....	6
Chapter One: Introduction to the Study.....	7
1.1. Introduction and Background to the Study.....	7
1.2. Objectives of the Study.....	8
1.3. Methodology and Limitations.....	9
1.3.1. Methodology.....	9
1.3.2. Conceptual Framework for Data Analysis.....	10
1.3.3. Data Collection Tool	10
1.3.4. Limitations of the Study.....	11
Chapter Two: Overview of National Human Rights Institutions in Africa: Structures on Children's Rights.....	13
2.1. General Overview.....	13
2.2. NHRIs in Africa and their structures on child rights.....	15
2.3. Structures of Children's Rights within NHRIs.....	24
2.4. Budgeting for Children's Rights in NHRIs.....	28
2.5. Engagement of NHRIs with various child rights actors.....	30
2.5.1. Engaging with the African Committee of Experts on the Rights and Welfare of the Child	30
2.5.2. Engagement with Line Ministries Responsible for Children's Rights and National Law Enforcement Agencies.....	34
2.5.3. Cooperation with Child Focused Organisations and NANHRI.....	37
2.5.4. Engaging Children in the Work of NHRIs.....	45
Chapter Three: Child Rights and Child Protection Work of NHRIs.....	49
3.1. The Role of NHRIs on the promotion and protection of children's rights in Monitoring the Implementation of the ACRWC and Africa's Agenda 2040 for Children.....	49
3.2. Overview of Priority Child Protection Work in NHRIs.....	61
3.3. The Role of NHRIs in Strengthening Child Protection Systems.....	70
3.3.1. Law Reform.....	70
3.3.2. Mechanisms within NHRIs.....	73
3.3.3. Institutional Structures and Tools.....	74
3.3.4. Research.....	75
3.3.5. Collection of Data on Child Rights and Child Protection.....	76
Chapter Four: Conclusion and Recommendations.....	80
4.1. Gaps and Challenges for NHRIs in Working on Children's Rights.....	80
4.2. Recommendations for Promoting and Strengthening Child Rights Work in NHRIs...	81

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FOREWORD

The African Committee of Experts on the Rights and Welfare of the Child (ACERWC/Committee) notes with great appreciation the role of National Human Rights Institutions (NHRIs) in Africa in the promotion and protection of children's rights enshrined in the African Charter on the Rights and Welfare of the Child (ACRWC/Charter). The Committee thus increased its engagement with NHRIs and has institutionalized its relationship with NHRIs through the adoption of the Guidelines on Granting Affiliate Status to NHRIs, whereby it grants an affiliate status to NHRIs. The Committee also increased its engagement with NHRIs by organizing various workshops for NHRIs as well as inviting NHRIs to its meetings. The Committee has also deliberately engaged NHRIs during its country visits to increase collaboration and involve NHRIs in its activities.

While the Committee has increased its engagement with NHRIs and has developed these Guidelines with a view to strengthen and formalize its relationship with them, the collaboration of NHRIs and the Committee needs to be strengthened at country and regional levels. Since the adoption of the Guidelines in 2018, 19 NHRIs have applied for affiliate status. While there could be various explanations as to why there is limited progress in the application of affiliate status, a partial cause could be the lack of prioritisation of children's rights in the works and activities of NHRIs.

Therefore, the Committee recognized the importance of understanding the NHRI landscape concerning child rights, as well as their understanding and knowledge about the Committee, to facilitate better collaboration with NHRIs. Hence, the Committee launched this Mapping of NHRIs' Structures and Functions on Child Protection to assess how NHRIs have incorporated child rights issues in their structures and mandates, to identify challenges, document best practices, and identify areas of collaboration.

The Committee encourages NHRIs to integrate a child rights agenda in their structures and functions and to take deliberate actions to mainstream children's rights in their works. The Committee would like to see an increased engagement of NHRIs with its mandate and activities and in taking the work of the Committee to the country level for increased implementation of the provisions of the Charter. The Committee encourages NHRIs and other relevant stakeholders to make use of the findings and recommendations of the Mapping.



Honorable Wilson Almeida Adão
**Chairperson of the African Committee of Experts on the Rights
and Welfare of the Child**

Chapter One: Introduction to the Study

1.1 Introduction and Background to the Study

In 1993, the United Nations (UN) General Assembly adopted Resolution 48/134 of 20 December 1993, which provides for principles and basic standards of operation for National Human Rights Institutions (NHRIs), known as the UN Principles relating to the Status of National Human Rights Institutions (Paris Principles). NHRIs are independent state-mandated bodies with a broad legal mandate to protect, promote and enforce human rights at the national level and hold governments to account for their human rights obligations. The main criteria for establishing NHRIs, as set out in the Paris Principles, is that they must be established under primary law or the Constitution; they must have a broad mandate to promote, protect and enforce human rights; they must have formal and functional independence; they must be pluralistic, representing all aspects of society; they must have adequate resources and financial autonomy; they must be free to address any human rights issue arising; they must report annually on the national human rights situation; and they must cooperate with national and international actors, including civil society. This criterion is used to accredit NHRIs with an internationally accepted quality label and membership to the Global Alliance of National Human Rights Institutions (GANHRI). Of the 55 Member States of the African Union (AU), 50 countries have NHRIs. The five countries that do not have full-fledged NHRIs are Angola, Botswana, Eritrea, Lesotho, and Sao Tome and Principe. Angola, Botswana, and Lesotho have Ombudsman, but they do not fulfil the criteria to be considered NHRIs. Nevertheless, Botswana and Lesotho are in the process of amending their laws to ensure that they have NHRIs that meet the threshold. While Lesotho has legally established an NHRI, its practical implementation is pending. Botswana has also recently amended the Ombudsman Act to give the Ombudsman a human rights mandate, but this is yet to be operationalised.¹

NHRIs, as institutions legally mandated to promote, protect, and enforce all human rights, encompass child rights within their mandate. However, the extent of their engagement with children's issue differs among countries, contingent upon their stipulated functions in domestic law or institutional structures. While certain NHRIs have a dedicated child rights unit or directorate, others may have a designated focal person, or none at all.

Article 42 of the African Charter on the Rights and Welfare of the Child (ACRWC/Charter) gives the African Committee of Experts on the Rights and Welfare of the Child (ACERWC/Committee) the mandate to cooperate with other institutions that are working on the promotion and protection of children's rights. In addition, Rule 83 of the ACERWC Revised Rules of Procedure stipulates that NHRIs established by State Parties to the ACRWC may be granted affiliate status with the Committee. On the basis of this mandate and realising the important role that NHRIs can play in promoting children's rights in Africa, the ACERWC has, in recent years, increased its engagement with NHRIs and institutionalised its relationship with them. Besides involving NHRIs in its sessions and other dialogue forums, the ACERWC collaborates

¹ Available at <https://botswanalaws.com/Acts-on-Notice/ombudsman-act.html>, accessed August 2022.

with NHRIs and the Network of African NHRIs (NANHRI)² during follow-up missions on the implementation of its decisions and recommendations, as well as to investigate children's rights violations. To highlight the importance of NHRIs in implementing children's rights, in 2015, the ACERWC specifically recognised in Africa's Agenda 2040 for Children the role of NHRIs in raising the visibility and in the implementation of the ACRWC and the effective functioning of the ACERWC.³ To streamline the engagement, the ACERWC adopted Guidelines on Granting Affiliate Status to NHRIs in 2018, which outline activities that NHRIs with affiliate status can undertake with the Committee.⁴ The purpose of the Guidelines is to advance the protection and promotion of children's rights in Africa through better execution of its mandate and full realisation of the Charter at the country level.⁵ However, despite this increased engagement with NHRIs and effort to strengthen and formalize its relationship with NHRIs through the adoption of the Guidelines, not much progress has been achieved yet. Since the adoption of the Guidelines, the Committee has granted affiliate status to 19 NHRIs. While there is increased interest in applying for affiliate status, there are still quite a lot of NHRIs who have not applied for affiliate status yet. This could partly be due to the less attention given to children's rights in the functions and structures of NHRIs. It is therefore vital to first understand the working methods of NHRIs and assess their functions in so far as integrating child rights is concerned, hence the commissioning of this study by the ACERWC through the European Union's African Governance Architecture Support Project (AGA-SP), which is being implemented through Expertise France.

1.2 Objectives of the Study

The main objective of this study is to map the structures and functions of NHRIs in Africa in relation to child rights and child protection. Specifically, the study:

- Examines the structures of NHRIs in Africa and how they have institutionalised children's rights.
- Assesses the functions of African NHRIs in implementing children's rights.
- Assesses budgetary allocations for NHRIs in relation to the protection, promotion and implementation of children's rights.
- Examines the level of engagement of NHRIs with the ACRWC and its monitoring body, the ACERWC.
- Examines how NHRIs relate with line Ministries responsible for children's rights and cooperate with child focussed organisations/agencies.
- Examines whether NHRIs have mechanisms for ensuring the participation of children in their work.
- Identifies good practice examples on prioritising children's rights that can be replicated by NHRIs in other countries.

2 See <https://www.nanhri.org/>

3 Africa's Agenda for Children 2040: Fostering an Africa fit for Children, available at <https://www.acerwc.africa/agenda-2040/> p55.

4 Guidelines for Granting Affiliate/Associate Status to National Human Rights Institutions before The African Committee of Experts on the Rights and Welfare of the Child, available at <https://www.acerwc.africa/wp-content/uploads/2021/10/Guideline-for-granting-affiliate-status-to-NHRIs-1-1.pdf>

5 Section 1(2), ACERWC Guidelines for Granting Affiliate Status to NHRIs.

1.3 Methodology and Limitations

1.3.1. Methodology

In conducting this study, a mixed methods approach was employed, primarily focusing on desk-based literature review, complemented by structured interviews through a questionnaire which was sent to National Human Rights Institutions with the support of the ACERWC.

The desk-based review included reviewing the information available on the websites of the NHRIs, State Party Reports submitted to the ACERWC and the UN Committee on the Rights of the Child, reports submitted to the UN High Commissioner for Human Rights, reports available at NANHRI, constituting statutes of the NHRIs in each of the relevant countries, and other publications on NHRIs.

The questionnaire was sent out to 49 NHRIs in Africa, of which only 26 NHRIs responded, representing half of the NHRIs in the region. These are: National Commission for Human Rights of Burkina Faso, Cameroon Human Rights Commission, National Commission for Human Rights and Citizenship of Cape Verde, the National Commission of Human Rights in Cote d'Ivoire (NCHR), the Ethiopian Human Rights Commission (EHRC), the National Human Rights Commission in The Gambia (NHRC), the Commission of Human Rights and Administrative Justice (CHRAJ) in Ghana, the Kenya National Commission on Human Rights, the Madagascar Independent National Commission for Human Rights (CNIDH), the Malawi Human Rights Commission (MHRC), the National Commission of Human Rights in Mali (CNDH), National Human Rights Commission of Mauritania, the National Human Rights Commission of Mozambique (NHRC), the Children's Advocate in Namibia (under the Office of the Ombudsman), National Commission for Human Rights of Niger, the Nigerian Human Rights Commission (NHRC), the National Commission of Human Rights in Rwanda (NCHR), Senegalese Commission for Human Rights, Human Rights Commission of Sierra Leone, South African Human Rights Commission (SAHRC); Southern Sudan Human Rights Commission (SSHRC), Tanzania's Commission for Human Rights and Good Governance (CHRAGG), the National Commission of Human Rights in Togo (CNDH), the Uganda Human Rights Commission (UHRC), Zambia Human Rights Commission, Zimbabwe Human Rights Commission.

The analysis, therefore, focuses on the countries that responded to the questionnaire, while also referencing some that did not respond but for which information was available. Additionally, a summary of all NHRIs has been provided in the form of a table, annexed to the report. It was observed that while NHRIs exist in 50 African countries, not all of the countries are State Parties to the ACRWC. Consequently, the questionnaires sent to NHRIs in those countries included an additional component that inquired about their role in advocating for the ratification of the ACRWC and the challenges associated with it.

1.3.2. Conceptual Framework for Data Analysis

The framework of analysis was informed by six pillars, as listed below, in line with the understanding that the implementation of children's rights must be holistic and comprehensive. A questionnaire was designed around these key pillars for child rights promotion and monitoring.

Pillar 1: Institutional set up

This sought to inquire how NHRIs are set up and whether or not they have specific structures for implementing child rights.

Pillar 2: Child rights promotion

This sought to inquire how the highest normative standards for child rights derived from the ACRWC, the CRC and other relevant instruments are incorporated into the work of NHRIs.

Pillar 3: Child protection

This inquiry examined how NHRIs' use elements and components of a child protection system, namely policy and legislation, services, data collection and budgeting, and enforcement/implementation of decisions affecting the rights of children, to support the prevention and response to protection-related risks.

Pillar 4: Research and documentation

This examined the availability of research and documentation on child rights and child protection by NHRIs, including emerging issues of child rights within their respective countries.

Pillar 5: Child rights monitoring and reporting

Under this pillar, data was collected on how NHRIs monitor child rights and the role they play in the State Party reporting processes to treaty bodies, including following up on concluding recommendations.

Pillar 6: Child participation

This focused on collecting data on how children are involved in the work of NHRIs.

1.3.3. Data Collection Tool

As indicated above, to complement the desk-based literature review, the data was collected using a questionnaire. Amongst the countries with NHRIs, Morocco, Somalia, South Sudan, Sahrawi Arab Republic, and Tunisia have not ratified the ACRWC.⁶ As such, the questionnaire for these countries was slightly modified to include information on the role played by the NHRIs to advocate for the ratification of the ACRWC. In addition, countries like Egypt and Mauritania that have entered reservations to exempt themselves from certain provisions of the ACRWC. Egypt, for instance, has a reservation that precludes it from investigations by the ACERWC.⁷ The reservations may impact on the engagement of the NHRI with the ACERWC in executing its mandate. Consequently, the questionnaires for Egypt and Mauritania⁸ were modified accordingly. Similarly, in instances where a Communication has been submitted against a State

6 See <https://www.acerwc.africa/ratifications-table/>

7 The full list of reservations by Egypt are as follows; Egypt: Article XXIV- Adoption; Article XXX (a-e)- Children of imprisoned mothers; Article XLIV- Communications; and Article XLV (1)- Investigations by Committee.

8 Mauritania does not consider itself bound by Article IX of the ACRWC on freedom of conscience and religion.

Party and finalized by the Committee on merits or under amicable settlement, the questionnaire was revised to include information on the role played by the NHRIs in ensuring that the State Party complies with the decision of the Committee.

Table 1.1 Summary of Division of Countries for Data Collection (as of March 2023)

Division of Countries	List of Countries Per Division	Number of Responses
ACRWC States Parties (with no reservations or a decision on a communication)	Algeria, Benin, Burkina Faso, Burundi, Cape Verde, Central African Republic, Chad, Comoros, Congo Brazzaville, Cote d'Ivoire, DRC, Djibouti, Ethiopia, ESwatini, Gabon, The Gambia, Ghana, Guinea Bissau, Guinea Conakry, Liberia, Libya, Madagascar, Mali, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sierra Leone, South Africa, Tanzania, Togo, Tunisia, Zimbabwe, Zambia	Burkina Faso, Cape Verde, Cote d'Ivoire, The Gambia, Ghana, Ethiopia, Madagascar, Mali, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sierra Leone, South Africa, Tanzania, Togo, Zambia, Zimbabwe,
ACRWC Non-States Parties	Morocco, Somalia, South Sudan, Tunisia	South Sudan
Countries with Reservations	Egypt, Mauritania, Sudan	Mauritania
Countries with Decisions on Communications	Cameroon, Kenya, Malawi, Mauritania, Senegal, Sudan, Uganda	Cameroon, Kenya, Malawi, Mauritania Senegal, Uganda,

1.3.4 Limitations of the Study

The main limitations of the study are related to documentation and low response to the questionnaire, with only 26 NHRIs participating. Despite efforts to gather extensive data through desk-based literature review, comprehensive documented information on the work of NHRIs in relation to child rights and child protection is generally lacking. This made it difficult to effectively decipher the extent to which NHRIs prioritize children's issues. Additionally, most of the websites of NHRIs are not easy to access and contained outdated information, making it challenging to rely on the available data as an accurate representation of the status quo. As such, these NHRIs were included in the analysis, except for a few cases where child rights information was found on their website despite not responding to the questionnaire.

Chapter Two: Overview of National Human Rights Institutions in Africa: Structures on Children's Rights

2.1 General Overview

National Human Rights Institutions have been recognised as official, legally-instituted independent bodies established by States for the purpose of promoting and protecting human rights at the national level.⁹ According to the Office of the High Commissioner for Human Rights (OHCHR), NHRIs play “a crucial role in promoting and monitoring the effective implementation of international human rights standards at the national level”.¹⁰ This encompasses performing core protection functions; playing a role in advancing all aspects of the rule of law, contributing to effective awareness raising on human rights, and, generally; fostering a society based on respect for universal human rights.¹¹ As already indicated above, to be effective and recognized by the international community, NHRIs must adhere to the standards set out in the UN Principles relating to the Status and Functioning of National Institution for the Protection and Promotion of Human Rights (Paris Principles). These principles were endorsed by the UN General Assembly in 1993, and require, among other things, that NHRIs are established through primary law or the Constitution. In Africa, all NHRIs are established in accordance with primary law, the Constitution, or both.

At the regional level, Article 26 of the African Charter on Human and Peoples' Rights (ACHPR) calls for the establishment of national institutions for the protection and promotion of human rights. Both the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) and the African Commission on Human and People's Rights (ACHPR) grant NHRIs affiliate status.¹² Section 6 of the ACERWC Guidelines for Granting Affiliate/Associate Status to NHRIs outlines the responsibilities and privileges of Affiliates/Associates within the work of the ACERWC. The NHRI, as an Affiliate/Associate, has the following roles:

- a. Attend and actively participate in the Open Sessions of the Committee
- b. Attend the closed Sessions of the Committee upon the Committee's approval,
- c. Table an agenda before the Committee, pursuant to Rule 33 of the Rules of Procedures of the ACERWC
- d. Access the State Party reports of their country in a timely manner, as well as, other documents determined by the Committee to be shared.
- e. Submit an alternative/independent report to the Committee following the submission of the report of the country in which they are established
- f. Whenever necessary, submit thematic briefings on child rights issues which need the attention of the Committee
- g. Assist in the dissemination and implementation of the concluding observations and

9 ICC Sub-Committee on Accreditation General Observations, Introduction <http://nhri.ohchr.org/EN/AboutUs/ICCAccreditation/Documents/SCA%20GENERAL%20OBSERVATIONS%20ENGLISH.pdf> .

10 <https://www.ohchr.org/EN/Countries/NHRI/Pages/NHRIMain.aspx>

11 <https://www.ohchr.org/EN/Countries/NHRI/Pages/NHRIMain.aspx>

12 <https://www.achpr.org/nhris>.

recommendations of the Committee for the State Party concerned

- h. Support the Committee's activities, such as investigative, follow-up or fact-finding missions within the country where the Affiliate/Associate NHRI is established.
- i. Follow-up on the implementation of the decisions of the Committee on communications concerning the country where the Affiliate NHRI is established in.
- j. Collaborate with the Committee on other child rights activities, including conducting studies and developing reports.

NHRIs with affiliate status are established by law and have a mandate for the protection and promotion of human rights at the national level. As mentioned above, there are 50 countries in Africa with NHRIs; however, as of July 2022, only 35 NHRIs are accredited with GANHRI, with 28 having Status A and 7 NHRIs having Status B. Furthermore, African NHRIs are members of global and regional networks that facilitate the sharing of good and promising practices in the protection of human rights. These networks offer opportunities for knowledge exchange on how human rights commissions can effectively meet the Paris Principles. In 2018, the ACERWC issued Guidelines for Granting Affiliate/Associate Status to NHRIs before the Committee. To date, 19 NHRIs have applied for affiliate status, and the Committee has granted an affiliate status to all of them, namely NHRIs from Benin, Burkina Faso, Cameroon, Ethiopia, Egypt, Ghana, Gambia, Kenya, Malawi, Mali, Mauritania, Niger, Nigeria, Rwanda, Sierra Leone, South Africa, Togo, Zambia, and Zimbabwe. The Committee granted affiliate status to Kenya, Mali, and Zimbabwe on the condition that they submit supporting documents for their applications. While many African NHRIs are still in the process of seeking affiliate status with the ACERWC, significant progress has been recorded with the ACHPR, with 31 NHRIs and 3 Specialised Institutions currently holding affiliate status.¹³

The Network of African National Human Rights Institutions (NANHRI) is a regional not-for-profit organization that unites NHRIs in Africa as part of a network. NANHRI supports the establishment and strengthening of NHRIs that comply with the Paris Principles and effectively fulfil their mandate. Currently, 46 African NHRIs are members of the network.¹⁴ During the strategic period of 2021-2025, NANHRI will prioritize enhancing the capacity of NHRIs in Africa to deliver on their mandate to promote, protect and fulfil human rights in Africa and enhance organizational development and institutional sustainability of NHRIs.¹⁵

13 Burkina Faso, Benin, Burundi, Cabo Verde, Cameroon, Côte D'Ivoire, DRC, Ethiopia, The Gambia, Ghana, Kenya, Mali, Mauritania, Sahrawi Arab Democratic Republic, Senegal, South Africa, South Sudan, Sudan, Tanzania, Uganda, Zambia, Zimbabwe

14 Algeria, Benin, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo Brazaville, Cote d'Ivoire, DRC, Djibouti, Egypt, Ethiopia, ESwatini, Gabon, The Gambia, Ghana, Guinea Bissau, Guinea Conakry, Kenya, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, South Africa, Sudan, Tanzania, Togo, Tunisia, Uganda, Zimbabwe, Zambia. At the global level, 32 African countries are members of GANHRI (Algeria, Burundi, Cameroon, Chad, Congo Brazaville, Cote d'Ivoire, DRC, Egypt, Ethiopia, Ghana, Kenya, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Namibia, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, South Africa, Tanzania, Togo, Tunisia, Uganda, Zimbabwe, Zambia) see <https://www.nanhri.org/members/>

15 <https://www.nanhri.org/our-history-and-constitution/>

NHRIs in Africa have varying structures, functions and mandates when it comes to specific child rights issues. The analysis reveals that some NHRIs in Africa have Commissioners and or Members, and a Secretariat, that work specifically on children's rights issues. The composition of staff/focal persons working on children's rights differs among countries, with personnel possessing different qualifications. NHRIs may have specialised units focused on children's rights (i.e. Child Rights Directorate, Children's Desk or a Children's Advocate) responsible for human rights monitoring on children's issues. In some cases, child rights are integrated into the general human rights mandate without a specialised unit. These specialised units implement broad child rights programmes or focus on specific projects and activities related to child marriage, birth registration and child participation. The mandate to work on children's rights issues as part of human rights is derived from the NHRIs Constitutive Acts, except for Namibia, which derives its mandate and structure from the Child Care and Protection Act. The NHRI organograms and work plans further outline the role of NHRIs in advancing the promotion and protection of children's rights.

