



# **REPORT OF THE 30 YEARS OF THE AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE CHILD**

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**The contribution of the African  
Movement of Working Children and  
Youth and partner organizations of  
children and youth**

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## ACCRONYMS AND ABBREVIATION

- AWCY:** Association of Working Children and Youth
- IGA:** Income Generating Activities
- ACRWC:** African Charter on the Rights and Welfare of the Child
- CRC:** Convention on the Rights of the Child
- ECOWAS:** Economic Community of West African States
- WCY:** Working Children and Youth
- AMWCY:** African Movement of Working Children and Youth
- SDG:** Sustainable Development Goals
- IOM:** International Organisation for Migration
- NGO:** Non-Governmental Organisation
- CSO:** Civil Society Organisation
- OAU:** Organisation of African Unity
- WAN:** West Africa Network for Child Protection
- AU:** African Union

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## INTRODUCTORY NOTE



The added value of the African Movement of Working Children and Youth (AMWCY) lies in its concept, in its nature and especially in the relevance of its actions concerning the promotion, respect, protection and the attainment of the rights of children regardless of their circumstances. The Movement transforms marginalized children and youth into actors of their own development.

From its inception in 1994, the AMWCY members both at the top and at the grassroots or community level - most of them with little or no education - have understood the importance of advocacy in mobilizing both holders of obligations (states and their decentralized branches) and holders of responsibility (communities, local authorities, etc.).

In other words, the AMWCY seeks to influence strategic and local decision-makers through structured advocacy activities based on quantitative and qualitative evidence in collaboration with other partner organizations.

Hence, the AMWCY has undertaken a series of consultations on the rights and well-being of children with delegates from groups of children and youths in 12 African countries, using the participatory approach. These consultations have been made possible with the support of Plan International through its "Pan African State Accountability Project" (PASAP), and Save the Children Sweden, etc. The consultations were also held with other children and youths in the communities. A total of 2,100 children and youths were consulted and their capacities were subsequently strengthened to enable them to report on the situation of children's rights in their communities. These consultations helped to prepare the national children's reports based on their views in each country. The consultations were the first of its kind. Since then, only States and civil societies have produced national reports and alternative reports on the implementation of the rights of the child.

Today, the AMWCY exists in 28 African countries which are carrying out several activities in favor of children and youths, and in collaboration with other actors on the continent in order to help children and youths to overcome the different challenges they encounter in attaining their rights and well-being.

In a bid to bring closer the CRC which the international community adopted 7 months earlier to the cultural realities of Africa, the African Union Commission produced the African Charter on the Rights and of the Well-being of the Child and urged African States to ratify it. By ratifying it, member states have agreed to ensure the protection and well-being of each child living on their territory.

Considering the diversity of actions undertaken and in keeping with the principle of accountability, the AMWCY looks forward to owning a summary document of the national analysis of children and youth on the implementation of the ACRWC along with a few key and clear messages that will guide advocacy actions aimed at relevant child protection actors and African decision-makers.

## **Part 1:**

# **ASSESSMENT OF 30 YEARS OF THE ACRWC: THE VIEW OF AFRICAN CHILDREN AND YOUTHS**

## I-The African Charter on the Rights and Welfare of the Child- Commitment to children's participation in strengthening their fundamental rights.

Africa is the only continent that has its own instrument on the rights of the child. The African Charter on the Rights and Welfare of the Child (ACRWC) is an important tool for the promotion of children's rights in Africa. The African Charter on the Rights and Welfare of the Child was adopted at the Conference of Heads of State and Government of the Organization of African Unity (OAU) held in Addis Ababa (Ethiopia) from 9 to 11 July 1990. It is the first and only existing regional treaty on the rights of the child. It is also a privileged instrument for the protection of children's rights in Africa. Better still, it is the most important child rights instrument within the A.U. human rights system.

Based on the same fundamental principles as the United Nations Convention on the Rights of the Child, the African Union's Children's Charter highlights issues of particular importance to the African context. The two legal instruments complement and reinforce each other in a powerful way. However, there are strong reasons for the need of an African Charter on the Rights and Welfare of the Child specific to Africa.

The pooling of article 4 paragraph 2 and article 7 of the ACRWC, makes it possible to clearly see the interest that is accorded to the participation of children who are recognized as "subjects of rights". From this, it follows that the child is not a passive subject in the implementation of the rights attributed to him or her by the ACRWC but rather, a real protagonist of him or her own rights.

