

# Continental Conference on Access to Justice for Children in Africa

## Spotlighting the Invisible

# CALL TO ACTION

**9 May 2018  
Addis Ababa, Ethiopia**

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**8, 9 & 10 May, 2018**

**UNITED NATIONS CONFERENCE CENTER (UNCC)  
ADDIS ABABA, ETHIOPIA**

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DEFENCE FOR CHILDREN INTERNATIONAL DCI  
DÉFENSE DES ENFANTS INTERNATIONAL DEI  
DEFENSA DE NIÑAS Y NIÑOS INTERNACIONAL DNI  
*the worldwide movement for children's rights*

**[www.childjusticeinafrica.info](http://www.childjusticeinafrica.info)**

We, the participants of the Continental Conference on Access to Justice for Children in Africa titled **“Spotlighting the Invisible”**, held in Addis Ababa, Ethiopia from 8 - 9 May 2018, following up on the 2011 Kampala Conference and its outcomes, recognise the adverse and lasting impact that gaps in access to justice have on children in Africa;

We also acknowledge that African countries are making strides towards improved access to justice for children in Africa. The path of progress is marked by, among other things, law and policy reform processes at the national level which recognise the rights of children in the justice system, as well as progressive growth in services that give effect to the laws;

Despite this progress, a lot remains to be done to make access to justice a reality for all children on the continent. In particular:

- We are concerned that children remain predominantly invisible in the justice systems in Africa, including due to the lack of robust collection of disaggregated data, and that efforts to enhance access to justice for children have been piecemeal and insufficiently embedded in justice systems. This results in the fragmentation of child protection systems, denial of their rights, lack of institutionalized systems, and has overall negative implications for the sustainability of interventions in this regard;
- We are also concerned that efforts to address the layered vulnerability of specific groups of children in accessing justice remain inadequate in many African countries. Furthermore, the overlapping nature of formal, customary and other legal frameworks and justice systems is not adequately documented or consistent across the continent, which makes it difficult to determine the manner in which children engage with these mechanisms. As a result, informal justice mechanisms in Africa remain largely unaccountable, and the children who access justice through them are vulnerable to violations of their rights;
- We, therefore, need action to ensure that the laws and policies in African countries are harmonised with regional and international treaties and standards on child justice as a basis for providing protection to children in the justice system. It is, however, not sufficient to domesticate the legal standards; we must also take deliberate, urgent and prioritised measures to implement them;
- We acknowledge that though access to justice is a fundamental enabler of the other rights of the child, it cannot be achieved in isolation. A systems approach and multi-sectoral coordination process in delivering access to justice for children is necessary to ensure optimum response to the needs of a child in need of justice;

Following our deliberations at this Conference, we call upon key stakeholders to take action to accelerate the fulfilment of access to justice for children in Africa as follows:

**African Governments to:**

1. Ensure that national laws on access to justice are consistent with international and regional standards on child justice, and are fully implemented;
2. Gather, evaluate, and publish disaggregated data on children in contact with the justice system, including through responses to calls for information by the UN Independent Expert leading the global study on children deprived of liberty;
3. Develop specialised child justice systems in all parts of the country, including facilities, police units, medical units, socio-legal support and child judges which are adequately resourced;
4. Ensure that child justice systems are cognisant of the specific needs of children in situation of vulnerability, including children with disabilities, girls, child migrants, children without parental care, and child victims of organised crime; and
5. Recognise the existence of, and regulate the interaction of informal mechanisms of justice with children to ensure that the rights and best interests of children are protected in the use of the mechanisms, and that the universal standards of access to justice are observed.

**AU Organs and Treaty Bodies**

1. The African Committee of Experts on the Rights and Welfare of the Child (the Committee) to engage African countries on the use of the *Guidelines on Action for Children in the Justice System in Africa* which the Committee endorsed in 2012, including through the state party reporting process.
2. The Peace and Security Council to engage African countries to take steps to ensure that children in situations of conflict access justice effectively and in a timely manner.

**The UN Committee on the Rights of the Child**

1. Encourage States to include the implementation of the *Guidelines on Action for Children in the Justice System in Africa*, in their periodic reports;

**Civil Society Organisations, International Non-Governmental Organisations, UN Agencies and Academic Institutions**

1. Undertake research on access to justice in Africa, document good and practical models for enhancing access to justice for children in Africa; and
2. Facilitate cross-country learning on effective models of facilitating and enhancing access to justice for children in Africa;
3. Take concrete steps, including litigation accompanied by robust media advocacy and civic education, to address specific issues relating to children in contact or conflict with the law.

**Development and Multilateral Partners**

1. Include the informal justice sector in rule of law programmes and ensure that support to justice reform invests in the strengths of informal justice mechanisms; and

2. Support government efforts to mainstream dimensions that cater to vulnerable groups of children in child friendly justice initiatives, including consciously articulating the issues of vulnerable groups in all programming and training programmes for role players involved in child friendly justice.

The organisers of this conference undertake to follow up on these recommendations.

**THERE IS AN IMPERATIVE ON ALL OF US TO ACT NOW, AS THE FUTURE OF OUR CONTINENT DEPENDS ON ENSURING JUSTICE FOR OUR CHILDREN TODAY!**