2.2. NHRIs in Africa and their structures on child rights

This section provides a summary of the structures and functions of NHRIs in general, and their available structures related to children's issues, primarily based on the responses received from NHRIs through the questionnaires. The section also includes a table summarising the structures of NHRIs, including some NHRIs that did not respond to the questionnaire but have their structures available on their virtual platforms.

The Commission in Burkina Faso was established in 2001 through an Act, which was later amended in 2009 and 2016 to align it with the Paris Principles. In 2021, the Act was further amended to empower the Commission as the National Mechanism for the Prevention of Torture, in addition to its existing mandate for the promotion and protection of human rights. The Commission consists of a board, sub-commission, and a secretariat. The Board is comprised of a Chairperson, Vice Chairperson, Rapporteur, and Deputy Rapporteur. There are three sub-commissions focusing on Economic, Social and Cultural Rights, Civil and Political Rights, and Human Rights and Development. Moreover, the Commission has three directorates covering legal affairs, administrative and financial affairs, and communication and public relations. Although there is no specific structure dedicated to children's rights, all the sub-commissions work on children's rights.

The Commission in Cameroon was created by Law No 2019/014 on the creation, organization, and functioning of the Cameroon Human Rights Commission. The Commission replaced the National Committee for Human Rights and Freedoms, which had been the initial NHRI established in Cameroon since 1990. The replacement and revision of the establishing law was made to ensure that the NHRI is aligned with the Paris Principles. As per Article 3 of its establishing law, the Commission has a mandate to protect and promote human rights and prevent torture in detention facilities. Within its secretariat, the Commission has appointed an

Executive Children's Rights Focal Point responsible for monitoring children's rights and respond to requests from national and international entities regarding children's rights. Moreover, the sub-commission dealing with human rights protection, promotion and prevention of torture includes children's rights within its mandates and activities.

In Cape Verde, the National Commission for Human Rights was established in 2004 through Law No 38/2004 of 11 October with the mandate to contribute to the promotion and reinforcement of respect for human rights. The Commission is responsible for promoting human rights education, participating in law making processes, consulting the Government on areas of human rights and humanitarian law, investigating human rights violations, and monitoring the implementation of human rights norms. The Commission is composed of the President and the Coordinating Council, with a total of thirty Commissioners and focal points in all 22 municipalities of the country. Although the Commission does not have a specific department for children's rights, it is part of the System for the Protection of the Rights of Children and Adolescents under Law No. 50/VIII/2013 of December 26. It is tasked with overseeing the implementation of public policies in the field of childhood and adolescence and monitoring the implementation of the African Charter on the Rights and Welfare of the Child. The Commission also receives and handles complaints of violation of children's rights.

In Cote d'Ivoire, the National Council of Human Rights (NCHR) was established on July 15, 2005, to promote, protect and defend human rights. It has a Central Commission and 31 Regional Commissions. The Central Commission comprises the General Assembly (consisting of 12 members with voting rights), the Executive Office, and the General Secretariat. The General Secretariat has three directorates, namely the Administrative and Financial Affairs; the Request and Investigations; and the Programs and Thematic Studies. The Programs and Thematic Studies Directorate includes six departments, one of which is the Department of Women, Children, Vulnerable Persons' Rights and Solidarity Rights.¹⁶ The Commission is made up of a Central Commission comprising 12 members called Human Rights Advisors, representing associative and socio-professional structures, including one NGO representative with expertise in the promotion and protection of children's rights.

In Benin, the Human Rights Commission (CBDH) was established in 1989 through Law 89-004. The Commission consists of three Consultative Bodies, the third of which is responsible of Advocacy, Youth and Human Rights Education (EDH). The Commission has sub-Commissions, each led by a President and two Commissioners. sub-Commission One focuses on Children, Statelessness, Refugees, Immigrants and Internally Displaced Persons.

The Ethiopian Human Rights Commission (EHRC) was established in 2000 pursuant to Proclamation No. 210/2000, known as the Ethiopian Human Rights Commission Establishment Proclamation. The mandate of the EHRC is to promote, ensure respect for, and protect human rights in Ethiopia. This was amended in 2020 by Proclamation No. 1224/2020 Ethiopian Human

16 Other departments are the department of Economic, Social and Cultural Rights; the department of Civil and Political Rights; the department of Cooperation and Relation with the Civil Society; the department of Coordination of the Regional Commissions; and the department of Information and Capacity Building.

Rights Commission Establishment (Amendment), further strengthening the powers of the EHRC to monitor human rights and investigate human rights violations.¹⁷ The EHRC's structure comprises a Council of Commissioners, which consists of the Chief Commissioner, Deputy Chief Commissioner, and other Commissioners.¹⁸ Currently, the EHRC has five Commissioners, namely, the Chief Commissioner, Deputy Chief Commissioner, Commissioner for Women's and Children's Rights, Commissioner for Civil and Political Rights, and Commissioner for Disability Rights and Rights of Older Persons. The Commission has its Head Office in Addis Ababa and eight regional offices nationwide. In June 2021, the EHRC adopted a new organisational structure creating various departments with different roles and responsibilities, and its implementation is underway. There are nine main technical departments of the EHRC operating under the oversight of the various Commissioners, including the Department of Women and Children's Rights led by a Director with oversight from the Commissioner for Women's and Children's Rights.¹⁹ In addition, the EHRC has Human Rights Officers specialising in children's rights in its regional offices. With a dedicated Commissioner and department focusing on the rights of women and children, the work of the EHRC specifically aims to promote, respect and protect the rights of women and children. This includes reviewing relevant laws; conducting thematic research and investigation into systemic violations; monitoring compliance with national and international standards; empowering women and children to claim their rights; and fostering partnerships with relevant stakeholders.

In The Gambia, the National Human Rights Commission (NHRC) consists of a Commission with five Commissioners and a functional Secretariat. It was established by an Act of the National Assembly in 2017, and operations commenced in February 2019 when the five Commissioners were sworn into office. The functions of the Commission, as outlined in Section 12 of the Act, include promoting and protecting human rights; monitoring and investigating human rights violations; and recommending appropriate remedial action to the Government. The Executive Secretary and the Deputy Executive Secretary provide leadership, whilst the Commissioners focus on overall policy formulation and direction. There is no specialised child rights department or unit among its five departments.²⁰ However, the Commission has established a Thematic Committee on Vulnerable Groups, which includes children's rights in its work. There is also a Focal Person in the Legal and Investigation Department responsible for women's and children's rights.

In Ghana, the Commission of Human Rights and Administrative Justice (CHRAJ) was established in 1993 under CHRAJ Act, 1993 [Act 456], derived from Chapter 18 of the 1992 Republican Constitution of Ghana. It has three broad mandates, namely, human rights, administrative justice,

17 The amendment explicitly empowers the EHRC to visit and monitor any detention centre in Ethiopia, without prior notice; and to monitor human rights during elections and state of emergencies.

18 Article 30 of Proclamation No. 210/2000.

19 The other departments are, Department of Human Rights Education; Department of Disability Rights and the Rights of Older Persons; Department of Civil and Political Rights; Department of Social and Economic Rights; Department of Refugees, IDPs and Migrants Rights; Department of Human Rights Monitoring and Investigation; Department of Programs and Partnership; and Department of Law and Policy. In addition to the technical departments, the EHRC also has three operational departments namely, the Office of Chief Commissioner; Media and Communications; and Human Resources and Development.

20 Department of Finance; Departments of Programmes and Resource Mobilisation; Department of Legal and Investigations; Department of Communications and Media; Department of Human Resources.

and anti-corruption. Constitutionally, CHRAJ is an independent body in both form and functions and, thus, reports directly to the Parliament of Ghana. Initially, its functions were only specified in the Constitution and the CHRAJ Act, namely, to educate the public on human rights and freedoms, and to investigate complaints of violations of human rights and freedoms, injustice, corruption, abuse of power and unfair treatment of any person, as well as the functioning of various divisions of the public sector, and take appropriate action to call for the remedying of the same.²¹ Since its establishment, the Commission has been granted additional functions through subsequent legislations, including the Children's Act, 1998 (Act 560) which allows the Commission to apply for maintenance order under section 48(2), the Juvenile Justice Act 2003 (Act 653) which mandates the Commission to inspect juvenile centres under section 42(2), and the Human Trafficking Act, 2005 (Act 694) which mandates the Commission to receive information about trafficking from any individual as per Section 6 of the Act. Ghana's NHRI is a hybrid kind of institution. Unlike others, CHRAJ has triple mandates, serving as a National Human Rights Institution, an Ombudsman, and an Anti-corruption Agency. The Commission is composed of the Commissioner, two Deputy Commissioners, and departmental Directors. There are ten departments²² and six specialised units.²³ The Commission also has 16 regional and 164 district offices throughout the country to support the work of the Commission. Within its structure, the Commission has a Special Groups Department that strongly emphasises on child rights and child protection, making it an integral part of its human rights mandate. This department is mandated to receive, investigate and address complaints related to vulnerable groups, including children, women, the elderly, persons with disabilities or persons with albinism. It is important to note that the Commission may only initiate an investigation if an external complaint has first been filed.

The Kenya National Commission on Human Rights was established in 2002 through Statute, and it was later enshrined under Article 59 of the Constitution of Kenya 2010 and operationalised by the Kenya National Commission on Human Rights Act 2011. The Commission is headed by a Chairperson and four Commissioners, each serving a single non-renewable term of 6 years. The Chief Executive Officer (CEO) of the Commission serves as the Secretary to the Commission and head of the Secretariat, responsible for ensuring the implementation of the Commission's programmatic work in line with its directives. The CEO is accountable to the Commissioners. The work of the Commission is structured around five Directorates, each headed by a Director, namely Complaints and Investigation, Legal Services, Research, Advocacy and Outreach, Regional Services, and Corporate Services. The Commission is headquartered in Nairobi, and it operates five regional offices. The Commission has a focal point for child rights that informs the mainstreaming of aspects of child rights programming into core programmatic interventions.

In Madagascar, the Independent National Commission for Human Rights (CNIDH) was established by Law No. 2014-007 of July 22, 2014, to promote and protect human rights. It also

21 Section 7 of the CHRAJ ACT, 1993 (Act 456) pursuant to Article 218 of the 1992 Constitution.

22 Human Rights Department; Special Groups; Administrative Justice Department/Ombudsman; Anti-Corruption Department; Research Department; Public Education Department; Investigations Department; Human Resources and Administration; Finance; Budget.

23 The units are, Strategic Management Department; Technology and Innovation; and International Cooperation; Corporate Affairs and Communications; Programmes and Projects; Policy Planning, Monitoring and Evaluation.

has investigative and advisory powers. It has been operational since October 13, 2016, following the swearing-in of its members. The CNIDH was granted 'A' status by the accreditation sub-committee of the Global Alliance of National Human Rights Institutions (GANHRI) in Geneva on March 11, 2019. The Commission's key functions include the promotion and protection of human rights in Madagascar, and since 2018, it has also served as the National Mechanism for the Protection from Torture. The Commission is composed of a President and 10 Commissioners, one of whom is a representative of associations working to protect children's rights.²⁴ It also has a Secretariat, which comprises the Promotion Department (responsible for information, education and human rights awareness) and the Protection Services Department (responsible for handling complaints). The two departments collaborate with the Commissioners in conducting inquiries and investigations. The Commission is empowered to independently examine all matters falling within its jurisdiction, whether submitted by the government or self-referred by its members or of any interested party. The complaint can be individual or collective.

The Malawi Human Rights Commission (MHRC) was established in 1998 with the primary functions of promoting and protecting human rights and investigating human rights violations. As part of its promotion mandate, the MHRC focuses particularly on the human rights of vulnerable groups, including children, illiterate persons, persons with disabilities and the elderly. In terms of structure, the MHRC has nine Commissioners and a Secretariat headed by an Executive Secretary. The Secretariat operates through six Directorates, one of which is the Child Rights Directorate, supported by a Child Rights Thematic Committee headed by a Commissioner.²⁵

In Mali, the National Human Rights Commission (CNDH) was established by Law No. 2016-036 of July 07, 2016, as an Independent Administrative Authority with a mandate to promote and protect human rights. Its powers have been strengthened in accordance with the Paris Principles, expanding to include the fight against torture and other cruel, inhuman or degrading treatment. The CNDH is also mandated to receive and examine individual or collective complaints of violation of human rights and to offer legal assistance to complainants. It is composed of nine Commissioners, three sub-Commissions,²⁶ and working groups,²⁷ but none specifically focus on children's rights.

The Commission in Mauritania was established by Law 2006-25 of July 2006. The Commission has the mandate to promote and protect children's rights and provide advice to government

24 The other Commissioners are; a representative of associations working to protect women's rights; a representative of the Bar Association; a representative of the Order of Journalists; a representative of the National Assembly and a representative of the Senate, designated respectively by the Permanent Bureau of each Chamber; a representative of the Executive appointed by the Prime Minister; a representative of Professors of law from public universities; a representative of associations working to protect the rights of people living with disabilities; two representatives of Non-Governmental Organizations working in the defence of Human Rights.

25 The other Directorates are, Civil and Political Rights Directorate; Disability and Elderly Rights Directorate; Economic, Social and Cultural Rights Directorate; Gender and Women's Rights Directorate; Corporate Services Directorate.

26 The Promotion Sub-Commission, the Protection Sub-Commission and the Torture Prevention Sub-Commission.

27 The "Categorical Rights" working group and the "Human Rights, Religions and Cultures" working group.

organs. The Commission is led by a President and consists of five specialised sub-Commissions, one of the which is dedicated to children's rights. The Commission also has a department and thematic groups focused on children's rights.

In Mozambique, the National Human Rights Commission was established on December 22, 2009 under Law No. 33/2009, and became operational in 2012 with the appointment of the first Commissioners. Its primary functions include the promotion, protection, and monitoring of human rights, as well as consolidating the culture of peace. The Commission is composed of 11 Commissioners supported by the General Secretariat, led by an Administrative Secretary. The General Secretariat oversees five departments, namely, the Promotion Department, Monitoring Department, Protection Department, Planning and Cooperation Department, and Administration and Finance Department. In 2013, through resolution 23/13 of May 3, the Council of Ministers assigned the Commission the additional mandate of the National Mechanism for the Prevention of Torture and other Inhuman Treatments. Consequently, the Commission has a Unit for the Prevention Against Torture and other Inhuman Treatment. Amongst the 11 Commissioners, one is responsible for Gender, Children and Persons with Disabilities. At the technical level (Secretariat), there is a focal point on children's rights that has the mandate to carry out all activities related to children's rights.

In Namibia, the Office of the Ombudsman is the public institution responsible for promoting and protecting human rights. It was established in 1990 and operates under constitutional appointment. The Ombudsman is mandated to receive and investigate complaints regarding human rights violations, maladministration, environmental protection, and misappropriation of public funds. The Ombudsman is supported by a Chief of Operations, and three Deputy Directors, who oversee the Investigations Division, the Administration Division, and the Human Rights & Legal Services Division. The Director for Human Rights & Legal Services serves as the Children's Advocate and is responsible for providing legal advice to the Ombudsman and investigators, as well as receiving and investigating complaints involving children. The division consists of two lawyers and one social worker.

The National Human Rights Commission of Niger is provided for in Article 44 of the Constitution and established by Law 2012-44 of August 24, 2012 which was later amended and supplemented by Law 2020-02 of May 6, 2020, to determine its composition, organization, operation and powers. According to the establishing law, the Commission is responsible for dealing with individual and collective complaints, conducting investigations into cases of human rights violations, carrying out regular informed or unannounced visits to places of deprivation of liberty, undertaking activities to combat torture and slavery-like practices, conducting studies and research on human rights, organizing information and awareness campaigns on human rights, participating in the development and implementation of human rights education programs, and drafting texts and applying international instruments and harmonizing laws and regulations in the context of the promotion and protection of human rights. The Commission is comprised nine Commissioners, with five forming the Executive Bureau, including a President, a Vice-President, a General Rapporteur and an Assistant General Reporter. The other five Commissioners chair the five thematic areas at a Directorate level which are the Protection and Promotion of Civil and Political Rights, the Protection and Promotion of Economic, Social, Cultural and Environmental Rights, the Promotion and Protection of the Rights of Women, Children, the Elderly and Disabled Persons, Migration, Protection against Racial, Ethnic and Religious Discrimination and Slavery Practices, and Protection against Arbitrary Detention,

Torture, Cruel, Inhuman or Degrading Treatment. The Working Group on the Promotion and Protection of the Rights of Women, Children is the main structure within the Commission that focuses on children's rights.

In Nigeria, the National Human Rights Commission (NHRC) was established in 1995 to promote, protect and enforce human rights. There are two main arms in the Commission, namely, the Council, responsible for policy directives, and the Secretariat, headed by the Chief Executive Officer, which manages the day-to-day operations. The NHRC has a Women and Children's Department, which handles concerns about violations of the rights of women and children.²⁸

The Rwanda National Commission for Human Rights (NCHR) was established in 1999 by Law N° 04/99 of March 12, 1999. The overall mission of the NCHR is to enhance the promotion and protection of human rights in Rwanda.²⁹ The NCHR is made up of seven Commissioners, including the Chairperson and the Vice Chairperson, who work on a permanent basis. It has 42 technical staff coordinated under the management of a Secretary General. There are four technical units, one of which is the Human Rights Protection Unit. Among its responsibilities, this unit monitors the state's compliance with human rights, with a particular focus on the rights of children, women, persons with disabilities, people living with HIV/AIDS, refugees, migrant workers and members of their families, and the elderly.

The Senegalese Commission for Human Rights was established by law in April 1970. The Commission is an independent institution of consultation, observation, evaluation, dialogue and proposal, with a focus on respect for human rights. The Commission has Departments on the Promotion and Protection of Human Rights and various Commissions. Within the Commission, there is a component for Gender, Child, and Vulnerable People, which includes a program officer for gender and childhood. The Commission includes children's rights in its mandate and is part of the Steering Committee on Alternative Care in Senegal.

The Human Rights Commission in Sierra Leone was established in 2004 with a mandate to receive and document complaints, investigate human rights violations, undertake public education, provide advice on draft legislation, review existing legislation, and publish an annual State of Human Rights Report. The Commission consists of a Chairperson, Vice Chairperson, and three Commissioners. The Secretariat of the Commission has an Executive Secretary and various Directorates. One of the Directorates deals with Gender and Children's Affairs. In addition, the Directorates on Legal Services and Communication and on Migration and Human Trafficking also address children's issues.

The South African Human Rights Commission (SAHRC) was established in 1995. It derives its mandate from section 181 of the Constitution of the Republic of South Africa, 1996 (Constitution), to support constitutional democracy. According to section 184(2) of the Constitution, the

28 It also has a Vulnerable Groups Department takes charge of the rights of persons with disability, the elderly and the IDPs; Civil and Political Rights department handles matters of civil rights violations by duty bearers and other individuals or group heading private organizations; Economic, Social and Cultural rights charged with the matters of livelihood as may be affected by socio-cultural myths; The human rights education department involves students in its activities i.e. Formation of human rights clubs in secondary schools, sensitising the public on rights matters in schools and marketplaces.