Furthermore, the States and other institutions and organizations defending the rights of the child at the national and regional levels must create the conditions to ensure the full participation of children so that their views are considered and duly incorporated.



## II- The views of children and youth about the objectives and methodological approach used in evaluating the implementation of the ACRWC

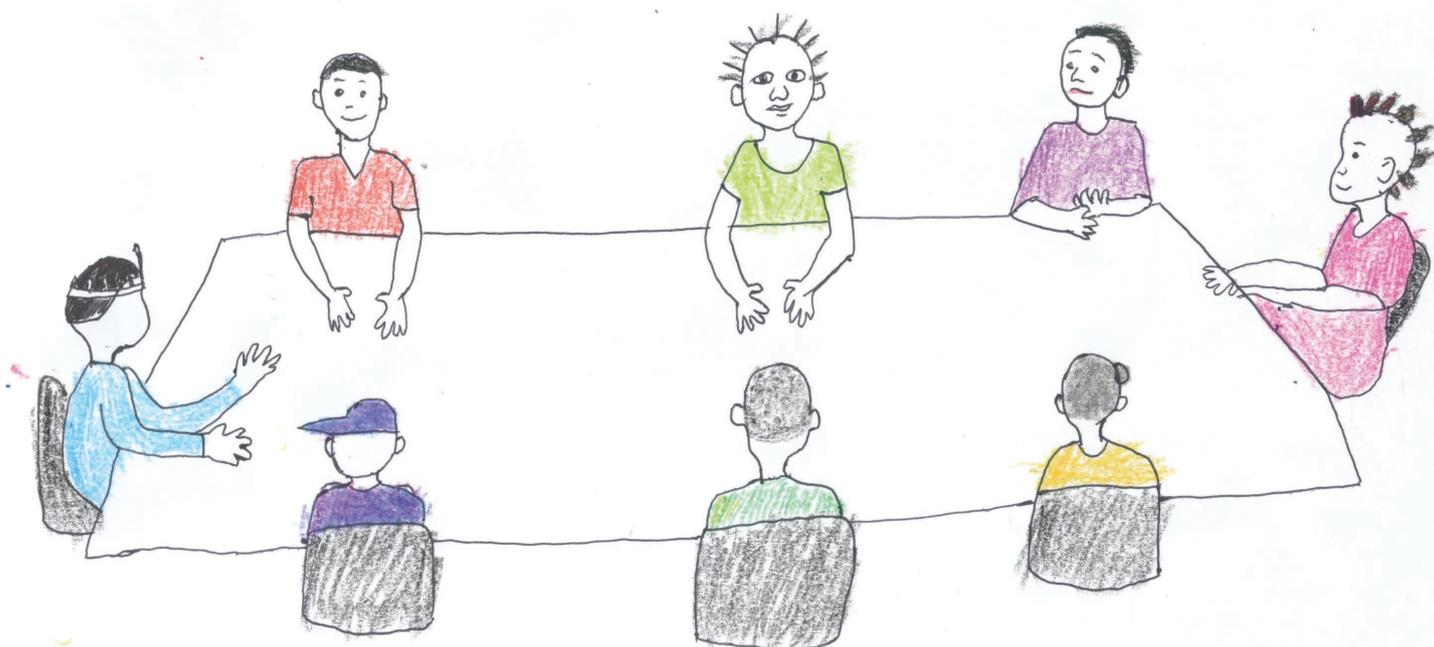
Thirty years after the adoption of the African Charter on the Rights and Welfare of the Child which brought the United Nations Convention on the Rights of the Child into the “African house” by contextualizing its provisions, it is important to take stock of the progress made by governments and civil society actors including members of the community, in implementing the ACRWC in the interest of African children.

The purpose of this report is to assess the main progress made in relation to the commitments of States and children in attaining the recognized fundamental rights of children in a bid to determine the causes of the gaps or constraints hindering the attainment of the expected results. It is through this stocktaking exercise also that it will be possible to identify the main challenges that should be targeted in the coming years in order to support the dynamic of an Africa fit for children.