29 Article 4 of the 2013 Law, modified in 2018.

Commission is empowered to investigate and report on the observance of human rights; take steps to secure appropriate redress where for human rights violations; conduct research, and educate. The Commission has additional powers and functions under the South African Human Rights Commission Act 40 of 2013, which repealed the Human Rights Commission Act 54 of 1994, which initially established the Commission. The Commission comprises a Commissioners' Programme and a Secretariat with nine Provincial Offices. The Commissioners' Programme is structured into eight focus areas, each led by a Commissioner, one of which is the Children's Rights Unit and Migration.

The South Sudan Human Rights Commission (SSHRC) was first established in 2006 to uphold, protect, and promote human rights in Southern Sudan in accordance with the Government of Southern Sudan Presidential Decree No.48/2006. The SSHRC has an enabling statute for its functional and operational mandates, namely, the South Sudan Human Rights Commission Act of 2009. In 2011, the SSHRC was constitutionally established as an NHRI in the Republic of South Sudan under Articles 145 and 146 of the Transitional Constitution of the Republic of South Sudan, 2011, as amended. The Transitional Constitution and Sections 6 and 7 of the SSHRC Act provide eligibility requirements for the establishment, functions and composition of the Commission. The Commission comprises a Chairperson, Deputy Chairperson, three Commissioners, and a Secretariat (management). The Secretariat has five Directorates, none specifically dedicated to children's rights. The SSHRC does not have a child rights unit. It is part of the organizational structure of the Commission to have branches in all the 10 states of South Sudan and subsequently provide outreach services at the county level.

In Tanzania, the Commission for Human Rights and Good Governance (CHRAGG) was established in 2000 following the 13th amendment to the 1977 Constitution of the United Republic of Tanzania. The Commission became operational in 2001 after the enactment and coming into force of its founding statute, the Commission for Human Rights and Good Governance Act.³⁰ The Commission was officially inaugurated in mid-March 2002 with the appointment and swearing-in of its Commissioners. It has a broad mandate to promote and protect human rights and good governance principles.³¹ Under its establishing Act, the Commission is expressly required to cooperate with agencies of the AU, UN, and other bilateral, multilateral, regional and national institutions of other countries competent in protecting and promoting of human rights and administrative justice.³² The Commission is composed of seven full-time Commissioners, including a Chairman and Vice Chairman. In 2006, CHRAGG established a Children's Desk to promote and protect children's rights.

In Togo, the National Commission for Human Rights (CNDH) was created on June 9, 1987, but it is now governed by Organic Law n° 2021-015 of August 03, 2021,³³ which modified Organic Law n° 2018-006 of June 20, 2018, relating to the composition, organisation and functioning of the National Commission of Human Rights (CNDH). The Commission's mission is to promote and protect human rights; protect human rights defenders; and prevent torture and other forms

30 Chapter 391 of the Laws of Tanzania.

31 Article 130(1)(a)-(h) of the Constitution of the United Republic of Tanzania of 1977, and Section 6(1)(a)-(o) of the Commission for Human Rights and Good Governance Act.

32 Section 6(1)(m), The Commission for Human Rights and Good Governance Act.

33 Article 4.

of cruel, inhuman, or degrading treatment in places of deprivation of liberty or any other place it has identified. The Commission consists of a Plenary Assembly,³⁴ the Executive Bureau,³⁵ and Sub-Committees.³⁶ The General Secretariat, headed by a General Secretary, coordinates the activities of the technical departments and is responsible for carrying out practical tasks. However, there is no specialised child rights unit.

The Uganda Human Rights Commission (UHRC) was established in 1997 with the mandate to promote and protect human rights. The UHRC operates through five Directorates through which it executes its mandate, namely, Complaints, Investigations and Legal Services; Research, Education and Documentation; Monitoring and Inspections; Regional Services; and Finance and Administration. It has 12 regional offices and 12 field offices. The Commission established a Vulnerable Persons Unit in 2004, which has children as one of the vulnerable groups specifically protected.

The Zambia Human Rights Commission was established in 1996 and became fully operational in 1997. The Commission is established through Article 230 (1) of the Constitution and has offices in the provinces and progressively in districts. Pursuant to the Constitution and the Human Rights Commission Act, the Commission is tasked with ensuring the upholding and protection of the Bill of Rights, investigating and reporting on the observance of rights and freedoms; securing appropriate redress where rights and freedoms are violated; resolving disputes through negotiation, mediation or conciliation; conducting research, providing civic education, visiting prisons and places of detention, and facilitating the rehabilitation of victims of human rights abuse. The Commission consists of the Chairperson, Vice-Chairperson, and not more than five other Commissioners. The Secretariat of the Commission has Departments on Human Resources and Administration, Legal and Investigations, Research and Planning, Information, Education and Training and Accounts. Previously, one Commissioner was designated to head the Office of Commissioner for Children's Rights, but, currently, all activities related to children's rights are coordinated by the Focal Point Person for child rights within the Legal and Investigations Department.

The Zimbabwe Human Rights Commission was established in 2009 with the mandate to monitor, assess, and ensure the observance of human rights and freedoms. It is responsible for receiving complaints from individuals regarding human rights abuses and taking appropriate action. The Commission also conducts visits and inspections of prisons, detention places, refugee camps, and similar facilities. Additionally, it assists the Ministry of Justice, Legal and Parliamentary Affairs, or any other Ministry in preparing a human rights report for submission to any regional or international bodies, among other responsibilities. The Commission is composed of nine Commissioners and has four Directorates, namely, Complaints Handling and Investigations, Administrative Justice Department, Monitoring and Inspections, and Education, Promotion, Research and Advocacy. Furthermore, the Commission has a Thematic Working Group on

34 Responsible for the design, orientation, decision-making and control body of the Commission. It includes all the members of the Commission.

35 Responsible for implementing the decisions of the plenary.

36 Sub-Commission on Promotion and Protection of Human Rights; Sub-Commission for the Prevention of Torture and Other Forms of Cruel, Inhuman or Degrading Treatment. The Sub-Commissions coordinate the activities of the permanent Secretariat.

Children’s Rights, established per Paragraph 7 of the First Schedule of the Zimbabwe Human Rights Commission Act, outlining the provision for Thematic Working Groups.

Regarding the Commission in Mauritius, while it did not provide detailed responses to the questionnaire, it indicated that the National Human Rights Commission does not handle children’s rights issues. Instead, a separate Ombudsman for Children exists, specifically mandated to address children’s issues.

2.3. Structures of Children’s Rights within NHRIs

As indicated above, 26 NHRIs responded to the survey. In addition, a desk-based review was conducted on the structures of NHRIs concerning children’s rights.³⁷ The following summary provides an overview of the structures within NHRIs in different African countries that support the protection and promotion of children’s rights in Africa.

The responsibilities of the Child Rights Units, Departments and Portfolios differ in scope. The review indicates that a common responsibility among these Units is to conduct studies and investigations into child rights violations. They also implement child-specific programs and to advocate for children’s rights, both with relevant government departments and civil society. These Units are further tasked with capacity building for relevant stakeholders and supporting child law reform by conducting independent studies on legislation to identify gaps in accordance with regional and international child rights standards.

Table 2.1 NHRIs and their Child Rights Structures

Country	Child Rights Structures
Algeria - National Human Rights Council (NHRC), established in March 2017	While there is no child rights structure within the main NHRI, Article 11 of Law No. 15-12 of July 15, 2015, establishes the National Body for the Protection and Advancement of Children and the National Child Protection Ombudsman.
National Commission for Human Rights of Burkina Faso,	There is no specific structure for children’s rights, however, all the sub commissions within the Commission work on children’s rights.
Cameroon Human Rights Commission,	The Commission has appointed an Executive Children’s Rights Focal Point to monitor children’s rights.
National Commission for Human Rights and Citizenship of Cape Verde	The Commission does not have a specific department for Children’s rights. However, under Law No. 50/VIII/2013 of December 26, the Commission is part of the System for the Protection of the Rights of Children and Adolescents

³⁷ Note: This list may not be exhaustive as it is dependent on information received from NHRIs which responded to the questionnaire and information available online. There might be more initiatives which have not yet been captured online.

Bénin Human Rights Commission (CBDH)	The Commission has sub-Commissions, of which sub-Commission One is on Children, Statelessness, Refugees, Immigrants and Internally Displaced Persons.
The Comoros - National Commission for Human Rights and Freedoms (CNDHL)	On its structure, the Commission in Comoros includes two representatives appointed by the National Associations for the Defence of the Rights of Woman and Children.
Democratic Republic of Congo Commission Nationale des Droits de l'Homme	According to Article 1 of its establishing law, the CNDH comprises five Permanent sub-Commissions one of which is the sub-Commission on the Rights of Women and Children.
Côte d'Ivoire Commission Nationale des Droits de l'Homme (CNDH)	The Commission has a department of children's rights called Department on Women, Children, Vulnerable Person's Rights and Solidarity Rights.
Ethiopian Human Rights Commission (EHRC)	The Commission in Ethiopia has a Commissioner for Women's and Children's Rights and a Department for Women's and Children's Rights. The Department comprises a Director and Human Rights/Child Rights Officers at the Head Office and all Regional Offices.
The Gambia	The Commission has a Thematic Committee on Vulnerable Groups which also works on children's rights, headed by a commissioner. There is also a Focal Person in the Legal and Investigation Department who is responsible for women and children's rights. There is no dedicated department or unit for children's rights.
Ghana (CHRAJ)	The Commission, under its human rights mandate, has established a specialised unit called Special Groups Unit.
Kenya National Commission on Human Rights (KNCHR)	The Commission has designated a specific child rights focal person.
Madagascar Commission Nationale Indépendante des Droits de l'Homme (CNIDH)	The law establishing the Commission requires that the CNIDH has 11 Commissioners, including one representative of associations working to protect children's rights. However, there is no specific department dealing with children's rights but, protection and protection of children's rights is amongst its priorities.
Malawi Human Rights Commission	In line with Section 13(1)(c) and Section 30(1) of the 1998 HRC Act, which mandates the Commission to address children's rights, the Commission established the Child Rights Directorate, which was previously a unit prior to 2011. The Child Rights Directorate Acts as an Ombudsperson, Advocate and Advisor on behalf of children.

National Human Rights Commission in Mali	The Commission has no child rights structure.
National Human Rights Commission of Mauritania	The Commission has five specialised sub-Commissions one of which includes children's rights. The Commission also has a department and thematic groups on children's rights.
National Human Rights Commission of Mauritius	While the Commission has no child rights structures, there is a separate Ombudsman for Children which is a separate institution mandated for children's issues.
Morocco Conseil National des Droits de l'Homme (CNDH)	The Commission has five permanent committees one of which is the Standing Committee on Parity, Non-Discrimination, and New Generations of Human Rights, entrusted with responsibilities for children, among other groups. The Commission also has a recourse mechanism for child victims.
Mozambique National Human Rights Commission (CNDH)	The Commission has a Commissioner for Gender, Children and Disability. It has also established a focal point at the Secretariat that is responsible for children's rights.
Namibia Office of the Ombudsman	The Ombudsman has The Children's Advocate which is established by the Child Care and Protection (CCP) Act.
Niger Commission Nationale des Droits Humains (CNDH)	The Commission has a thematic working group at the level of Directorate on the Promotion and Protection of the Rights of Women, Children, the Elderly and Disabled Persons which is Chaired by a Commissioner.
Nigeria National Human Rights Commission (NHRC)	Amongst its administrative structures, the Commission has one Department for Women, Children and Vulnerable Groups. One of its focal areas is Child Rights as guaranteed in the Child Rights Act (2003) which has been adopted by 24 out of 36 States in Nigeria.
The National Commission of Human Rights of Rwanda (NCHR)	The Commission has no internal structure on children's rights, but it implements a community-based approach to child rights. It has setup a Child Rights Observatory that promotes and monitors the respect for children's rights in the community.
Senegalese Human Rights Commission	Within the Commission there is a component for Gender, Child, and Vulnerable People which has a gender and childhood Program Officer.
Human Rights Commission of Sierra Leone (HRCSL)	The Commission has a designated Directorate on Women and Children's Affairs.

South Africa Human Rights Commission	The Commission has a full-time Commissioner responsible for children's rights, who serves under the Children's Rights Unit which is housed in the Commissioner's Programme.
South Sudan Human Rights Commission (SSHRC)	It has not designated Directorate or Unit on Child Rights. The Commission made an initiative to establish a Child Rights Desk but this never became operational.
Tanzania: Commission for Human Rights and Good Governance (CHRAGG)	In 2006, CHRAGG established a Children's Desk to promote and protect children's rights.
Togo Commission Nationale des Droits de l'Homme (CNDH)	The Commission has nine members and a General Secretariat. One of the members is an expert on rights of children. Moreover, the Secretariat has seven departments including a Directorate for the Promotion and Protection of Human Rights which is administered by a Director, managing various sub-Commissions, including a sub-Commission on Women, Children and Vulnerable Groups Division.
Tunisia Comité Supérieur des Droits de l'Homme et de Libertés Fondamentales	Membership of the Commission includes a representative of each of the line Ministries including childhood.
Uganda Human Rights Commission (UHRC)	The Commission has a Vulnerable Persons Unit which was established on 29th October 2004 under the Directorate of Monitoring and Inspections which deals with vulnerable groups including children.
Zambia Human Rights Commission	Previously, the Commission had the Office of the Commissioner for Children which focused specifically on the promotion and protection children's rights. However, the current structure is a Focal Point Person for child rights within the framework of the Legal and Investigations Department.
Zimbabwe Human Rights Commission (ZHRC)	ZHRC has nine Commissioners and Section 7 of the ZHRC Act establishes Working Groups and the Commission has established one Thematic Working Group on Children's Rights.

From the above table and responses from NHRIs, it is evident that NHRIs are at different stages regarding child rights structures. Some NHRIs have fully-fledged child rights departments, while others have established units within existing departments. Some NHRIs have dedicated children's desks, whereas others have incorporated children's work into thematic groups and sub-commissions. It is also worth noting that some NHRIs have leadership at the Commissioners level where one of their commissioners or members is assigned to monitor child rights. Some

NHRIs have both Commissioners and child rights departments or units. In other instances, NHRIs may formally or informally appoint a focal person to work on children’s rights. There are also NHRIs that have no have any structure for children’s rights within their Commissions. Furthermore, it can be noted that some NHRIs are legally obligated to address children’s rights. In contrast, others have voluntarily incorporated child rights structures and functions without necessarily being required by law. In certain instances, like in Algeria and Mauritius, separate institutions established by law focus on children’s rights outside the respective NHRI. While child rights structures are important for mainstreaming child rights works within NHRIs, some of the responses have indicated that children’s rights are integrated into the works of NHRIs even without a dedicated child rights structure within the NHRI.

2.4. Budgeting for Children’s Rights in NHRIs

With the exception of Cote d’Ivoire and South Africa, there is limited information available regarding specific budgets allocated to children’s rights within NHRIs, and even less information comparing it to the total budget of the NHRI. Malawi also provided the percentage of the budget allocated to children from the NHRI’s total budget but did not disclose the actual budget amount. Conversely, Ethiopia provided the total budget amount for children’s rights but did not specify the percentage in relation to the NHRI’s total budget. Below is a summary of the responses received.

Table 2.2.: Budgeting for Children’s Rights in NHRIs

NHRI	Budget for Children’s Rights
Burkina Faso	No specific budget for child rights activities
Cameroon	No specific budget for child rights, however, activities relating to children’s rights are covered by the general budget of the CDHC.
Cape Verde	No specific budget for children
Cote d’Ivoire	Currently committed a budget of 7 500 000 CFA from a total budget of 728 000 000 CFA in its Plan of Action, representing about 1.05% of the total budget of the NHRI for 2022
Ethiopia	EHRC has a budget dedicated to children’s rights work with an estimated share of 5 million Birr, including salaries and other administrative costs.
The Gambia (NHRC)	No specific budget for children’s rights. However, the work of the Commission includes activities aimed at the promotion and protection of the rights of children.

Ghana (CHRAJ)	No specific budget for children's rights. This is so because child rights issues have been embedded not only under the Commission's human rights mandates but also, under its anti-corruption and Ombudsman mandates.
Kenya	No specific budget
Madagascar (CNIDH)	No specific budget for children's rights. The general budget of the Commission is included in the Finance Law. The complexity of financial orthodoxy does not always make it possible to release the financing of activities in time.
Malawi	The Child Rights Directorate gets 1.2% of total funding but this is not enough to cover its programmes.
Mali	No specific budget for children's rights.
Mauritania	No specific budget for children's rights.
Mozambique	No specific budget for children's rights. Part of the children's rights work is supported by cooperation partners like Save the Children International.
Namibia	No specific budget for children's rights.
Niger	No budget allocated for children's rights and most activities of the Commission on child rights are funded by partners.
Nigeria	No specific budget for children's rights. It is part of the general budget
Rwanda	No specific budget for children's rights. The budget for Children is included in the budget of all Units (Protection, Promotion and NPM)
Senegal	Is not able to identify its allocation for children as its budget is not yet disaggregated
Sierra Leone	No specific budget for children's rights
South Africa	Annually, the Commission budgets about 10 000 USD for programmatic work relating to children's rights. This is less than 1% of the Commission's annual budget.
South Sudan	No specific budget for children's rights.
Tanzania	No specific budget for children's rights. Mostly, activities implemented depend on specific funding from government and development partners such as UNICEF and UNDP.
Togo (CNDH)	No specific budget for children's rights. However, activities for the promotion and protection of children's rights are included in the overall budget of the Commission.

Uganda	UHRC commits 0.002% of its budget towards production and airing out of child friendly human rights skits, community awareness (barazas and road shows) on the rights of children and providing quick remedies to vulnerable women and children through mediation of child maintenance cases.
Zambia	No specific budget allocated. Funding is availed based on planned activities for child rights and partners support specific activities.
Zimbabwe	No specific budget allocated and mostly activities on children's rights are supported by partners

2.5. Engagement of NHRIs with various child rights actors

2.5.1. Engaging with the African Committee of Experts on the Rights and Welfare of the Child

Most of the respondent NHRIs did not elaborate much on their engagement with the ACERWC, except for mentioning isolated activities, as shown in the table below. These activities primarily include State Party Reporting, attending ACERWC Sessions and participating in other meetings.

Table 2.2: NHRIs Engagement with the ACERWC

NHRI	Engagement with ACERWC
Burkina Faso	The Commission has no engagement with the Committee so far, but intends to submit alternative report to the Committee in the future. In this regard, the Commission submitted an application for affiliate status and has been granted the status by the Committee.
Cameroon	The Commission is the first NHRI to get affiliate status before the Committee. The Commission participated in the 40th Ordinary Session of the Committee. The Commission also responds to all requests for information from the Committee and is ready to deepen cooperation with the Committee.
Cape Verde	The Commission has no interaction with the Committee but closely engages the African Commission on Human and Peoples' Rights.
Cote d'Ivoire	The NHRI would like to submit alternative reports on children's rights. It has also submitted an application for affiliate status before the Committee.
Ethiopia (EHRC)	Among other things, the EHRC prepared and submitted its application for Affiliate Status with the ACERWC. The ACERWC granted Affiliate status in March 2022. It's also advancing its strategy for engagement with ACERWC through contributions during sessions and the State Party reporting process.

The Gambia (NHRC)	The Commission has applied for Affiliate Status with the Committee and has been granted the status. The NHRC has participated in virtual meetings/conferences organised by the ACERWC in partnership with NANHRI.
Ghana	The CHRAJ engages with the ACERWC by participating in the Committee's Ordinary Sessions (in both physical and virtual meetings), and other child rights and welfare-related issues. The Commission supports the work of the ACERWC. For instance, CHRAJ has been selected as one out of five (5) AU Member States to coordinate the implementation of the ACERWC's project on Covid-19 project titled: The outbreak of COVID-19 and its impact on the rights and welfare of children with disabilities. ³⁸
Kenya	The Commission has an affiliate status before the Committee and engages with the Committee through the submission of information/reports to inform it of Kenya's implementation of the African Charter on the Rights and Welfare of the Child. In August 2020, the Commission submitted its alternative report on Kenya's implementation of the Charter to inform Kenya's review by the African Committee. The Commission also attended the Committee's virtual review of Kenya's second and third State Party report on the ACRWC during its 35 th Ordinary Session.
Madagascar	The membership of the CNIDH was renewed in 2021 after four years of mandate. The current team has not yet had the opportunity to collaborate with the African Committee of Experts on the Rights and Welfare of the Child. The law establishing the CNIDH requires the Commission to collaborate with regional and international treaty bodies of ratified instruments, and that the Commission should take part in the drafting of periodic reports. Through this survey, the CNIDH expressed its interest in collaborating with the ACERWC and called for more information, recommendations and guidelines to enable it honour this mandate to work in close collaboration with the Committee in promoting and protecting children's rights in Madagascar.
Malawi	The Commission has an affiliate status before the Committee and engages with the Committee through the preparation and submission of complementary reports and attending workshops organised by the Committee.

³⁸ CHRAJ has Observer Status with the African Commission on Human and People's Rights (ACHPR) and prepared and submitted its second report to the ACHPR in 2020, after its initial report submitted in 2018.