The process of carrying out this assessment, which benefited from the support of Plan International, through the **“Pan African State Accountability Project” (PASAP)**, and also from Save the Children Sweden, etc., was led by the African Movement of Working Children and Youth and its member associations in the different countries using the participatory and inclusive approach at several stages:

-  • **Comparative analysis of the 12 rights and the two international instruments relating to the rights of the child (ACRWC and CRC):** From the inception of the AMWCY, the 12 rights were developed and they continue to serve as a reference for all WCY activities everywhere in order to simplify the understanding of the rights of the child by the children themselves and to ensure their attainment. Thus, in order to better understand and clarify the setting up of the 12 rights, a comparative study between the 12 rights and the international children's rights instruments (ACRWC and CRC) was carried out in 1988. This constituted the first publication on the 12 rights of WCY2. It consists of a system to sensitize communities about the rights of the child and the activities to undertake in order to attain them.
-  • **Negotiations and obtaining the observer status:** The AMWCY negotiated and obtained the observer status with the African Committee of Experts on the Rights and Welfare of the Child of the African Union<sup>3</sup>.
-  • **African Children's Forum:** Following the comparative study, many other regional workshops were organized to mark the progress made in attaining the children's rights in each community until 2018. The AMWCY organized the African children's forum to discuss the efforts that children and youths were making in their communities by identifying some key messages in order to address the implementation of children's rights and to advance the agenda of their rights in African countries.

- **Mapping of countries which have ratified international instruments, and shortlisting those that will submit the periodic report to the committee:** Based on the results of the information collected from the countries, a mapping of those that have ratified the instrument on the rights of the child was established. It is from within those countries that will submit their periodic report that some of them have been shortlisted to produce a report on the situation of the rights of the child.
- **Contacting children and youth in the identified countries, developing information gathering tools:** In a bid to preserve the context, each country was contacted after the mapping process and tools adapted to the context of each country were developed in collaboration with children and youth in order to collect information from them at the local level from different geopolitical locations in each country;
- **Consulting children and youth in grassroots groups including non-members** (children and youth), in communities and selecting participants in national workshops (basic discussion frameworks on the situation of children in relation to their fundamental rights, defining criteria and choice of participants in national workshops);
- **National training workshops to prepare alternative reports** (workshops held on training approaches adapted to children and youth from the AMWCY);
- **National workshops to analyze the situation of children in general, with a focus on the particularities of working children and youth and to make recommendations** (re-ports). These workshops were conducted using a participatory approach and methods that encourage children and youth to express themselves freely. In many countries, these workshops served as a forum for discussion with child protection actors on their mandates, the activities undertaken and the main results achieved. In some countries, the evaluation workshops were backed by field visits which enabled WCY to identify specific activities that have been carried out by child protection organizations.
- **Regular participation in sessions and sharing of children's experiences** and points of view with the committee and forum of NGOs.



## Diagram of the process of carrying out the assessment

Comparative analysis of the 12 rights and the two international instruments on the rights of the child (ACRWC and CRC)

African Children's Forum

Mapping of countries which have ratified international instruments, and shortlisting those that will submit the periodic report to the committee

Contacting children and youth in the identified countries, developing information gathering tools

Consulting children and youth in grassroots groups

Consulting children and youth in grassroots groups

National training workshops to prepare alternative reports (workshops carried out on training approaches adapted to children and youth from the AMWCY);

National workshops to analyze the situation of children in general with a focus on the specificities of working children and youth and on preparing recommendations (reports).

Regular participation in sessions and sharing of children's experiences and points of view with the committee and forum of NGOs.

### III- An inclusive partnership approach to evaluate the situation of the implementation of the ACRWC by children and youth, (the inclusion of other children and youth movements and organizations in the process)

In addition to the Working Children and Youth, the process of assessing the implementation of the African Charter on the Rights and Welfare of the Child also involved members of the AWCY in the different countries, children and youth from other children and youth organizations (scout movements, thematic organizations of children and youth, religious-based organizations of children and youth, etc.) as well as children and youth organizations that are supported by child protection organizations. The realization of this report-analysis followed an inclusive partnership approach. The reason for this choice is linked to the need to collect the opinions of broad categories of children and youth living or having had diverse experiences. The plurality of opinions and analysis by children on the situation of their recognized rights should be helpful in identifying avenues for action based on a real view of the problems experienced by different categories of children and in various contexts. This work culminated in the development of a list of categories of priorities of children to be reached according to their respective environments (marketplaces, schools, neighborhoods, homes, careers, learning workshops and public places).