Mauritania	The Commission has an affiliate status before the Committee. The Commission engages with the mandate of the Committee by participating in the State Party reports and Complementary reports submitted to the Committee as well as by following up on the implementation of the recommendations of the Committee.
Mozambique (NHRC)	The Commission indicated that currently, it has not realised any activity with the ACERWC.
Mali	The Commission has an affiliate status before the Committee. The Commission is legally mandated to produce reports to treaty bodies, and its collaboration with the ACERWC falls within this framework. However, the Commission has not yet submitted any report to the ACERWC.
Namibia	The Ombudsman pledged to apply for affiliate status within the next two years.
Niger	The Commission has obtained affiliate status before the Committee. It also participates in the submission of reports to the Committee.
Nigeria (NHRC)	The Commission has affiliate status before the Committee.
Rwanda	The Commission obtained an affiliate status before the Committee. It also produced an assessment report on the implementation of the Concluding Recommendations on Rwanda's second to fourth periodic reports on the African Charter on the Rights and Welfare of the Child (ACRWC) in 2018.
Senegal	The NHRI aspires to have affiliate status and follow up on the implementation of the recommendations and decisions of the Committee.
Sierra Leone	The Commission has an affiliate status before the Committee and engages the Committee in the work it undertakes at the country level to implement the mandate of the Committee and through its role to promote and protect children's rights.
South Africa	The SAHRC has obtained an affiliate status before the Committee and has mainly engaged with the ACERWC through the State Party Reporting mechanism.
South Sudan	Engages with the ACERWC in capacity building and information sharing forums and receives specialised support on children's rights.
Tanzania	The Commission attends various sessions and trainings organised by the ACERWC, and it collaborates with other stakeholders (government and CSOs) during the development of State Party reports to the ACEWRC and to respond to the list of issues from the country report on the implementation of the ACRWC.

Togo (CNDH)	The Commission has an affiliate status before the Committee. The CNDH interacts with the ACERWC through its participation in the Committee's awareness-raising and training activities. CNDH collaborates with the Committee's Special Rapporteurs on thematic issues related to children's rights.
Uganda	Although UHRC has done a lot of work related to Children's rights, it has not had serious engagement with the ACERWC. UHRC indicated that it is not aware of the communication lodged to the ACERWC against the government of Uganda.
Zambia	The Commission has affiliate status before the Committee. It engages in the preparation of the State Party report to the Committee and advocating for its concluding observations and recommendations to be implemented
Zimbabwe	The Commission has obtained an affiliate status before the Committee recently. However, it does not have other engagements with the Committee so far.

Although the table above may suggest that the engagement of NHRIs with the ACERWC is primarily activity-based, it is important to note that the Committee has taken steps to establish a more systematic engagement with NHRIs. In October 2021, the ACERWC organised a workshop for NHRIs, aiming to sensitise them with its procedures and mechanisms, as well as the various avenues of engagement. During the workshop, some NHRIs pledged to apply for affiliate status before the Committee. To date, 19 NHRIs have submitted applications for affiliate status before the Committee. The Committee also organised another workshop on the mandate of the Committee with a focus on the implementation of its decisions on February 23-24, 2023, in Nairobi, Kenya.

2.5.2. Engagement with Line Ministries Responsible for Children's Rights and National Law Enforcement Agencies

All the NHRIs that responded to the survey indicated that they work with the line Ministry responsible for children.³⁹ The extent of this collaboration varies from country to country, and the same is assumed for the NHRIs that did not respond to the survey.

³⁹ The NHRI in Mali collaborates with Ministry of Women, Children and Family Promotion, while the Nigeria NHRI simply indicated that there is very strong coordination but did not specify with which particular line Ministry. The Togo CNDH maintains good relations of cooperation with the institutions responsible for child protection, in particular the Ministry of Social Action, Justice, Ministry of the People, Ministry of Education, Ministry of Finance. In South Sudan, the NHRI engages with the Ministry of Justice and the Constitution, Ministry of Gender and Social Welfare, Ministry of Interior, Ministry of Education. In Tanzania, CHRAGG has been working closely with key stakeholders such as Ministries, Enforcement Agencies, CSOs and other organizations to protect and promote children's rights.

The Commission in Burkina Faso collaborates with the Ministries dealing with child protection, justice, and human rights. It also works closely with Defence and Security Forces and integrates child protection issues in the trainings provided to these forces.

The Commission in Cameroon actively collaborates with all ministerial departments responsible for children's rights. It engages them in its activities and participates in their initiatives. Notably, the Commission collaborates with the Ministry of Justice and the entire judiciary and the police, to which it systematically refers cases brought before it or which it takes up, which involve criminal offences (Article 7 of the 2019 law). The Commission is also regularly requested by the Ministry for the Promotion of Women and the Family, and by the Ministry of Justice to contribute to the preparation of periodic reports of the State of Cameroon under treaties, including treaties relating to the rights of the child.

In Cape Verde, the Commission includes members from various sectors, including a magistrate of the Public Ministry and representatives from sectors that work on children's rights (such as the Institute for Children), education, justice, health, social solidarity, police, and defence, among others.

In Ethiopia, there is an indication of multiple avenues for collaborating with the government on children's rights. The EHRC collaborates with line Ministries and law enforcement agencies at the national and regional levels on various issues concerning children's rights, such as children in contact with the law, enactment of regional family law, and countering trafficking and exploitation of children and young people. There is also cooperation with the Ministry of Justice and Federal Prison Administration with regard to the protection of the rights of children imprisoned with their mothers. In addition, the EHRC has also initiated collaboration with the House of People's Representatives to strengthen the Children's Parliament at the national level.

The NHRC in the Gambia works and supports child-focused institutions, including the Ministry of Gender, Children and Social Welfare, the Gender and Child Welfare Unit of the Police and the Child Right's Unit of the Ministry of Justice to enhance child rights protection in the country. It has conducted a series of capacity-building workshops on human rights for law enforcement agencies, including the development of a Code of Conduct for the Gambia Police Force.

In Ghana, on child-related matters, the Commission collaborates with various entities on child-related issues. It works closely with the Ghana Police Service and its specialised unit, the Domestic Violence and Victim Support Unit (DOVVSU), to address human rights abuses and violence against women and children. The Commission, in the course of its investigations, refers criminal cases to the police for prosecution and follows up until their conclusion. The Commission also collaborates with the Attorney General and Ministry of Justice, providing inputs into drafting laws affecting children. In the area of public education, the Commission collaborates with the National Council for Civic Education (NCCE). Together, they promote human rights and civic responsibilities through educational initiatives in the country. The Ministry of Gender, Children and Social Protection (MoGCSP) plays a crucial role in hosting model children's parliaments regularly, where topics affecting child rights and protection are discussed. Furthermore, the Commission engages with relevant ministries, departments, and agencies (MDAs), other state agencies and relevant stakeholders on policy formulation and reviews, and information sharing

regarding reporting under the UN's Universal Periodic Review (UPR) and other reporting obligations of Ghana on child rights and protection at the regional level. The Commission also participates in child rights training and awareness creation initiatives with state institutions. It serves on various child protection committees with the government, other state bodies, UN and other development agencies, and relevant stakeholders on human rights programming. For instance, in accordance with SDG target 4.7, and under the Human Rights Education (HRE) project of the Danish Institute for Human Rights (DIHR), the Commission has since November 2020 been in engagement with relevant stakeholders, including the Ministry of Education to develop a national action plan for the implementation of Human Rights Education in the primary and secondary school systems in Ghana. This initiative is geared towards mainstreaming human rights into the school's curriculum.

In Kenya, the Commission has partnerships with various key stakeholders. These include complaints handling referral partners; membership in key government platforms like the National Council for Administration of Justice (NCAJ), Taskforce on children matters, Taskforce on alternative justice system, the National Legal Aid Board and the National Council for Children's Services. The Commission also plays a crucial role in advising entities such as the Office of the Director for Public Prosecution, the Cabinet Secretary in charge of counter trafficking, the Witness Protection Agency and the Independent Policing Oversight Authority, among others. In addition, the Commission has collaborated with the Ministry of Education by conducting a survey to examine the implementation of human rights education in policy and practice across several counties in Kenya.

In Madagascar, the CNIDH works closely with the Police and the Department of International Relations and Human Rights of the Ministry of Justice for matters related to children's rights. The head of the Protection Department and the Vice President of the Commission are Magistrates who possess a strong understanding of legal principles concerning children, facilitating effective case management and collaboration with the Judiciary and access to the Courts. The Commission also works with the Ministry of Population during the organisation workshops.

The Malawi MHRC works closely with the line ministries such as the Ministry of Gender, the Ministry of Education, and the Ministry of Justice on child-related issues. The MHRC also works closely with law enforcement agencies, including the Police and courts, and the National Child Justice Forum (which is under the Judiciary), especially in complaints handling and to ensure access to justice for child victims of abuse, neglect, exploitation, harm and violence. In addition, the Commission works with the National Parliament when advocating for the review of child related laws. Collaboration with these institutions is essential for the successful implementation of the activities and sustainability of the initiatives. Further, the collaboration with all the branches of government has enhanced coordination between MHRC and the government, which is essential for the promotion and protection of children's rights in the country. For example, the MHRC collaborates with various government departments in its work on ending child marriage and re-admission of pregnant teenage girls to school. All child marriage withdrawals are made in collaboration with the Ministry responsible for Children, which is key in providing psychosocial support, temporary shelter and material needs; the Malawi Police Service for law enforcement; the Ministry of Education to facilitate re-enrolment into school. The Commission also works closely with the Ministry of Justice and the Malawi Law Commission for review of the child marriage related legislation.

The Commission in Mauritania engages with the Ministry of Social Affairs, Children and Family, the Ministry of Interior and Decentralization, and the Directorate of the Judicial Police.

In Mozambique, the HRC closely collaborates with the Ministry of Gender, Children and Social Affairs, and the Ministry of Health to provide psychological assistance to children in conflict situations in Cabo Delgado Province. The HRC has also signed MOUs with the Ministry of Education for the implementation of Children's Rights through Human Rights Clubs, and with the Attorney General's Office for the prosecution of all crimes against children.

In Namibia, the Children's Advocate is the Deputy Chairperson of the National Advisory Council on Children, which comprises of the Executive Directors of all the Ministries, Agencies and offices responsible for providing services to children. This is quite a commendable approach as it enhances the visibility and influence of the Ombudsman's Office, allowing it to simultaneously engage with multiple line Ministries.

In Rwanda, the NCHR, through the Observatory of Children's Rights, organises an annual national-level meeting with law enforcement agencies, civil society organisations and line Ministries responsible for children's rights. The purpose of the meeting is to assess the current situation of children's rights to prevent violations of the child's rights. The NCHR participates in awareness campaigns on children's rights, including training of local authorities, security agents, prosecutors, police stations authorities, Rwanda Armed Forces, journalists, judges, students and teachers of Primary and Secondary Schools; leaders of different religious groups, media, specific groups (Persons with disabilities, Women, Children, etc.), as well as representatives of non-governmental organisations responsible for promoting and protecting children's rights. The NCHR collaborates with UNICEF, the Ministry of Gender, the National Child Development Agency, and the Civil Society Organisations in conducting thematic assessments of child rights implementation.

The Commission in Sierra Leone has a very cordial relationship with law enforcement agencies as well as Ministries responsible for child welfare and protection and of institutions working on the protection of children's rights.

The Senegalese NHRI works closely with various Ministries involved in children's rights. The NHRI has members from the various Ministries dealing with children's rights and other organisations working on children's rights.

In South Africa, the SAHRC engages with the Department of Social Development and South African Police Services (SAPS) to ensure the availability of social services for children in need. Additionally, the SAHRC convenes Section 11 Committees, which are advisory structures comprising experts from different disciplines and institutions who advise the Commission on matters and interventions related to children's rights. In 2016, a Section 11 Committee meeting with a focus on the rights of children was convened on the 11 August 2016, to consider children's rights and the right to access a basic education.⁴⁰

40 The Committee derives its name from section 11 of the South African Human Rights Commission Act, No. 40 of 2013. <https://www.sahrc.org.za/index.php/focus-areas/children-s-rights-and-basic-education/children-s-rights-and-basic-education-2>

In Uganda, the UHRC works closely with the Ministry of Gender Labour and Social Development, the Ministry of Justice and Constitutional Affairs, the Judiciary, and the Governance and Security Programme (formerly known as the Justice for Children Program) under the Justice and Law and Order Sector.

2.5.3. Cooperation with Child Focused Organisations and NANHRI

In terms of working with child focussed organisations and the Network of African National Human Rights Institutions (NANHRI), the findings demonstrate that all the NHRIs that responded have working relationships with NANHRI and at least one child-focused agency, as indicated in the table below. As the continental umbrella body, NANHRI serves as a link between NHRIs and regional and international human rights mechanisms and stakeholders. It supports the establishment of NHRIs and strengthens their capacity to fulfil their mandate as per the Paris Principles.⁴¹ NANHRI collaborates with the ACERWC in championing a child rights agenda within NHRIs. In 2017, it conducted a capacity assessment Mapping Survey on the Role of NHRIs in Child Rights Monitoring.⁴² The Collaboration between NHRIs and NANHRI is a gateway for the collaboration of NHRIs and the Committee, which in turn facilitates the promotion and protection of children’s rights by NHRIs.

Table 2.3: Summary of NHRIs Collaboration with Child Focussed Agencies and NANHRI

NHRI	Collaboration with Child Focussed Agencies	Engagement with NANHRI
Burkina Faso	- No information was provided by the NHRI	- Member of NANHRI - Collaborates with NANHRI and shares its experience through NANHRI

41 <https://ganhri.org/event/african-nhris-in-times-of-covid-19-the-protection-human-rights-defenders-and-civic-space-dissemination-of-tools-and-resources/>

42 NANHRI 2017, Capacity Assessment and Mapping Survey on the Role of ANHRIs in Child Rights Monitoring and Advocacy.

Cameroon	<ul style="list-style-type: none"> - Cooperates with the UNICEF and UNESCO - Engages on issues of human rights education in primary and secondary education - In the process of concluding a Memorandum of Understanding (MoU) with the Cameroon Child Rights Civil Society Organisation Network, a consortium of CSOs specializing in child protection. 	<ul style="list-style-type: none"> - The Commission has been a member of NANHRI since its inception and served as Vice-Chair from 2012 to 2014 and President from 2015 to 2017. It is also a member of the NANHRI's Working Group on Sustainable Development.
Cape Verde	<ul style="list-style-type: none"> - The Commission has developed activities, in partnership with other public bodies and civil society, supported by United Nations agencies and other International Organizations. 	<ul style="list-style-type: none"> - Member of NANHRI - The Commission is a member of NANHRI and participates in the activities of NANHRI.
Cote d'Ivoire (NCHR)	<ul style="list-style-type: none"> - Has UNICEF as a privileged partner. - Conducts bimonthly meetings with the civil society organisations. 	<ul style="list-style-type: none"> - Member of NANHRI - Participates in the activities of NANHRI. - The President of NCHR was recently elected President of the Francophone Association of National Human Rights Commissions (AFCNDH) in Africa which also participates in NANHRI activities.

Ethiopia (EHRC)	<ul style="list-style-type: none"> - Has been cooperating with a wide range of child focused agencies at different levels. - Established a collaboration platform with CSOs working on children’s rights - Has cooperation agreements with Save the Children (three years project) and UNICEF (multiyear project). - Launched a stakeholder’s mapping project which will enable it to reach a wider and more diverse set of child focused agencies. 	<ul style="list-style-type: none"> - Member of NANHRI - EHRC and NANHRI have collaborated to carry out a number of activities in the past including trainings to CSOs and EHRC staff on litigation before regional human rights mechanisms - EHRC and NANHRI are currently working on a National Assessment on the Impact of COVID19 on Children with Disabilities.
The Gambia (NHRC)	<ul style="list-style-type: none"> - Working with agencies including the Child Protection Alliance, Child Fund The Gambia and UNICEF to support the government fulfil its child protection obligations. - Established a Civil Society Dialogue Platform, mainly comprising child focused agencies, to champion human and children’s rights in the country. 	<ul style="list-style-type: none"> - Member of NANHRI - Participates in all NANHRI meetings - Supports NANHRI in organising activities in The Gambia

Ghana (CHRAJ)

- The Commission has established a human rights NGO forum with a secretariat.
- This is a platform for NGOs and CSOs whose area of operation is related to human rights to engage in quarterly meetings at the CHRAJ conference room for information sharing, training, encouraging collaboration and partnership toward advancing human rights
- The Commission works closely with UNICEF and together the two institutions carried out a mapping exercise of institutions working on child protection in Ghana.

The Commission

- Is an active member of NANHRI, and the Commonwealth Forum of NHRIs
- Is the host country for the secretariat of the NANHRI-West Africa (NANHRI-WA)
- Participates in NANHRI and its sister NHRIs workshops, and conferences, and supports NANHRI by serving as host to conferences on some occasions.

CHRAJ's Commissioner is the Vice Chair of NANHRI, the Chair of the Working Group of Agenda 2030 and the Africa Agenda 2063 and serves as the President of the NANHRI-WA.

Examples of activities:

- The Secretariat of NANHRI-WA on behalf of NANHRI monitored the Presidential and Parliamentary elections in Burkina Faso, Ghana, and Liberia in 2020.
- Collaborated with NANHRI, to organize a regional high-level meeting in Accra, Ghana in October 2020.
- Collaborates with NANHRI in the area of technical cooperation. It has been selected as one out of five (5) AU Member States under ACERWC Covid-19 project, to coordinate a targeted national assessment on the outbreak of COVID-19 and its impact on the rights and welfare of children with disabilities which is ongoing.
- Organised a 3-day workshop for CHRAJ staff and selected institutions, in collaboration with NANHRI, on Litigation and Engagement with African Regional Human Rights Bodies.

<p>Kenya</p>	<ul style="list-style-type: none"> - Signed a memorandum of understanding with the Council of Governors, academia, Kenya Institute of Curriculum Development, Kenya School of Government, Kenya National Bureau of Statistics and other key institutions to enhance realization of children rights and general human rights. 	<ul style="list-style-type: none"> - The Commission is a member of NANHRI and engages with the NANHRI through joint capacity-building trainings on different human rights thematic areas; and seminars. - The KNCHR is also a member of the NANHRI's Working Group on the 2030 Agenda for Sustainable Development and the African Agenda 2063.
<p>Madagascar (CNIDH)</p>	<ul style="list-style-type: none"> - Signed a capacity building plan with International Bureau for Children's Rights (IBCR) in October 2022 - A partner of the Civil Society Platform for Children. - One of its 11 Commissioners comes from the Civil Society Platform. 	<ul style="list-style-type: none"> - NANHRI is an essential partner of CNIDH and the Commission is a member of NANHRI - NANRHI has actively participated in helping CNIDH to adhere to the Paris Principles and to acquire 'A' status with GANHRI in 2019 - CNIDH is doing its best to ensure its presence within the NANHRI by attending the various Assemblies, workshops, symposia or participating in studies that the NANHRI organizes

<p>Malawi (MHRC)</p>	<ul style="list-style-type: none"> - Working with various institutions, networks, and groupings to integrate efforts on child protection at National, district and community levels, through the Child Rights Directorate. These include: <ul style="list-style-type: none"> a) Child Rights CSOs b) Child Protection Technical working group c) Better Care Network d) Ministerial Task force on Street Children e) Task force on rape and defilement f) CRC Change Agents Network g) Development partners in Malawi, such as; <ul style="list-style-type: none"> - Save the Children – Project on VAC focusing on Child Marriage, Project on quality learning also focused on child marriage, SCREP Programme which secures children’s safety in schools and child protection - UNICEF and PLAN International Malawi - Support the Commission in child protection interventions - SALC - A study on leaners pregnancy management in collaboration with SALC; findings informed the review of readmission policy through a position paper. All recommendations were adopted by MOE and incorporated into the new policy which is under implementation - EU - Supports the Commission in advocacy and law reform - UNDP - Supports the Commission in investigations and litigation of child marriage cases. 	<ul style="list-style-type: none"> - A member of NANHRI - Collaborates with NANHRI in a number of areas including on child rights.
<p>Mali (CNDH)</p>	<ul style="list-style-type: none"> - Cooperates with Save the Children International 	<ul style="list-style-type: none"> - A member of NANHRI - Currently in the process of being Accredited to A Status with GANHRI with NANHRI’s support.

Mauritania	<ul style="list-style-type: none"> - Cooperates with UNICEF, UNFPA, Terre des Hommes, and ILO. 	<ul style="list-style-type: none"> - A member of NANHRI and engages with NANHRI in its activities and participates in the activities organised by NANHRI
Mozambique (CNDH)	<ul style="list-style-type: none"> - Since 2019, the Commission cooperates with Save the Children International for the implementation of projects on promotion and protection of the rights of the children. 	<ul style="list-style-type: none"> - A member of NANHRI - The Commission has participated almost in all activities of NANHRI - Received support from NANHRI for the accreditation process with GANHRI
Namibia Ombudsman	<ul style="list-style-type: none"> - Partners with NGO's and Ministries who provide services to children on a regular basis. - Established partnership with Planned Parenthood to engage school children on sexual and reproductive health rights. 	<ul style="list-style-type: none"> - Member of NANHRI - Currently seeking support from NANHRI to get the Ombudsman's Office compliant with the Paris Principles - Participates in NANHRI events and provides information on request.
Niger	<ul style="list-style-type: none"> - Works with Plan International, Save the Children, UNFPA, European Union 	<ul style="list-style-type: none"> - Member of NANHRI and participates in its activities
Nigeria (NHRC)	<ul style="list-style-type: none"> - UNICEF Nigeria - Action Aid Nigeria - Save the Children Nigeria 	<ul style="list-style-type: none"> - Member of NANHRI - Participates in NANHRI's activities

<p>Rwanda (NCHR)</p>	<ul style="list-style-type: none"> - Organises a national level meeting once a year with law enforcement agencies, Civil Society Organisations and line Ministries through the Observatory of Children's Rights - Collaborates with UNICEF and CSOs to conduct assess the status of child rights in the country. 	<ul style="list-style-type: none"> - Member of NANHRI - Contributes to advancement of human rights in Africa by hosting some sessions, providing input and participating in conferences and workshops of NANHR - In collaboration with NANHRI, organized and hosted training aimed to build the capacity of NANHRI staff members - Contributes to the capacity building of other NHRIs on the request of NANHRI - The NCHR President was elected the Chairperson of NANHRI at the General Assembly which took place in 2017 in Kigali from 7-8th November
<p>Senegal</p>	<ul style="list-style-type: none"> - Office of High Commissioner for Human Rights, UNICEF, other NGOs and Foundations 	<ul style="list-style-type: none"> - A member of NANHRI and participates in all these activities and works for the effectiveness of its recommendations.
<p>Sierra Leone</p>		<ul style="list-style-type: none"> - Member of NANHRI - Engages with NANHRI through the significant roles played by NHRIs in elections and in democratic governance more broadly, promoting democracy and development, and supporting judicial independence.
<p>South Africa (SAHRC)</p>	<ul style="list-style-type: none"> - The Commission engages and collaborates with civil society organisations that work directly with children, or on children's rights issues. The Commission also engages academic institutions such as the Centre for Child Law at the University of Pretoria to ensure that vulnerable children are taken care of and their rights are duly enforced. 	<ul style="list-style-type: none"> - The Commission is member of NANHRI and has engaged with NANHRI on a range of human rights issues, and more recently on children's rights. NANHRI has recently established a committee on children's rights, and the SAHRC is one of the inaugural members. The Commission looks forward to closer engagement with NANHRI on the issue of children's rights. The Commission has received support from NANHRI in its work and has been part of several engagements hosted by NANHRI.

South Sudan	<ul style="list-style-type: none"> - Cooperates with INGOs, CSOs and NHRIs in other countries on child rights issues. - Cooperates with UNICEF in the preparation of State Party Reports. 	<ul style="list-style-type: none"> - Member of NANHRI - Participates in activities and meetings with NANHRI including capacity building initiatives.
Tanzania	<ul style="list-style-type: none"> - CHRAGG has been working closely with UNICEF, UNDP and Tanzania Child Rights Forum to protect and promote child rights in the country 	<ul style="list-style-type: none"> - Member of NANHRI - Participates in meetings, workshops, trainings on various thematic areas and studies conducted by NANHRI
Togo (CNDH)	<ul style="list-style-type: none"> - Collaborates with development partners like Plan international, SOS Children's Villages, etc - UN agencies such as UNICEF, UNDP, UNFPA. 	<ul style="list-style-type: none"> - Member of NANHRI - Involved in the planning and execution of the various programs of NANHRI - Apart from NANHRI, the Commission is also a member of the Network of National Human Rights Institutions of West Africa (RINDHAO) and that of UEMOA
Uganda (UHRC)	<ul style="list-style-type: none"> - UHRC works closely with UNICEF 	<ul style="list-style-type: none"> - Member of NANHRI - NANHRI has built the capacity of UHRC staff and the Commissioners - UHRC has shared best practices with NANHRI - UHRC and NANHRI have jointly organised conferences, workshops, colloquiums and meetings on various human rights issues
Zambia		<ul style="list-style-type: none"> - A member of NANHRI - Engages with NANHRI by participating in capacity building programme organised by the Network, submission of human rights or situation required for the preparation of position paper on specific human rights issues and providing support in the work of NANHRI
Zimbabwe		<ul style="list-style-type: none"> - Member and current chair of NANHRI - Engages with NANHRI and hosts its activities

The agencies listed in the table are based on information provided by the 26 NHRIs that responded to the questionnaire. However, it should be acknowledged that this may not represent an exhaustive list of agencies that they engage with. As can be seen from the phrasing, for most of the NHRIs, the mentioned agencies should perhaps be considered as examples of child-focused agencies that most NHRIs engage with. On one hand, it is to be noted that NHRIs have some form of engagement with child-focused agencies in their respective countries. On the other hand, it is noted that more work needs to be done by child-focused agencies, particularly national and sub-regional Child Rights Networks, and the CSO Forum on the ACERWC to engage with NHRIs as key partners in promoting and protecting children’s rights. Similarly, NHRIs need to make a conscious effort to engage with child rights CSOs, especially national networks.

With regard to engagement with NANHRI and other regional or global networks of NHRIs, all NHRIs that responded indicated active engagement and mutually beneficial relationships. These institutions provide support not only with the Paris Principles compliance procedures but also with capacity-building activities. However, there is limited engagement in the area of children’s rights among the NHRIs and NANHRI. This highlights the need for enhanced engagement of the Committee and NANHRI to further build the capacity of NHRIs on children’s rights issues.

2.5.4. Engaging Children in the Work of NHRIs

Child participation in the work of NHRIs is an area that still requires significant attention and development. Apart from the activity-based involvement of children, such as commemorating international days related to children, the institutionalisation of child participation remains lacking in the work of most NHRIs. NHRIs are seemingly not yet aware of the existence of the ACERWC Guidelines for Child Participation, as none of them referenced the Guidelines. Consequently, there is a need to raise awareness and promote the use of this tool.

Table 2.4 Engagement of Children

NHRI	Engagement of Children
Burkina Faso	The Commission conducts interviews with children on matters concerning them to integrate their views in its works.
Cameroon	The involvement of children in the work of the Commission is mainly through the campaign launched on 27 January 2023 on the creation of Human Rights Clubs in secondary schools and public and private universities across the ten regions of the country.
Cape Verde	The Commission involves children in its promotional activities. The Commission undertakes awareness raising activities for children in schools.
Cote d’Ivoire	The celebrations for the international day of the rights of the child are organized with children from several associations

Ethiopia	In monitoring work, children participate as informants including giving opinion on issues that affects them. There is an effort to establish a child-friendly complaints system where children take part in the hearings and decision-making process. The EHRC engages with members of Children's Parliaments.
The Gambia	Over the years the work of the NHRC has engaged with children. In 2019 to commemorate International Human Rights Day, the Commission held a one-day symposium with children within the Greater Banjul Area on human rights promotion and protection. The NHRC has also organised discussions with children on human rights and hosts Open Day sessions for school children at its office.
Ghana	CHRAJ organises nationwide sensitisation and awareness programmes for basic and senior high schools on child rights and child protection issues. The Commission has established and manages human rights and integrity clubs in basic and senior high schools; and periodically hosts national residential camp meetings with human rights quiz competitions for patrons and school children to deepen knowledge and skills and share ideas towards creating a culture of human rights, ethics, and integrity in their respective schools. CHRAJ also opens its doors to all basic, and senior high schools, as well as tertiary institutions through study tours concerning the work of the Commission. This serves as a learning opportunity for pupils and students to interact with staff.
Kenya	The Commission sought children's views during the review of the Competency-Based Curriculum. The Commission invites children to its public forums to create awareness on different human rights thematic issues.
Madagascar	As part of the awareness-raising missions on the rights of the child, the methodology adopted by the Commissioners consists of dialogue with the children in focus groups so that each of them can express themselves and share their opinions. However, the CNIDH in Madagascar does not yet have the necessary expertise and infrastructure for engaging with children or to receive their complaints or hear from children who are victims of abuse. As such, child participation is one of the missing elements for strengthening the child protection system in the work of the CNIDH. However, for difficult cases, the CNIDH refers parents to the competent authorities.

Malawi	The Commission has made deliberate efforts to ensure active and meaningful involvement of children in all the activities. The involvement of children in all the activities is guided by the nine key requirements for child participation as provided for under the CRC Committee's General Comment No. 12. The MHRC established the children reference group, a child participation structure aimed at giving children more opportunities to contribute towards their own affairs and all matters affecting them. Through the reference group, children have been presenting issues affecting them to key duty bearers, and the reference group gives the children the opportunity to follow up on implementation of their recommendations. Additionally, the reference group, in conjunction with interactions with children in schools, foster homes, street environments and communities, has played a crucial role in equipping children with the power to report various forms of abuse. Following this, MHRC has registered a good number of cases being reported by the children themselves. The MHRC has also been involving the children in compiling child led State Party Reports. Similarly, during pre-testing of the Guidelines on Student Councils, children were deliberately targeted for them to provide their input into the draft document. During the consultations, the children were separated from the adults. This allowed the children to freely express themselves.
Mali	Indicated that the NHRI does not engage children in its work.
Mauritania	The Commission engages with children in various awareness raising activities and celebrations including the Day of the African Child and the International Children's Day.
Mozambique	The HRC has regular interaction with Child Parliamentarians for the dissemination of the Law to Prevent and Combat Premature Unions. It has held workshops with government institutions and CSOs to promote children's rights with the participation of Child Parliamentarians.
Namibia	Whenever special projects aimed at public education and awareness-raising involve children's rights, the NHRI always aims to include child participation in some form. For instance, the NHRI asks schools to participate in poem or essay writing competitions, and to have children as moderators during the events, etc.
Niger	The Commission rarely engages children on celebrations and awareness raising campaigns on selected issues such as child marriage and education of the girl child.
Nigeria	The Human Rights Education department involves students in its activities, through, for example: <ul style="list-style-type: none"> · Formation of human rights clubs in secondary schools · Sensitization workshops for children on rights matters in schools · Organising inter-school debate competitions
Rwanda	The NCHR involves children in its work. Children are represented in the committees of volunteers for child rights from Cell Level to National Level. In these committees, children participate in providing information that helps the NCHR in conducting investigations on the child rights violations.

Senegal	The Commission involves children, especially girls. Through its Leadership for Women and Girls project, the Commission engaged and trained children.
Sierra Leone	The Commission involves children in its work by creating Human Rights School Clubs where it teaches children about human rights with a focus on the Child Rights Act 2007, the Sexual Offences Act 2012 (amended 2019), and the three Gender Laws, among others.
South Africa	SAHRC engages children occasionally, especially through the Children's Parliament, and when they lodge complaints in the Commission's child-friendly consultation rooms.
South Sudan	Indicated that the NHRI does not yet engage children in its work.
Tanzania	CHRAGG engages children through human rights clubs and commemoration of the Day of the African Child. Children are empowered with the knowledge of human rights and their rights in particular, which they go on to educate others and the community. They are also equipped to report violations of their rights.
Togo	During the human rights education program in schools, children are involved in the formation and running of school clubs. The objective of these clubs is for children to raise awareness of their rights with their peers.
Uganda	UHRC involves children in its work as child participation is key to the work of the Commission. During the launch of the assessment on the compatibility of the Ugandan Legislation with the CRC and the ACRWC, children shared their views. In recent regional meetings in preparation of the UHRC's Independent Report to the CRC Committee in Geneva, children provided input.
Zambia	The Commission engages children in carrying out sensitisation activities and involves them in the celebration of the Human Rights Day. Moreover, it encourages schools to establish child rights clubs to build the capacity of children about their rights.
Zimbabwe	The Commission involves children in its programs on child rights such as the celebration of the Day of the African Child and its Human Rights Education Programs.

Chapter Three: Child Rights and Child Protection Work of NHRIs

3.1 The Role of NHRIs on the promotion and protection of children's rights in Monitoring the Implementation of the ACRWC and Africa's Agenda 2040 for Children

With the structures and functions of NHRIs summarised above, this chapter examines the nature of the work that NHRIs undertake to monitor the implementation of the ACRWC and Africa's Agenda 2040 for Children.

Burkina Faso

The Commission promotes the Charter in its awareness raising activities to Government authorities as well as the community. With regards to the implementation of Agenda 2040, the Commission integrates the aspirations in its activities as most of the aspirations are covered by its mandate. Specific attention is given to children's rights during visits to places of detention, investigations, and studies. The Commission also has a complaints service for complaints on child abuse which will be examined and investigated by the relevant sub-commission. The Commission will then issue a recommendation for corrective measures.

Cameroon

The Commission promotes the Charter in its various undertakings. The Commission integrates the provisions of the Charter in its declarations and statements which are widely shared among governmental and non-governmental actors. The Commission also integrates the various elements of the Aspirations under Agenda 2040 in its promotional mandates. For instance, in March 2022, the CDHC referred to the President of the Republic Cameroon the issue of lack of birth certificates, which constitutes a violation of children's rights to identity, education and nationality (Aspiration 3 of the 2040 Agenda), which is a problem that affected more than 4 million children in the country. Following this referral, mass birth certificate campaigns were ordered and announced by the competent authorities.

Cape Verde

The CNDHC as a national human rights institution is responsible for promoting international and regional instruments. Hence, in its awareness-raising actions on human rights, the Commission informs about the rights enshrined in the Charter as well as the responsibilities of the State within the scope of the Charter. The CNDHC has not developed concrete actions within the scope of Agenda 2040, however, its intervention in the field of the protection of children's rights is related to the aspirations provided in the Agenda.

Côte d'Ivoire

The NCHR's department in charge of children's rights uses the Charter as a key instrument for the promotion of children's rights.

Currently, the NCHR intends to carry out:

- Sensitization activities on birth registration, prohibition of violence against children, child exploitation, child trafficking and child labor.
- An orientation workshop for Parliamentarians on their role in the implementation of children's rights
- Advocacy on the right to health, to healthy and nutritious food, and to quality education
- Activities to popularize Agenda 2040
- Capacity building activities on children's rights
- Conducts studies and investigations
- Review child related laws and policies
- Advise the Government on Children's Rights

Ethiopia

The Ethiopian Human Rights Commission uses the Charter as part of its key instruments for implementing its mandate which includes research and advocacy, monitoring and investigation, capacity building, and stakeholders' engagement. Activities include,

- Reviewing laws and policies in light of the Charter
- handling individual complaints and investigations of child rights violations
- following-up the implementation of the Charter and the recommendations of the ACERWC and other treaty bodies
- promoting the Charter among rights holders, duty bearers and the wider public, including translating the Charter into local languages and disseminating to the public, and the celebration of the Day of the African Child

The Commission's activities on child rights also include:

- Advise Government, Parliament, and any other body on children's rights
- Conduct research, and inquiries on children's rights situation.
- Promote and monitor the harmonization of national laws with international and regional children's rights obligations.
- Cooperate and engage with key stakeholders, including CSOs, international and regional human rights bodies, children's groups and other NHRIs.
- Undertake investigation on children's rights violation upon complaint or upon its own initiation

The Commission uses Agenda 2040 as its framework for designing different strategies and goals.

The Gambia

The Commission monitors the State's implementation of the Children's Act 2005, which domesticates the ACRWC. The Commission is working with the Ministry of Justice to ensure State's combined initial and periodic report is submitted to the Committee. In its Annual Reports on the Status of Human Rights in The Gambia, the Commission has been reminding the State of its obligations to promote and protect the rights of children and makes recommendations to the State for the effective realisation of the rights of children. The Commission popularises the Charter in all its human rights awareness programmes and Commemorates the Day of the African Child.

Africa's Agenda 2040 for Children has not been a main focus for the Commission. However, in its engagement with relevant State agencies, the Commission always puts emphasis on the aspirations of Agenda 2040.

Ghana

CHRAJ monitors and reports on Ghana's performance regarding fulfilment of its commitments towards implementation of the Charter. The Charter forms part of the core standards to guide investigations, mediations, public education, research, training, monitoring (including detention facilities for children), and reporting obligations of the Commission. CHRAJ observes and organizes programmes in collaboration with relevant stakeholders to commemorate regional and international days related to children. The Commission, through a press statement celebrated the 2021 Day of the African Child focusing on the challenges of Child, Early and Forced Marriages (CEFM) in Ghana. Currently, CHRAJ is conducting sensitization and awareness programmes in the northern region, aimed at abolishing child, early and forced marriage, corporal punishment, and children in mining activities. Child rights being central to the work of CHRAJ, the Commission engages with all the Aspirations of Agenda 2040 for Children, presenting a best practice example, and this has been captured in a case study below. The Commission has a decision-making power where it issues decisions on complaints which may not be reviewed by a court of law. The Commission also receives and investigates complaints, provides remedies, and conducts public education activities relating to the rights of the child in all its offices across the country.

Kenya

The Commission in Kenya promotes the African Charter by receiving and carrying out investigations on complaints of child rights violations; securing appropriate redress for child rights violations; promoting economic, social and cultural rights of children; conducting research on child rights issues; monitoring compliance of the State with international and regional treaties; advocating for institutional reforms; and conducting public awareness and capacity building for Government actors. Moreover, the Commission is implementing Africa's Agenda 2040 by reviewing and advocating for laws that better protect and promote children's rights and their implementation; advocating for the economic, social and cultural rights of children; receiving and carrying out investigations on complaints of child rights violations; securing appropriate redress for child rights violations; and conducting research to inform interventions on child rights issues. The Commission has reviewed and issued advisories on several bills that impact on children's rights. One notable engagement is the review of the 2001 Children's Act which was replaced by the Children's Act, 2022.

Madagascar

The NCIDH, through its protection department, uses the Charter when carrying out awareness-raising missions and information sharing campaigns on children's rights, in schools, within universities, in prisons or within local communities. It focuses on African regional texts since these texts best reflect the local realities in Madagascar.

The Commission, however, indicated, its lack of the necessary tools and expertise to promote the Charter in more detail and that it requires to build its capacity.

Malawi

The Malawi Commission engages the Charter and Agenda 2040 in its work under the Child Rights Directorate. This includes,

- Being a member of the taskforce for reporting to the ACERWC
- Producing and submitting complementary reports to the State Party Report on the implementation of the Charter, to the ACERWC
- Responding to the list of issues from the ACERWC
- Popularising concluding observations and recommendations from the ACERWC
- Monitoring the implementation of concluding observations and recommendations by the Government and different stakeholders.

The MHRC is aware of the Communication to the ACERWC against Malawi on the definition of the child and the amicable settlement that was reached. To ensure implementation of the decision, MHRC through the Child Right Directorate has played the following roles:-

- Advocated for the speedy amendment of the Constitution on the age of a child from 16 to 18 through engagement meetings with relevant Ministries and Parliamentarians. (the Commission was part of the National Taskforce)
- Monitoring implementation of the decision (amicable settlement)
- Currently sits in the National Taskforce for the harmonisation of all child rights related laws.

The MHRC monitors the implementation of Agenda 2040 and its Aspirations by government. It works with partners and key stakeholders in order to advance children's rights and to ensure children are protected as per the aspirations of Agenda 2040. The implementation of Agenda 2040 also extends to the review of the laws and practices that violate children's rights in terms of access to education, health, and justice among others e.g. corporal punishment, as the MHRC seeks to ensure that there is an effective child-friendly national legislative and policy framework in Malawi. The MHRC is implementing Aspiration 10 which states that children's views matter, through the establishment of the Children's Reference Groups and involvement of children in its activities.

Mali

The CNDH plays a major role in the promotion and popularization of the Charter and Africa's Agenda 2040 for Children as its legal mandate enables it to promote and protect human rights in general and the rights of vulnerable groups, including children, at national and international levels. Accordingly, in its annual as well as thematic reports, the CNDH analyses the rights of specific groups of people including children.

Mauritania

The Commission in Mauritania promotes the Charter by celebrating the Day of the African Child and organising campaigns to popularise the Charter and raise awareness on the rights of the child. Moreover, the Commission has included in its Strategic Plan of Action priorities for implementing Agenda 2040.

Mozambique

The Commission has been promoting the Charter by advocating for domestication of the ACRWC into National Legislation and disseminating the ACRWC through awareness

campaigns. The HRC however indicated that it is not familiar with Agenda 2040.

Namibia

The Children's Advocate in the Office of the Ombudsman, established by the Child Care and Protection (CCP) Act, responsible for monitoring the implementation of the Child Protection Act 3 of 2015, the ACRWC and the CRC, as well as any other international and regional instruments relating to children which are binding on Namibia. Currently, the NHRI is not doing any work that is specifically geared towards the implementation of Africa's agenda 2040 for Children. However, generally the Children's Advocate has the below mandate;

- a) receiving and investigating complaints, from any source, including a child, concerning children's rights
- b) monitoring the implementation of the African Charter on the Rights and Welfare of the Child and any other international instruments relating to child protection which are binding on Namibia;
- c) monitoring the implementation of the CCP Act and any other law pertaining to children;
- d) furthering the interests of children by bringing proceedings in a court of competent jurisdiction as contemplated in section 5(1)(a)(ii)(dd) of the Ombudsman Act, 1990 (Act No. 7 of 1990) and
- e) raising awareness throughout Namibia on the CCP Act and the protection of children generally.

Niger

The Commission in Niger monitors the implementation of the Charter by the government in accordance with its mandate. The Commission has not integrated Agenda 2040 in its works so far. The Commission, through its Working Group dealing with children's rights, receives complaints about child rights and deals with such complaints as per its mandate.

Nigeria

In Nigeria, the Charter is domesticated in 2003 through the enactment of the Child's Rights Act, which has not yet been adopted by all states. The Commission did not expound much on its specific work on the ACRWC. Moreover, there is no robust child rights programming within the NHRC, but the Women and Children's department addresses issues of the rights to survival and development, education and the right to participation of children through its complaint handling processes.

Rwanda

The NCHR advocated with the Government to ratify the ACRWC and to implement its obligations under all ratified human rights instruments. It participates in periodic State Party review processes of Rwanda's implementation of the ACRWC, with the ACEWRC. It also conducts surveys and assessments on the status of children's rights such as, a 2020 survey on the status of child labour and its impact on children's rights and an assessment of the status of child rights in Rwanda, specifically the rights to education, health, adequate development, and social protection in June 2021.

As the main objective of Agenda 2040 is to restore the dignity of the African child through assessing the achievements and challenges faced towards the effective implementation of the ACRWC, special attention was given to the impact of the COVID-19 pandemic and measures taken to ensure the rights of children are not compromised.

Sierra Leone

The Commission monitors the implementation of the Charter by its government. Even though the Commission does not have a direct program on Agenda 2040, its activities are linked to the various aspirations of the Agenda. The Commission monitors the provision of basic needs such as clean drinking water, and free quality education, monitors detention centres and remand homes for children in conflict with the law and undertakes court monitoring to ensure that the criminal justice system is child sensitive and friendly. Based on its findings, the Commission also issues recommendations.

South Africa

The ACRWC has been promoted in various ways by SAHRC. It is one of the instruments that guides the Commission in its work on child rights, and it is also referred to in research and promotional material relating to children's rights, including pamphlets and posters. The standards prevailing in the ACRWC are incorporated in the Commission's monitoring frameworks on children's rights. The SAHRC also uses each of its different arms (research, protection and promotion) to advance Africa's Agenda 2040 for children. This is often done in collaboration with other stakeholders and CSOs.

Moreover, the Children's Rights Unit at the Commission seeks to protect, promote, and educate on children's rights, and advocates for legislative and policy reform, creates awareness, and participates in advancing children rights both at the domestic, regional and international levels. Complaints to the Commission most often, highlight systemic challenges relating to access to basic services, race, disability, education, culture, language, citizenship, social support, and birth. The Commission also 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 basic education. Other initiatives include a collaboration with the mining sector on children, and monitoring the delivery of learning materials to schools. In addition, 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.

South Sudan

The Commission indicated that it collaborates with other stakeholders in the celebration of the Day of the African Child and in implementing Agenda 2040. Although South Sudan has not yet ratified the ACRWC, despite signing it in 2013, the Commission did not play any specific role to advocate for the ratification.

Tanzania

CHRAGG has been working jointly with key stakeholders such as Ministries, government departments, CSOs and other organizations responsible for child rights to promote and protect the rights enshrined in the ACRWC. It promotes and protects the ACRWC and Agenda 2040

for children through established human rights clubs; commemoration of the Day of the African Child, assessing the situation of children in detention facilities, and investigating children's complaints.

In addition, the Children's Desk within the Commission is mandated to,

- a. Spearhead advocacy on protecting children
- b. Provide suggestions on how to mainstream children's issues, including most vulnerable children, in related activities of the Commission, e.g., in research work, investigations, public education, public enquiries, training and in law review.
- c. Create a central or focal point for children's rights and issues within the Commission and be able to provide the required attention.
- d. Demonstrate the required commitment on children's rights and create a team of persons who will form a think tank and who will send the required signals to the departments;
- e. Identify gaps in CHRAGG Programmes as they relate to children's rights.
- f. Co-operate with both National and International Institutions dealing with children's rights.

Togo

The Commission periodically organizes sensitization and popularization activities on the ACRWC, for various groups of people, including, civil society organizations, teachers and students, as well as community leaders.

On the Day of the African Child 2021, it organized a campaign to popularize "Agenda 2040 for an Africa fit for children", in collaboration with CSOs and other stakeholders, in order for them to take ownership of the document and support its implementation.

Uganda

The UHRC has been advocating for the implementation of the ACRWC and its domestication into national laws. Accordingly, the government of Uganda amended the Children Act to provide for the rights enshrined in the Charter. It continually monitors implementation of the rights of the child in Uganda and issues statements and advisories whenever required. It has monitored and reported on child neglect and its implications on the rights of the child, the plight of street children in Uganda, the right to inclusive education, mercy killing of children with disabilities, Female Genital Mutilation and child justice among others.

Zambia

The Commission in Zambia is involved in monitoring the implementation of the Charter and lobbying the State to fulfil its obligation in the Charter. It also investigates violations of children's rights, advocates for legal and policy change to domesticate the Charter, and participates in the State Party reporting processes. Moreover, it engages in building the capacity of institutions on the promotion of children's rights provided in the Charter. The Commission conducts various awareness raising programs on various issues relating to the aspirations of Agenda 2040. The Commission also has the mandate to inspect places of detention for children in conflict with the law.

Zimbabwe

While the Commission has some activities on children's rights in terms of monitoring and inspection, as well as awareness raising on mainstreaming children's rights, it does not have activities targeted at the Charter and Agenda 2040.

Some NHRIs that have not responded to the questionnaire have also been found to have mandates that allow them to engage children's rights. In Burundi, the National Commission for Human Rights is mandated to prepare an annual report on the human rights situation, on its activities as well as on more specific issues, in particular the rights of women and children. The National Commission of Human Rights in Chad is responsible for formulating opinions to the Government concerning freedoms and human rights, including the rights of the child in line with Article 3(a), Law 94-031 1994-09-09 PR/9. The Commission in Comoros, under its investigative powers, in Article 8(4), is mandated to ensure respect for the rights of vulnerable groups or individuals, children, and other vulnerable groups. The Commission in DRC is specifically mandated to ensure respect for the rights of women and children pursuant to Article 6(4) of its establishing law.

Case study

The below table is a Case Study on Monitoring Implementation of Africa's Agenda 2040 for Children by Ghana's Commission on Human Rights and Access to Justice (CHRAJ).

Table 3.1: case study of the Ghana's Commission on Human Rights and Access to Justice (CHRAJ)

Agenda 2040 Aspiration	Form of Engagement
Aspiration 1: The African Children's Charter, as supervised by the African Children's Committee, provides an effective continental framework for advancing children's rights	CHRAJ collaborates with the ACERWC and NANHRI in the area of technical cooperation geared towards the implementation of Africa's Agenda 2040 for Children.

<p>Aspiration 2: An effective child-friendly national legislative, policy and institutional framework is in place in all Member States</p>	<p>The Commission contributed to the development of child-friendly laws and policies in Ghana to ensure they are in tandem with international and regional human rights principles and standards, and centred on a rights-based approach, which aims to serve the best interests of children. In its monitoring responsibilities, the Commission ensures that, both state and non-state institutions carry out their duties guided by child specific laws and policies adopted in Ghana.⁴³</p>
<p>Aspiration 3: Every child's birth and other vital statistics are registered</p>	<p>CHRAJ promotes and enforces registration of birth as a basic right. Its investigations include looking into violations regarding registration of every child's birth, other vital statistics and respect of their human rights to nationality and identity, and provides remedies. As an anti-corruption agency, CHRAJ investigates issues related to bribery and corruption against institutions responsible for ensuring registration and issuance of birth certificates to children in Ghana and makes appropriate recommendations on such issues.</p> <p>CHRAJ also carries out community and school sensitization and awareness creation programmes on the importance of birth registration for new-borns in the official government registry, and the issuance of a birth certificate.</p>

43 In Ghana, CHRAJ collaborates with relevant ministries, departments and agencies (MDAs), other state agencies, and relevant stakeholders on policy formulation and reviews. Examples of laws and policies to which the Commission has provided input include, the Children's Act 1998 (Act 560); Children's (Amendment) Act 2016 (Act 937); the Juvenile Justice Act 2003 (Act 653); Criminal Offences (Amendment) Act, 2012 Act 849; Human Trafficking Act, 2005 (Act 694); Domestic Violence Act, 2007 (Act 732); the Persons with Disability Act, 2006, (Act 715); Pre-Tertiary Education Act, 2020 (Act 1049); Education Regulatory Bodies Act, 2020 (Act 1023); Ghana Education Service Act, 1995 (Act 506); National Health Insurance Act, 2012 (Act 852); the Registration of Birth and Deaths Act, 1965 (Act 301); Child and Family Welfare Policy; Ghana National Social Protection Policy; Free Senior High School Policy; Free Compulsory Universal Basic Education (FCUBE); Ghana School Feeding Programme (GSFP); and the National Health Insurance Scheme (NHIS).

Aspiration 4: Every child survives and has a healthy childhood

The Commission monitors the general performance of implementation of the National Health Insurance Scheme (NHIS).

The aim is to monitor performance for especially the vulnerable children concerning the accessibility, availability, and affordability of health services. Specifically, it seeks to examine issues concerning infant mortality, universal access to immunization, and free antenatal care among others.

Under the Abuja Declaration and Framework for Action for the Fight against HIV/AIDS, Tuberculosis and Malaria, CHRAJ serves on the Country Coordinating Mechanism (CCM) of the Global Fund in Ghana. This is a multi-sectoral partnership effort of state agencies, NGOs, and the private sector charged with implementation of the Plan of Action.

The Commission seeks to ensure that Ghana demonstrates its commitment to international conventions and declarations on the HIV/AIDS epidemic and other infectious diseases that affect children. In line with this partnership effort, CHRAJ has established an online Stigma and Discrimination Reporting System for receiving complaints relating to discrimination of the vulnerable, including children with HIV/AIDS and other infectious diseases like Covid-19.

It also secured a Toll-free line for complaints from Covid-19 recovered patients including children. Additionally, an online complaint logging form on all human rights-related issues is available to serve the interests of children.

The Commission also organizes sensitization and awareness programmes for communities nationwide and has signed Memorandums of Understanding (MOU) with selected regional Nursing Training Institutions in Ghana where it conducts basic human rights training in general and health rights related training on health rights of children. During the training, students are also sensitized on the Patients Charter of Ghana, which stipulates the rights and responsibilities of both the patient and medical personnel in the provision of health care of patients including children.

Aspiration 5: Every child grows up well-nourished and with access to the basic necessities of life

The Commission monitors the rights of children to basic needs such as food, clothing, shelter, and access to clean water, immunization and protection from infections and deadly diseases.

Under its investigations and case handling functions, CHRAJ is guided by the Children's Act of Ghana and related polices when determining matters relating to child development and survival, and provides remedies.

For example, the Commission monitors Ghana's performance towards its commitment to universal distribution of insecticide-treated mosquito nets towards prevention of malaria among children; commitment of Ghana towards access of children to affordable vaccinations, in line with the Global Vaccine Action Plan (GVAP) 2011-2020.

CHRAJ also monitors the living conditions of children in their homes, foster care, orphanages and those in detention institutions including prisons, police cells, and juvenile detention centres as to their rights to basic needs and protection from harm.

The Commission also monitors Ghana's free school feeding programme to ensure lunch package provided in schools qualifies as a well-balanced diet and adequate to feed the children.

In addition, it monitors children's access to adequate toilet facilities and sanitary items especially for girls.

Aspiration 6: Every child benefits fully from quality education

CHRAJ carries out nationwide sensitization and awareness raising activities on the right to education and on the importance for every child to be educated especially, the girl-child. With support from the Danish Institute for Human Rights, the CHRAJ is currently engaging relevant stakeholders to develop and launch a national plan of action on human rights education for basic and Senior High Schools' curriculums. The project is geared towards mainstreaming human rights education into Ghana's educational system.

CHRAJ also conducts investigations into violations of rights related to education of all children most especially violation of girls' access to education and provides remedies to resolve such complaints.

The Commission monitors state performance on the right of the child to education, covering accessibility, availability and affordability, following Ghana's introduction of the free Compulsory Universal Basic Education (FCUBE) and the free Senior High Secondary Education.

Additionally, the Commission monitors the school feeding programme for basic public schools to ensure it fits the standard of the nutritional needs of children.

To address vulnerability and human rights abuses especially children including those living with disabilities, the Commission has developed audio and braille versions of both the CHRAJ Act, 1993 (Act 456) and the Persons with Disability Act for easy access and learning for children with sensory, hearing and visual disabilities.

Aspiration 7: Every child is protected against violence, exploitation, neglect and abuse

The Commission in its case handling procedure ensures that child-rights violations are given serious attention in order to protect the life and dignity of children. It thus, collaborates with state institutions including state agencies, private entities, NGOs and the media in addressing issues related to child rights and child protection.

The Commission has created a special register on all Child Rights-Related complaints received by the Commission over the years to inform statistical trends for policy directions, public education and training. The Commission currently has put in place, a draft proposal for the institution of an electronic system to input, collate and analyse case-based data received.

The CHRAJ has intensified its nationwide sensitisation and awareness creation programmes aimed at abolishing child, marriage; and developed Information, Education and Communication materials on CEFM.

It also organizes community sensitization programmes on human rights violations of children in the extractive sector eg. in the area of mining, quarrying, oil & gas, sand winning and fishing, children in street situations, and child labour in general.

The Commission shares outcomes of its research reports in stakeholder engagements. It recently shared with national stakeholders, a report on a child labour study it conducted in fishing communities along the Volta Lake which has recommendations to CHRAJ to review its policy on classification of cases. In addition, the Commission with support from UNICEF, Ghana carried out a study titled 'Child Protection Mapping: Number and Institutions involved in Child Protection in Ghana.' and published a mapping report.

<p>Aspiration 8: Children benefit from a child-sensitive criminal system</p>	<p>As part of its monitoring responsibility on the state of human rights in Ghana, the Commission annually monitors the rights of children in conflict with the law by organising monitoring visits to detention institutions including juvenile borstal homes, police, and prisons cells to ensure conditions in such places are in line with international and regional requirements. It also ensures that children are not incarcerated together with adults. It thus, identifies and removes under-age children placed in adult prisons as required by Article 17 of the ACRWC that criminal justice systems should provide special treatment to children consistent with their dignity.</p> <p>The Commission organised a 3-day workshop in collaboration with NANHRI, for CHRAJ staff and selected institutions within the criminal justice system on the implementation of ACHPR principles and on decriminalisation and declassification of petty offences, most of which affect children.</p>
<p>Aspiration 9: Every child is free from the impact of armed conflicts and other disasters or emergency situations</p>	<p>The Commission, as part of its monitoring responsibilities on performance of civil and political rights, observes Ghana’s presidential and parliamentary elections to ensure citizens right to vote is respected and that violence –free national elections are secured. To ensure violence-free elections, CHRAJ always monitors the electoral process from the pre, during and post elections. It is mostly during these periods that the politicians and prospective candidates engages the youth in their campaign trails, which sometimes feed into breeding violence during the Election Day. Thus, to ensure Children’s rights are integrated into peace-making, peace-building, and preventive actions, the Commission in collaboration with the relevant state institutions and civil societies, organises right to vote and peace campaigns through public education programmes in schools, religious institutions, communities and publish them. Additionally, the Commission took cognisance that, the implications of the COVID-19 pandemic on the political, civil, economic, social, and cultural rights were enormous and organised sensitization programmes for communities and institutions responsible for securing safety for citizens during the outbreak of the pandemic.</p> <p>The Commission is as well committed to the guiding-note of the ACERWC on the need for state parties to strengthen infection prevention and control measures to limit the spread and mitigate the impact of COVID-19 virus pandemic. As such, the Commission took steps to ameliorate some of these effects by collaborating with West African Programme to Combat Aids and STI (WAPCAS) to hold a COVID-19 Anti-Stigma Campaign. In May 2020, the Commission educated the public on issues of stigma and discrimination against coronavirus victims, and held a series of media activities.</p>

Aspiration 10: African children's views matter

The Commission is guided by legal instruments for children such as the Children's Act of Ghana in its investigations and case handling work and provides remedies accordingly. The Commission takes advantage during all its casework to sensitize parties on children's rights including their right to be heard.

The Commission also hosts representatives of human rights clubs established nationwide in Secondary Schools in annual camp events where events such as quiz competitions, debates, essay writing competitions and field trips are held. This is also an opportunity for them to meet personnel of other state institutions in charge of protecting and enforcing children's rights and welfare.

The Ministry of Gender, Children and Social Protection (MoGCSP) hosts model children's parliaments on a regular basis to discuss topics that affect child rights and protection. The Commission serves as stakeholder participant in these programmes.

The Commission is also in close engagement with relevant stakeholders towards working to achieve Africa's Agenda 2063, which aspires to create a continent of free citizens, where the full potential of women and youth, boys and girls are realized.

3.2 Overview of Priority Child Protection Work in NHRIs

NHRIs in Africa involve in some child protection works even though the level of involvement varies among different countries. The below table summarises some of the priority child rights works conducted by NHRIs as per their response to the questionnaire.

Table 3.2: Priority Child Protection Issues in NHRIs

NHRI	Priority Child Protection Issues	Specific Child Protection Projects/ Activities
Burkina Faso	<ul style="list-style-type: none"> - Children’s right to food - Right to education - Protection of children during terrorist attacks including issues of recruitment of children - Children in street situations - Child labour with a focus on the mining sector 	<ul style="list-style-type: none"> - Data and information gathering about children in street situations - Assessment of the rights of people affected by mining - Study on the impact of the operation by the Defence and Security Forces on the rights of vulnerable groups focusing on women and children.
Cameroon	<ul style="list-style-type: none"> - children’s rights to identity - Right to education - child trafficking and - child labour. 	<ul style="list-style-type: none"> - Assessment on inclusion of children with disabilities in schools - conducted a campaign called “<i>Stop the war on our children</i>” on social networks - awareness campaign against child trafficking
Cape Verde	<ul style="list-style-type: none"> - Parental responsibilities - Protection of children from sexual abuse - Children’s right to nationality 	<ul style="list-style-type: none"> - Campaign for responsible fatherhood in 2012 and 2013 - Publication called ‘Citizen Pikinoti’ in 2015 to promote the right to nationality of children - Human rights for children project which started in 2021 which aims at incorporating human rights education in formal schools

Cote d'Ivoire	<ul style="list-style-type: none"> - Right to education, - Right to health, and life,] - child trafficking, child labor and exploitation of children, - children with disabilities and inclusion of children, statelessness, child abuse 	<ul style="list-style-type: none"> - Commemoration of the International Day for Persons with Disabilities with the participation of children with disabilities - Commemoration of the International Children's Day through a debate competition on themes related to children's rights. - Monitoring violence against children - Alternative report on the status of implementation of the CRC in Côte d'Ivoire
Ethiopia	<ul style="list-style-type: none"> - violence against children - children in contact with the law - children imprisoned with their mothers, - children's rights in crisis (conflict & COVID-19) - child participation 	<ul style="list-style-type: none"> - Research project on Children's Rights in National Legislation - Gender and Child Rights Project supported by UNICEF. - Advancing Accountability to Ensure Children's Rights in Ethiopia supported by SIDA through Save the Children International. - Monitoring and investigation work on the rights of children in schools, remand homes, detention centres and conflict settings, and children with disabilities - Currently conducting a comprehensive national level research (legal review) on the protection of children's rights in national legislation that will point key areas of concern.
The Gambia	<ul style="list-style-type: none"> - Children's right to protection from all forms of violence, abuse and exploitation - Protection from harmful social and cultural practices - Right to health - Right to education - Participation in decision-making 	<ul style="list-style-type: none"> - Following a fire outbreak at Quranic boarding school, the NHRC issued a press release to the government which highlighted the need for such institutions to put in place minimum standards of care and provide redress to child victims of the disaster - The NHRC will be conducting a nationwide exercise to monitor child residential institutions in the country and their compliance with the minimum standards of care as provided for in the Children's Act 2005. - The Commission has, reviewed the curricula of the Basic Cycle and Secondary education levels and identified pathways for the integration of human rights education into them. - Every year since its establishment, the Commission commemorates the Day of the African Child (DAC) in partnership with CSOs and issues Statements to the Government for the effective implementation and enforcement of children's rights.

<p>Ghana</p>	<ul style="list-style-type: none"> - Child maintenance (food, clothing, shelter, parental neglect etc.) - Right to education - Right to healthcare - Harmful cultural practices (e.g. FGM, child marriage) - Non-discrimination for children with disabilities and with albinism - Violence against children - Child trafficking - Child and forced labour - Sexual harassment and sexual abuse - Children in conflict with the law - Protection of children from the Covid-19 outbreak 	<p><i>Inauguration of the Committee for implementation of human rights education in first and second cycle schools</i></p> <ul style="list-style-type: none"> - Develop curricula for HRE for pre-tertiary school in June 2020 to ensure improved outcomes in educational policy, curricula, teacher education, student assessment and learning environment. - Develop an action plan for the implementation of Human Rights Education (HRE) in primary and secondary school systems in Ghana.⁴⁴ <p><i>COVID-19 Anti-Stigma Campaign</i></p> <ul style="list-style-type: none"> - Educating the public on issues of stigma and discrimination against Covid-19 victims in 2020; and held a series of media engagements, including studio appearances and interviews by staff of CHRAJ - Contracting two theatre groups⁴⁵ to perform sketches and music videos on the causes and effects of stigma and discrimination to the public. - Capacity-building workshops for opinion, religious and market leaders - Media engagement and community sensitizations through the use of an information van in five communities in Accra.⁴⁶ <p><i>Access to Justice Project</i></p> <ul style="list-style-type: none"> - Currently conducting a baseline study on Gender-Based Violence Against Elderly Women and Children Alleged as Witches in Ghana.
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44 These included representatives from the Ministry of Finance, Ghana Education Service, National Commission for Civic Education, Ministry of Education, Ghana National Association of Teachers, National Council on Curriculum and Assessment and the National Implementation Coordinating Committee on the SDGs under the National Development Planning Commission.

45 The Abibigroma Resident Theatre Group and the Ghana Actors Guild.

46 Old Fadama, Maamobi, Nima, Agbogloshie and Madina.

Kenya	<ul style="list-style-type: none"> - Rights of migrants, - Right to education, - Monitoring the observance of children's rights during electoral cycles 	<ul style="list-style-type: none"> - Issues advisory on various child related laws - collects data on children's rights violations during electoral cycles - continues to document complaints of delayed issuance of ID Cards to members of the Nubian Community.
Madagascar	<ul style="list-style-type: none"> - The right to education, - The right to physical, moral and sexual integrity, and - The right to food and health⁴⁷ 	<ul style="list-style-type: none"> - Conducting information and awareness campaigns in schools, colleges, high schools and universities. - As part of human rights awareness missions in the 23 regions of Madagascar, the CNIDH raises awareness of children's rights, visits children in detention. - Receives and processes complaints related to sexual violence against children. The main violations common in Madagascar are child marriage, rape, child labor, trafficking. In addition, children with albinism have recently been victims of kidnapping and violence. - Occasionally and according to the means at its disposal, the CNIDH visits orphanages and distributes food for underprivileged children.
Malawi	<ul style="list-style-type: none"> - Physical abuse, with a focus on corporal punishment - Sexual abuse with a focus on defilement due to increased number of cases - Child maintenance - Child marriage - Access to justice for children - Teenage pregnancies - Children living and working on the streets - Children in alternative care 	<ul style="list-style-type: none"> - Review of Bills, laws, policies and judicial decisions (details in the next chapter). - Comprehensive investigations, Alternate Dispute Resolution (ADR), follow up of cases and recommendations with concerned parties and relevant stakeholders, advice to and monitoring of court procedures. - Systemic investigation of cases of sexual abuse and ensuring access to justice by victims. - Public inquiries on systemic child rights issues. - Withdrawal of children from child marriage. - Monitoring places prone to child rights abuses e.g Childcare institutions, prison and police cells with a focus on infants with mothers in the cells, children in selected nursery schools - Monitoring the implementation of the CCPJ Act by the core justice practitioners - Monitoring the situation of Children living and working on the streets

47 The majority of children in Madagascar live in extreme poverty. Many children do not go to school and must work to support their families.

Mali CNDH	<i>Examples of priority areas</i> <ul style="list-style-type: none"> - The right to education - The right to health - The right to nationality in particular for children without a birth certificate, mainly due to the conflict which is raging in Mali 	<ul style="list-style-type: none"> - No specific activities were mentioned.
Mauritania	<ul style="list-style-type: none"> - Right to birth registration - Right to education, - Right to health - Child trafficking and exploitation of children including child labour 	<ul style="list-style-type: none"> - The Commission is the focal point at the level of the Agency in charge of monitoring child registration at the level of the National Agency for Population Register and Secure Titles - Proposal to the Government for the strengthening of the institutional mechanism of the Administration of Juvenile Justice - Awareness-raising workshop on hazardous work prohibited for children
Mozambique	<ul style="list-style-type: none"> - The right to education - Sexual and reproductive health - Establishment of Human Rights Clubs at Secondary Schools. 	<ul style="list-style-type: none"> - Project on establishment of Human Rights Clubs - Project for the promotion, monitoring, protection and implementation of the Rights of the Child in Mozambique in collaboration with Save the Children International - Monitoring visits to the Department of Assistance to Family and Minor Victims of Violence to track progress of cases - Monitoring visits to IDPs Centres in Cabo Delgado province and also in Manica for victims of cyclones Dai and Kenneth - Visits to childcare centres

<p>Namibia</p>	<ul style="list-style-type: none"> - The rights of children in custody - Children's rights in general 	<ul style="list-style-type: none"> - The Ombudsman applied to court for a mandamus to compel the Minister of Gender to create child detention facilities in order to prevent the pre-trial detention of children in police holding cells, often together with adults - <i>My rights-My responsibilities campaign</i> which involved visiting schools to introduce the Children's Advocate and raise awareness to the children about their rights and responsibilities - <i>My rights are my superpowers media campaign</i>, which involved creation of a series of animations geared towards educating children about their rights as well as the Children's Advocate - The development of a radio advert (translated into 5 local languages) to inform children about the Children's Advocate
<p>Niger</p>	<ul style="list-style-type: none"> - Child marriage - Education of girls - Violence against children with particular attention to sexual exploitation - Child trafficking 	<ul style="list-style-type: none"> - Investigation on the condition of detention facilities for children in conflict with the law - Advocacy and support for children who are victims of abuse to ensure their protection in court proceedings and their right to fair trial - Assessment of the situation of internally displaced children - Visits to four transit and orientation center for children who have been associated with armed forces or terrorist groups
<p>Nigeria</p>	<ul style="list-style-type: none"> - Survival and development rights - Right to Education 	<ul style="list-style-type: none"> - Sensitization on eradication of child marriage - Mobilizing action against eradication of infanticide practices in the Federal Capital Territory (FCT) - Supporting the justice system to prevent detention and promote access to justice for children in conflict with the law - Complaint treatment and domestication of CRA

Rwanda NCHR	<ul style="list-style-type: none"> - Right to Education - Right to have and to live in a family - Right to protection from harmful work - Right to protection from exploitation - Right to protection from violence. 	<ul style="list-style-type: none"> - NCHR cooperated with UNICEF on <ul style="list-style-type: none"> a. a programme on the observatory of the rights of the child from 2006-2012 b. a project on the Sensitisation Campaign against Child Defilement, from 2018 to 2019; - Assessment of the rights of Children in Orphanages, and Child Victims of Sexual Violence - Assessment of Child Labour and its impact on child rights in Rwanda
Senegal	<ul style="list-style-type: none"> - Children in street situations - Child labour especially in the mining sector - Child begging - Children on the move 	<ul style="list-style-type: none"> - No specific activity was reported
Sierra Leone	<ul style="list-style-type: none"> - No priority area was reported 	<ul style="list-style-type: none"> - The Review of the Child Right Acts 2007 in - Engagement with Community and Religious Leaders on sexual and gender-based violence including FGM in Moyamba and Bo.
South African Human Rights Commission (SAHRC)	<ul style="list-style-type: none"> - The right to basic education. - Children's rights and migration, looking more closely at children on the move - Children who are vulnerable, and often without parental and governmental care. 	<ul style="list-style-type: none"> - Monitoring of Youth and Child Care Centres - Engaging with the Department of Home Affairs and other stakeholders on undocumented learners. This included litigation on the same subject. - Development of promotional advocacy material targeting parents as well as children as the rights holders themselves. - National Schools Moot Court Competition
South Sudan	<ul style="list-style-type: none"> - Girls' education - Establishment of juvenile courts in the 10 States of South Sudan 	<p>Cooperated with the Ministry of Education to prioritise the following policies,</p> <ul style="list-style-type: none"> - School re-entry policy for pregnant and nursing adolescent girls. - Inclusive education for learners with disabilities and functional difficulties

Tanzania	<ul style="list-style-type: none"> - The rights of children in conflict with law 	<ul style="list-style-type: none"> - Conducts regular inspections in juvenile detention facilities and investigates children’s complaints. - Conducted a Public Enquiry on Child Abuse in Mainland Tanzania and Zanzibar - Establishment of 259 human rights clubs in primary, secondary and tertiary schools, for the promotion of human rights and specifically child rights
Togo	<ul style="list-style-type: none"> - Violence against children - The right to education for children 	<ul style="list-style-type: none"> - The fight against sexual violence in communities - Celebration of DAC - Role and responsibility of education actors in the supervision of learners during a state of public health emergency linked to Covid 19
Uganda	<ul style="list-style-type: none"> · Right to education · Right to Health · Protection of children from violence, neglect, abuse and exploitation. 	<ul style="list-style-type: none"> - With support from UNICEF, assessed how the rights and obligations set out in the ACRWC are protected and implemented in Uganda. - Together with UNICEF, recently produced Child Rights Series on School Takeover (STO). - In line with its mandate under Article 52(h) of the Constitution to Monitor Government’s compliance with ratified treaties the Commission held 11 regional consultative meetings in preparation of its Independent Report to the Committee on the CRC in Geneva. - Established 33 FGM champion groups in communities to advocate against FGM. These groups include the elderly women who carry out FGM, the youth and fathers of girls as a way to sensitize them and discourage the practice.
Zambia	<ul style="list-style-type: none"> - Child sexual abuse and child marriages - Child labour - Impact of business (extractive industries) on child rights 	<p>The Commission under the Driving for Sustainable Change for Children’s Rights (DSCCR) program is undertaking a project aimed at ensuring that the rights of children, are respected and protected in accordance with international, regional and national human rights standards and principles.</p>

Zimbabwe	- Birth registration	<ul style="list-style-type: none"> - Conducted National Inquiry on Access to Documentation in the Country (2019 to 2020) ; - Monitoring of Children’s homes, and homes for Children with Disability, - monitoring detention facilities for children in conflict with the law Prison Hwahwa, - investigation of participation of children in elections campaigns, exclusion of children from school on the basis of non payment of school fees, corporal punishment,
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3.3 The Role of NHRIs in Strengthening Child Protection Systems

The broad mandates and powers given to NHRIs to promote, protect and investigate child rights makes them powerful institutions for strengthening child protection systems within their framework, while promoting the four general principles of children’s rights, namely, non-discrimination; the best interests of the child; the right to life, survival and development; and respect for the views of the child. The contribution of NHRIs in strengthening child protection systems unfolds in various ways. The discussion below highlights some of the ways in which NHRIs contribute to child protection system strengthening.

3.3.1. Law Reform

Most of the NHRIs in Africa in general contribute to the actual processes or the strategic advocacy for review of laws and policies to ensure that there are strong and child-friendly legal frameworks.

The Commission in Cameroon has provided contribution to the reform of Law No. 2011 of 14/12/2011 on the fight against smuggling and trafficking in persons; to the revision of the revised Recommendation 1974 on Education for International Understanding, Cooperation and Peace and Education relating to Human Rights and Fundamental Freedoms; and on the state of play of domestic legislation relating to the protection of children in Cameroon. Moreover, the Commission engages in advocacy for the adoption of a child protection code in Cameroon.

The Commission in Cape Verde has been invited and has given contributions in relation to draft laws, plans and policies related to children’s rights.

The Commission in Ethiopia has participated in various law reform initiatives like the revision of the Criminal Procedure Code that covers various provisions relevant to children’s rights.

In The Gambia, the Commission recommended for the legal prohibition of corporal punishment as well as the enforcement of the laws against FGM and child marriage in its 2019 Universal Periodic Review Stakeholders Report on the status of human rights.

In Kenya, the Commission involved in the revision of the Children's Act. The Commission has reviewed and issued advisories on Basic Education Bill, 2012; Basic Education Act, 2013; Nairobi City County Childcare Facilities Bill, 2017; Early Childhood Education Bill, 2018, among others.

In Madagascar, the protection department of the CNIDH was represented in the Committee in charge of reflecting on and drafting the law on gender-based violence, which is the most recent law that affects children's rights in the country as it protects children from physical and sexual abuse, trafficking, abuse and exploitation in all its forms.

In Malawi, the Commission actively took part and contributed to law review processes of the following: the Constitutional Review Process; harmonization of the age of the child; the Trafficking in Persons Act; the Marriage Act, and the Adoption Bill. It also facilitated the amendment of the Education Act and the Child Care, Protection and Justice Act (CCPJA) to incorporate clauses on prohibiting corporal punishment in schools. The Commission has drafted position papers on school readmission policy and is currently conducting a rights-based review of policies, regulations and procedures on child rights with a focus on criminalization of child marriage.

The Commission in Mozambique has been engaged in promotion activities such as awareness campaigns for the dissemination of laws, including, Law No 7/2008 on the promotion and protection of the children's rights; Law No 19/2019 of 22 on child marriage; Law No 22/2019 of the Family Law that repeals the provision that allowed marriage of people aged below 18 years with parental consent; Law No 29/2009 against domestic violence; Law No 6/2008 against trafficking of persons, which criminalises the trafficking of women and children. The Commission also issued a position paper on Ministerial order n. 39/2003 of Ministry of Education that prohibited pregnant girls from attending day-time school and were transferred to evening schooling.

The Commission in Niger is often asked to participate in the drafting process of human rights laws including children's rights laws and policies in the Country.

In Rwanda, the Commission prepared legal opinions on the following Bills which have an impact on children's rights, and submitted the same to Parliament:- The Bill on the Law Relating to the Protection of the Child; The Bill on the Law Governing Persons and the Family; The Bill on Public Servants Statute; The Bill on the Penal Code, and the Bill on the Establishment, Functioning and Organisation of Rwanda Correctional Services (RCS). In addition, the NHRC is working with key Stakeholders in child protection, including the Ministry of Gender, Children and Social Welfare, to review the Minimum Standards of Care for Child Care Residential institutions in the country. The Commission continuously urges the Government to incorporate regional and international human rights instruments ratified by Rwanda in national laws and policies.

The Commission in Sierra Leone has the function of reviewing existing laws and has an advisory role to government to ensure compliance with international statutes through its Directorate of Treaty Body Reporting and other International Mechanisms. It actively involves in the revision of the Child Rights Act of 2007 and is part of the technical team for its validation.

The Senegalese Human Rights Commission supports the finalisation of the Children's Code and provides guidance and support on child rights issues to the Government.

In South Africa, the Commission often litigates on children's rights issues and supports those who litigate on the same issues as well. The Commission engages with the governmental departments on policies having an implication on children's rights. In addition, it also engages with traditional leaders and government on harmful practices in South Africa. Priority reform initiatives have included advocating for the establishment of an inter-party parliamentary caucus focussing on children's rights and, for the development of a Protocol on the Elimination of Corporal Punishment in South African schools. The Commission has also called for the prohibition of corporal punishment at home. The Commission takes advantage of national events such as the Mining Indaba, to advocate for pro-child policies, by convening business and child rights roundtable discussions, thereby putting children on the agenda of business policies. At the Global Child Forum, the Commission again raised awareness on the impact of mining on child rights in South Africa.⁴⁸

In Togo, the Commission has contributed to the drafting and adoption of various pieces of legislation such as the 2007 Children's Code and the 2014 Personal and Family Code.

The Commission in Tanzania took an active role to advocate for the enactment of the Law of the Child Act in 2009. During the enactment process, the Commission prepared meetings and workshops to solicit opinions and recommendations from various stakeholders. There have also been a number of regulations and guidelines or circulars pertaining to children in conflict with the law, which have been prepared by the government following the Commission's recommendations.

In Uganda, the Commission has advocated for the enactment of new laws and amendment of existing laws on children. The Commission was at the forefront in pushing for the enactment of the Female Genital Mutilation Act, the Prevention of Trafficking in Persons Act, and the Domestic Violence Act, all of which are now in operation and are relevant for protecting children's rights. The UHRC reviews all the bills that are before Parliament and makes recommendations accordingly to ensure that they comply with established international, regional and national human rights standards. The UHRC has specifically reviewed the Children Amendment Bill (Now Act), Persons with Disabilities Act and The Prevention and Control of HIV/AIDS Bill. The Commission also contributed to the National Strategy on Ending Child Marriage and Teenage Pregnancy (2015), and the National Gender Policy (2007) to ensure that protection of women and girls was addressed. The UHRC developed human rights advisories in the context of COVID-19 pandemic to guide the country to take human rights-based approaches and standards. The advisories related to children included, on the right to health and the right to education. In addition, UHRC has been promoting the Human Rights Based Approach (HRBA) to development, and gender mainstreaming, with the aim of ensuring that all development policies and programs address issues of discrimination, by giving special attention to the rights of the vulnerable groups like women, persons with disabilities, children, the aged, pensioners, prisoners etc. Furthermore, the Commission has been advocating for gender mainstreaming in all development policies and programs of the Government and other actors in the country. As a result of the Commission's efforts, the National Planning Authority has now embraced the concept of HRBA and incorporated human rights in the third National Development Plan.

48 <https://www.sahrc.org.za/index.php/focus-areas/children-s-rights-and-basic-education/children-s-rights-and-basic-education-2>

3.3.2. Mechanisms within NHRIs

In terms of mechanisms available for protecting children from harm, abuse and exploitation, most NHRIs indicated that they have a non-judicial mechanism of recourse in case of harm, abuse and exploitation of children. This has been facilitated because of their investigative powers and the mandate to receive individual and collective complaints. It is not clear, however, how much of this power is exercised in relation to children across Africa as there seems to be more focus on general human rights in relation to inhuman and degrading treatment in most NHRIs. Moreover, the mandates of NHRIs on such mechanisms vary. While some NHRIs have quasi-judicial power to receive complaints and issue decisions, others have an advisory role only or the mandate to refer the case to a court of law. In some instances, the decisions of NHRIs can be appealed at a court of law and in few instances like in Ghana, the decisions of the NHRI are final.

Examples of more specific enforcement services are listed as follows;

- In Ethiopia, the Commission is in the process of establishing child friendly complaint mechanisms and hotline services.
- In Ghana, CHRAJ has online complaint logging form on all human rights-related issues. The Special Groups Unit at Commission receives and investigates complaints related to children's rights and provides remedies in all its offices across the country. In 2020, child rights related complaints constituted 31.1% of the total human rights complaints recorded.
- The Commission in Madagascar has a protection service which receives and processes complaints relating to the rights of the child. The CNIDH can also initiate an investigation or a fact-finding mission if it is aware of circumstances or allegations on violation of the rights of the child.
- The Malawi Commission has in place a complaints handling mechanism where all matters of child abuse are handled.
- The Mozambique Commission has a legal department which receives and handles complaints of children's rights violations.
- In Namibia, the Children's Advocate has dealt with various complaints regarding allegations of racism in schools, to which the Advocate proposed to the Ministry of Education to adopt a comprehensive policy on dealing with allegations of racism in schools.
- In Rwanda, the NHRC's complaint handling processes are accessible to all children, parents and other caregivers who can file complaints of human rights violations to the Commission. The Commission also provides legal advice to concerned adults.
- In South Africa, the Commission investigates complaints lodged with provincial offices, and also initiates its own investigations into matters of public interest which impact the rights of children. In 2016, it convened a national investigation after a number of schools in Vuwani, Limpopo were closed due to protests. Various stakeholders made submissions to the hearing and remedial actions were recommended to government departments, calling for the promotion of a shift in understanding, so that schools are seen to belong to communities, and; that education be given the priority and attention it deserves.
- In Uganda, apart from monitoring and reporting child abuse and exploitation, the UHRC receives complaints and investigates child rights violations. Child justice forms a major part of UHRCs work on children and the Commission inspects remand homes and other places of detention to assess the conditions of children deprived of their liberty.

3.3.3. Institutional Structures and Tools

Some NHRIs have adopted specific tools for strengthening child protection in their work while other NHRIs take advantage of their institutional positions whose mandates involve working within the framework of a systems approach to child protection. For example,

- In Cameroon, the Commission is a member of the National Committee to Combat Child Labour, which is, among other things, responsible for the implementation of the National Action Plan for the Elimination of the Worst Forms of Child Labour in Cameroon
- The Commission in Cape Verde is part of the System for the Protection of the Rights of Children and Adolescents, which includes the Courts and the Public Ministry; the Cape Verdean Institute for Children and Adolescents (ICCA); the Municipal Committees for the Defense of the Rights of Children and Adolescents; NGOs and Grassroots Community Associations.
- In Madagascar, the presence of a Commissioner representing NGOs on child protection within its structures, obliges the Commission to organize activities around promoting and protecting children. The head of the Protection Department and the Vice President of the Commission are Magistrates, and this makes it easier for the Commission to collaborate with the Judiciary and access the Courts.
- The Malawi HRC has a child safeguarding policy which has put in place safeguarding measures from harm, abuse and exploitation. The Commission also has the Sexual Harassment Policy aimed at protecting children from sexual harassment.
- In Namibia, the Children's Advocate is the Deputy Chairperson of the National Advisory Council on Children which is comprised of the Executive Directors of all the Ministries, Agencies and offices tasked with providing services to children. The Children's Advocate may intervene in proceedings before the Children's Court and may represent a child or children in general in court. The Children's Advocate has in the past both intervened and represented children in the said courts, thereby promoting children's access to justice. The Children's Advocate is also the Deputy Chairperson of the National Advisory Council on Children which is comprised of the Executive Directors of all the Ministries, Agencies and offices tasked with providing services to children.
- In Senegal, the NHRI is a member of the Steering Committee on Alternative Care in Senegal.
- In Sierra Leone, the Commission has an existing collaboration with the National Commission for Children, the Ministry of Gender and Children's Affairs and the Child Rights CSO Coalition. It is also a member of the Committee established to combat child begging.
- In Tanzania, the Commission adopted a Stakeholders Engagement Strategy 2018-2023,⁴⁹ which provides guidelines appropriate and effective ways of mapping; mobilizing; organizing; and, interacting with relevant stakeholders in and outside Tanzania. Even though the strategy does not specifically include the AU developmental frameworks (such as Agenda 2063 and Agenda 2040 for Children) under its issues of priorities for engaging with stakeholders,⁵⁰ it is the framework that the Commission uses for engagement with

49 Available at <https://www.chragg.go.tz/uploads/documents/sw-1645691503-CHRAGG%20Stakeholders%20Engagement%20Strategy.pdf>

50 Part 3 of the strategy.

stakeholders on child rights and protection.

- In Zambia the Human Rights Commission is a Member of the Child Justice Forum through which it advocates for child friendly justice system.

3.3.4. Research

One area in which some NHRIs seem to be doing well is that of research on children's rights which further inform law, policy and decision-making processes as well as administrative procedures in relation to children's rights. In Ghana, Commission has spearheaded a number of significant research projects on children. Published studies of the Commission include, a Qualitative Study of Child Labour in Ghana's Fishing Communities along the Volta Lake Region; CHRAJ's Monitoring Visits to Prison's: Protecting the Fundamental Human Rights of Persons Deprived of their Liberty in Ghana; Child Protection Mapping: Number and Profile of Institutions involved in Child Protection in Ghana (published in collaboration with UNICEF). Other studies with an impact on children include, a study on Banishment and Discrimination against Persons with Albinism (PWAs);⁵¹ and a baseline study on Gender-Based Violence Against Elderly Women & Children Alleged as Witches in Ghana.⁵² Some NHRIs like Ethiopia have taken the initiative to develop Annual Human Rights Reports on Women and Children. The Malawi Human Rights Commission studies the status and effect of legislation, judicial decisions and administrative provisions for the protection and promotion of human rights and prepares policy proposals, position papers, periodic status of human rights reports, press releases, with specific focus on children's rights, with recommendations or observations to appropriate authorities. These include a 2021 Monitoring the Impact of Covid-19 in Child Care Institutions (CCI's) in Malawi; and a 2006 Report on Cultural Practices and Their Impact on the Enjoyment of Human Rights Particularly Rights of Women and Children in Malawi, which has guided the policy framework in protecting children from harmful practices. In South Africa, in addition to the statutory reports, the Commission has also published thematic reports on children's rights, including, Human Rights and Business Country Guide: Poverty Traps and Social Exclusion Among Children in South Africa; SAHRC Charter on Children's Basic Education Rights;⁵³ South Africa's Children: A Review of Equity and Child Rights; and the Report Hearing on the Impact of Protest-Related Actions on the Right to Basic Education⁵⁴. In Tanzania, Commission has been leading research

51 The study was premised on a petition from the Ghana Association of Persons with Albinism on the alleged banishment of PWAs in Burukuwa (a community in the Kwahu East District of Eastern Region), Akwamufie (a community in the Asuogyaman District of Eastern region) and Abease (a community near Atebubu, in the Pru East District of the Bono-East region). The research established that PWAs including children encounter discrimination and some unconventional forms of banishment. In addition, PWAs have poor vision and skin conditions which tend to impede their socio-economic development as well as other day-to-day activities.

52 The Commission in May 2022, organised a baseline study focusing on assessing the prevalence of violence against older women alleged as witches as well as assessment of judicial mechanisms and their accessibility in two (2) target municipalities (East Mamprusi and Yendi) where Gambaga and Nyani witch camps are located.

53 Published in 2012, available at https://www.sahrc.org.za/home/21/files/SAHRC%20Education%20Rights%20Charter_Part1.pdf

54 Published in 2011, available at https://www.gov.za/sites/default/files/gcis_document/201409/safesourcesfactschildrens0.pdf

on children in conflict with the law. In 2011, the Commission conducted a ground-breaking assessment of the situation of children in detention facilities.⁵⁵ The findings have guided the advocacy for a child-friendly and non-custodial ways of dealing with children in conflict with the law.

3.3.5. Collection of Data on Child Rights and Child Protection

Based on the responses received from the respondent NHRIs, the status of data collection mechanisms for children within the NHRIs is as follows;

Table 3.2: Data Collection Mechanisms

NHRI	Data Collection Mechanisms
Cameroon	As part of the preparation of its Annual Reports on the Human Rights Situation, the Commission collects data from administrations and all relevant actors, including for Children’s Rights which constitute a section of the Report.
Cape Verde	The Commission collects data from the complaints it receives on children’s issues which is further used in its reports and shared with other stakeholders. It also has an ongoing Human Rights Observatory project which gives special attention to children. The Observatory will allow the collection and processing of data related to children’s rights and will provide recommendations on measures to be taken to strengthen the promotion and protection of children’s rights.
Cote d’Ivoire	The NHRI has a database on child rights
Ethiopia	EHRC developed and disseminated a child rights monitoring guideline and tool to ensure streamlined dataflow from stakeholders and duty bearers. Based on the tool, the Commission has conducted monitoring activities on, <ul style="list-style-type: none"> - The situation of children’s rights in schools with regard to COVID-19 - The handling of children in conflict with the law
The Gambia	The Commission has not played a significant role in data collection but it conducted a study on caste-based discrimination in the Gambia which demonstrates the level of discrimination faced by children. The Commission is strengthening its collaboration with stakeholders on child protection to improve data collection on children, especially relating to children with disabilities, child labour, and children in conflict with the law.

55 See CHRAGG 2011, Inspection Report for Children in Detention Facilities in Tanzania, available at http://www.ipjj.org/fileadmin/data/documents/reports_monitoring_evaluation/CHRAGG_InspectionChildrenDetentionTanzania_2011_EN.pdf

<p>Ghana</p>	<p>The Commission uses various tools for capturing data, some of which are established thematically. Currently, there is a draft proposal for the institution of an electronic system to input, collate and analyse case-based data including those on child rights violations, and in addition, digitise case reports including finalised cases/decisions. According to data compiled by CHRAJ a third of all Human Rights complaints filed in 2021 related to Child Rights.⁵⁶</p> <p>Examples of data capturing tools,</p> <ul style="list-style-type: none"> - An online complaint logging form for collating all complaints on human rights issues including child rights and child protection. - An online stigma and discrimination reporting system for receiving complaints relating to discrimination of various forms towards the vulnerable, including children. - An E-learning portal on case handling for case officers⁵⁷ - A statistics and case management system that documents the trend of reported cases in their special categories, especially on child rights and protection, and draws the Commissioner’s attention for prompt action and policy direction. - A Toll-free line for covid-19 related complaints - A research department which monitors and documents the human rights situations in Ghana including observation of national elections.
<p>Kenya</p>	<ul style="list-style-type: none"> - The Commission carries out research/audits on child rights issues and generates data collection tools for child rights research areas; - The Commission has collated data on children’s rights violations during electoral cycles. - In 2017, the Commission signed a memorandum of understanding with the Kenya National Bureau of Statistics to, among others, strengthen cooperation on data collection, disaggregation, dissemination and analysis.
<p>Madagascar</p>	<p>The Commission uses complaint processing software which generates statistics, with the support of the OIF Paris. The Commission, however, does not yet have a statistics service or the necessary expertise and competent human resources to reliably process statistics.</p>
<p>Malawi</p>	<p>The Commission has a Complaints Intake Officer and keeps record of all cases of child abuse that are reported to the Commission. It also works with other stakeholders to collect data on child rights and child protection.</p>
<p>Mauritania</p>	<p>The Commission undertakes surveys on various issues such as on child labour.</p>

56 See <https://newsghana.com.gh/chraj-reveals-increase-in-child-rights-cases/>

57 See <http://sdr-e-learning.chraj.gov.gh/>

Mozambique	The Commission carries out frequent monitoring visits to the Department of Assistance to Family and Minors Victims of Violence and hospitals to track cases of violations of children's rights.
Namibia	The Children's Advocate has been involved in the collection of data as part of a special investigation into the implementation of the provisions of the Child Care and Protection Act, specifically in as far as the Children's Court proceedings are concerned (the report is yet to be finalised as of March 2022)
Niger	While the Commission has no database on children's rights, it shares the various data it collects with the relevant and concerned government organs.
Nigeria	The NHRI collects data through, <ul style="list-style-type: none"> - A complaint registry - Child protection information management system (CPIMS) - The KoboCollect App (a free toolkit for collecting and managing data especially in humanitarian emergencies)
Rwanda NCHR	The Commission collects monthly reports on the violation of children's right. Information from the reports helps the Commission to conduct investigations on child rights violations. The Commission also conducts thematic assessments and research on the respect of children's rights. The findings are submitted to responsible institutions with recommendations for addressing children's rights violations.
Sierra Leone	The Commission collects data on children's right and child protection through its partners like Rainbo Centre, Family Support Unit, Safe Home and One Stop Centre.
South Africa	The SAHRC has a comprehensive website which has a link for lodging complaints online. The Commission has published a Complaints Handling Procedures to guide users on how to lodge complaints and the expected processes for receiving a remedy. ⁵⁸ Currently, SAHRC is preparing a website for its Children's Unit, where all data related to children will be publicised and disseminated.
South Sudan	The Commission indicated that there is no specific data capturing mechanism for children.
Tanzania	The collection of data depends on specific studies or research that the NHRI conducts.

58 See <https://www.sahrc.org.za/home/21/files/Complaints%20Handling%20Procedures%20-%20SAHRC%20-%20Public%20-%201%20January%202018.pdf>

Togo	The Commission indicated that it has no data collection system within the NHRI but nationally, the Ministry of Social Action, Promotion of Women and Literacy has set up a mechanism responsible for collecting data on all areas related to children. The Ministry publishes a child protection dashboard every year, which enables the government, technical and financial partners and civil society organizations to better address issues of children's rights.
Uganda	The UHRC develops checklists and collects data. It produces annual reports which are available on its website. ⁵⁹

Chapter Four: Conclusion and Recommendations

The findings of this study demonstrate that children's rights have partly been included into the work of some NHRIs in Africa, however, there are gaps and challenges in mainstreaming and working on children's rights. NHRIs, particularly those with well-established child rights structures or programmes are increasingly engaging children's issues and enhancing their visibility in the child rights arena at national level. The NHRIs engage with various institutions on advisory or capacity building initiatives, which in turn adds relevance to their existence. As much as there are some gaps in child rights work amongst NHRIs generally, various windows of opportunities for integrating child rights into their work exist and the NHRIs must seize such opportunities.

4.1. Gaps and Challenges for NHRIs in Working on Children's Rights

The challenges faced by NHRIs in working on children's rights vary in nature and scope. Some of the main challenges identified include:

- lack of specialised child rights structures: While some NHRIs have specific units or departments with full programs on children's rights, mostly children's issues are integrated in the mandate of departments and units dealing with other issues as well which may result in children's issues being overlooked and not being prioritised. The findings show that there are many NHRIs that do not have any form of structures for children's rights while some NHRIs have informal setups like focal persons assigned to deal with children's issues. The lack of specific structures for children's rights has affected the extent to which NHRIs have managed to establish effective collaboration with line ministries; mainstream child participation in their work, as well as establish effective data collection systems on children's rights.
- limited or lack of expertise on child rights: NHRIs that have child rights structures reported that there is lack of capacity on child rights issues within their institutions. The Mapping shows that lack of technical expertise on child rights is compounded by the fact that most NHRIs also do not have systems for effective collaboration with child focussed CSOs and agencies. Some NHRIs are not well aware about the child rights normative standards and mechanisms within the continent which hinders their capacity to integrate it in their works.
- Lack of awareness about the Charter and the Committee: While there is an increasing interest in the past year for NHRIs to engage with the Committee, NHRIs do not have a close engagement with the Committee in relation to the mandate of the Committee. Their engagement of the Charter and the Committee is focused at country level where they engage in the promotion of the Charter and sometimes in State Party reporting processes. However, NHRIs are not engaging the various mandates of the Committee and its Special Mechanisms.
- Lack of financial resources: Most NHRIs including NHRIs that have child rights structures reported lack of adequate budget to undertake activities on child rights. In most NHRIs, child rights activities are funded by partners based on their respective areas of interests. In most NHRIs there is no designated budget for children's rights issues. In the 5 NHRIs that responded to have a specific budget for children, it is to be noted that the budget

allocation for child rights issues is very low. The situation is worse for those that do not have a committed budget for children's rights as this presents the risk of having children's rights being overshadowed by other activities. Consequently, issues related to data capturing of children's rights at NHRI level can be attributed to the lack of adequate funding for the NHRIs.

- Lack of collaboration with Line Ministries and other stakeholders: Very few NHRIs have structured mechanism to engage line Ministries dealing with children's rights, mainly in two forms: by being member of the coordination mechanism for child rights issues of the line Ministry or by having the line Ministry and other relevant ministries to be members of the NHRIs membership forums. However, the engagement of most NHRIs with line Ministries on child rights or other child rights stakeholders depends on the kind of activities the NHRIs may design on children's rights. Some NHRIs engage with other ministries and not the ministry dealing with children's issues.

4.2. Recommendations for Promoting and Strengthening Child Rights Work in NHRIs

The following areas present significant avenues for strengthening the work of NHRIs on child rights and child protection in Africa.

Establishment of NHRIs that adhere to the Paris principles

The 5 Countries that have not yet established or operationalized their NHRIs are recommended to fast-track the establishment of NHRIs in their respective countries. Moreover, it is essential that NHRIs that are yet to be established or that are already established align with the Paris Principles to ensure their impartiality, independence, and effectiveness. While accreditation at GHANRI is not a mandatory step for the Committee to engage with NHRIs, it is however important to get accreditations at GHNRI to ensure adherence with the Paris Principles.

Establishing Child Rights Structures and Functions in NHRIs

NHRIs should have a specialised permanent child rights structure. While the Committee does not have a prescribed form of child rights structures that should be adopted by NHRIs, it recommends for establishing structures for children both at the Commissioners and at the Secretariat level, having some form of synergy among the two. Moreover, in accordance with Section 6.9 of General Comment No.5 of the ACERWC on State Party Obligations and Systems Strengthening for Child Protection, these structures should be well resourced and capacitated through the allocation of funds by national governments. African governments have an important role to play to make sure that such structures are in place. Not all child rights units or structures in NHRIs have been established by legislation. This lack of legal backing could be one of the reasons why there is limited work on child rights in most NHRIs. Therefore, it is recommended that States should ensure that the legal framework for the establishment of NHRIs provides for a child rights structure and specifically includes child rights as one of the priority areas of the work of NHRIs. In addition to child rights structures, NHRIs can also integrate issues of children's

rights within their mandates by ensuring that their programs are child sensitive. Efforts should be made by NHRIs to ensure that children's rights issues are mainstreamed in their mandates, activities and reports.

Engaging with Line Ministries for Children's Rights

NHRIs need to engage with line ministries that deal with children's issues in their respective countries. There are many activities and programs which line ministries working on children undertake for which collaboration with NHRIs could lead to better outcomes for children. The engagement of NHRIs with line ministries dealing with children's rights should not be activity based, rather should be formalised to ensure sustainability for continuous collaboration. NHRIs should actively engage in the coordination taskforces of the line ministries to further interact with other ministries and stakeholders.

Engaging with the Committee and monitoring the implementation of the Charter

NHRIs need to take deliberate actions to engage with the Committee. NHRIs are recommended to have a formal relationship with the Committee and engage its mandates. Some of the main areas of collaboration include:

- **Affiliate Status:** NHRIs can apply for an affiliate status before the Committee to have a more robust and institutionalised engagement with the Committee. An affiliate status will enable the NHRIs to participate in the sessions of the Committee, propose agenda items, provide expert advice or briefings, submit complementary reports and be able to directly work with the Committee in the discharge of any aspect of its mandate. Moreover, NHRIs with affiliate status are encouraged to hold forums to discuss child rights issues and their engagement with the Committee, and to share experiences in collaboration with NANHRI.
- **Sessions of the Committee:** While the Committee extends invitation to NHRIs with affiliate status to participate in its Sessions, all NHRIs are welcome to take part in the open sessions of the Committee.
- **Advocacy for ratification of, reporting on, and implementation of the Charter:** NHRIs have a key role to play in lobbying their governments to ratify the Charter as there are still 5 countries namely Morocco, Saharawi Arab Republic, Somalia, South Sudan, and Tunisia, that are yet to ratify the Charter. Moreover, NHRIs in countries that have made reservations on the Charter can also advocate for the withdrawal of reservations placed by Egypt, Mauritania, and Sudan on selected provisions of the Charter. Moreover, NHRIs should engage their governments so that state party reports are submitted in a timely manner to the Committee. As per their monitoring role, NHRIs should also take deliberate actions to monitor the implementation of the Charter and Agenda 2040 in their respective countries.
- **State Party Reporting:** NHRIs are recommended to participate in the State Party reporting procedure of the Committee at various levels. NHRIs can participate in the preparation of State Party and complementary reports at national level. In addition to that, they can also submit an alternative report to the Committee on the State Party reports of their respective countries, especially after obtaining Affiliate Status. NHRIs are also well placed

to follow up on the Concluding Observations and Recommendations of the ACERWC on State Party Reports, and to use the recommendations for advocacy with the relevant authorities.

- Communications/Complaints procedure: The complaints procedure allows the Committee to receive complaints on alleged violations of the Charter against State Parties from anyone including NHRIs. Hence, NHRIs can use this procedure in cases where violations of children's rights are not addressed sufficiently by the domestic system. The complaints procedure of the Committee is an avenue to push for the enforcement of the decisions and recommendations of NHRIs. Moreover, NHRIs can engage the Committee in the complaints procedure by submitting amicus curiae briefs on complaints pending before the Committee. Another area where NHRIs can play a critical role is monitoring the implementation of the decisions of the Committee on complaints and providing information to the Committee about the status of the implementation of its decisions on communications.
- Investigation and other country visits: NHRIs may also engage the Committee in its various country visits such as investigative missions to assess child rights issues, follow-up missions to monitor the implementation of its decisions and recommendations, and other advocacy missions. During these missions, NHRIs can engage with the Committee and provide information on the matter being examined by the Committee during the visit. Moreover, NHRIs can invite the Committee to undertake a visit in their respective countries on any child rights issue of their interest.
- General documents and Guidelines: NHRIs should consider consulting and utilising the general comments and guidelines of the Committee to ensure that their interventions and consultations on legal and policy documents in their countries are guided by the norms and standards set by the Committee. NHRIs can also request the Committee to develop a General Comment or Guidelines on issues which require further explanation for enhanced implementation.
- Special Mechanisms of the Committee: The Committee has established special mechanisms in the form of Special Rapporteurs and Working Groups. NHRIs may engage the mandate holders of the special mechanisms on areas that coincide their interventions and programs on child rights issues.
- Day of the African Child: The yearly commemoration of the Day of the African Child takes place on 16th June. The Committee develops a Concept Note with proposed activities for the celebration based on the selected theme for the year. NHRIs, as legally mandated national institutions to promote and protect human rights, should be in the forefront of organising national activities to celebrate the Day of the African Child. This is also one way of strengthening collaboration of NHRIs with line Ministries for children, child-focused agencies existing in the country, and children.

Enhancing technical capacity of NHRIs on child rights

There is a great need for capacity building of NHRIs on the promotion, protection, and enforcement of children's rights. For NHRIs which do not have children's rights units embedded in the law establishing the NHRI, or regulations for its operation, this is even worse as it is not easy to make a conscious appointment or recruitment of personnel with expertise on child

rights in the absence of a legal or policy requirement. Therefore, it crucial that NHRIs integrate child rights capacity building and training for their staff. Another key avenue is for NHRIs to participate in capacity building and experience sharing initiatives of the ACERWC.

Engaging with stakeholders

NHRIs should make an effort to collaborate with child focussed agencies in their respective countries including national child rights networks or national child rights CSO coalitions. This collaboration must extend to the CSO Forum on the African Charter on the Rights and Welfare of the Child at the regional level as it presents an entry point for mainstreaming child rights into the work of NHRIs. NHRIs should also make use of their collaboration with NANHRI to engage with the Committee, work on child rights issues at regional level, and bring forward child rights discussions through NANHRI.

Engaging children in the works of NHRIs

NHRIs, beyond having structures and programs for children's rights promotion and protection, should involve children in their works. NHRIs should ensure that their available procedures and functions such as their investigative and complaints procedures are child friendly. Moreover, they should engage children within their advocacy mandates and their activities in relation to children's rights should be guided by the principle of child participation. NHRIs should also encourage their respective governments to establish or strengthen child parliaments and engage children in law, policy, and decision-making processes. Within their mandates as well, the recommendations of NHRIs on laws, policies, and measures on child rights issues should incorporate the views of children. Therefore, NHRIs should have guidelines on how to engage children in their various mandates.

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