**Table N°1: Categories of children to be reached as priority****Areas of AWCY's intervention**

Marketplaces, schools,  
neighborhoods

**Categories of children to be reached as a priority**

Children undertaking hard labor  
Exploited children  
Abused children  
Children broken away from family  
Child hawkers/shoe shiners  
Child transporters of heavy luggage  
Child beggars  
Abandoned children  
Children who sleep in marketplaces

**AWCY's areas of intervention**

Homes (families)

**Categories of children to reach as a priority**

Child maids  
Abused children  
Children handed over to guardians  
Unschooling children  
Child victims of negative discrimination  
Enfants affectés par la pauvreté de leurs parents

Quarries

Children working in mines  
Child rock crushers  
Children transporting crushed rocks  
Children working on farms  
Children working on construction sites  
Children working on beaches

Workshop apprentices

Children undertaking hard labor  
Exploited children  
Abused children

Public places

Street children  
Children undertaking hard labor  
Children on the move  
Refugee children  
Child hawkers  
Children transporting heavy luggage  
Koranic school children  
Handicapped children  
Child beggars

## IV- The contribution of children and youth towards the implementation of the ACRWC

The assessment of the 30 years of the African Charter on the Rights and Welfare of the Child, which was produced using a participatory approach and whose summary is presented in this part, addresses the big progress made over the past 30 years by States in fulfilling the commitments made by ratifying the ACRWC, by civil society actors by virtue of their position as holders of responsibility for children's rights in the various countries, as well as by regional and international actors within the framework of international cooperation. Beyond the progress analyzed, this review also looked at the significant shortcomings such as what could have been done to support the progress made, but which was not done. Likewise, the other issues examined included, the persistent challenges blurring the full enjoyment of children's rights and the attainment of a protective environment for all children and in different contexts as well as the challenges which must constitute the framework of the AMWCY's lines of action for children over the next few years. In short, it was a question of highlighting the point of view of children on the progress and shortcomings observed in the implementation of the provisions of the CRC and the ACRWC.

### A-Concerning the general principles of the rights of the child

Starting from the provisions of the fundamental principles of human rights and those contained in the ACRWC, there are fundamental principles which contribute to the respect and protection of people in general and children in particular. Among the principles are those that all States and their institutions, as well as civil society organizations and regional and international organizations must apply in order to ensure the effective implementation of children's rights in their different spheres of intervention. During the consultations, the children and youths also examined the application of these important principles by States and other actors in implementing the required activities to attain the rights of the child.

#### Participation :

The violation of children's right to participate in matters that concern them begins at home. Parents are the first to violate this right. Parents know what is good for them, but they do not know how to accompany children to make choices of what they want while the children are being accompanied.

According to children and youths, ***“4 out of 5 children suffer from this breach of the principle of participation in the family context. Parents remain the main pillar of decision for everything a child needs: they make decisions alone about what they want for children, without consulting children in identifying what the children need in order to develop harmoniously”.***

The cultural contexts of many countries and communities in Africa are major obstacles to children's participation. Work on social standards must be integrated further into advocacy work at the community level by institutional actors and by child and youth movements, through specific and relevant strategies (call days, advocacy at the community level, raising awareness). The objective would be to shift the lines and for changes to take place in line with social norms so that children and youth can participate in making decisions that affect their lives within the family and community spheres. The children and youth believe that this trend is also prevalent at the institutional (government services, CSOs) level; but that it is less apparent in the home environment even though their participation has not yet attained the desired level (Rating based on Hart's Participation Scale).

In some cases, children and youth are still the subject of figuration and are manipulated, because the full and meaningful participation of children has not yet been attained. In the field of education, for example, the consultation revealed that ***“children's expectations about their education are not considered as priorities by the state and communities”.*** In conclusion, they say that ***“the assistance to children's participation is handled by those concerned and in line with the latter's interest”.***



Institutional actors must establish collaborative partnership with children and make all necessary efforts to ensure their full participation in all matters that concern them. Their participation in managing projects and programs is not yet effective at the institutional level, even though efforts are being made to maintain accountability. But this must be strengthened further in the process of analyzing needs, in program designing as well as in implementing and evaluating activities. The engagement of children and youth through various initiatives (advocacy, inquiry, round tables, etc.) can help decision-makers and other actors to advance and integrate the urgency of this essential question into their respective approaches.

The point of view of the children of Mauritania is a good illustration of the above analysis concerning children's participation: ***"We do not have a say in the family, we are not invited to adult meetings, and the authorities do not consult us to design programs that concern us. Additionally, some of the cultural weight that we still bear from our communities, include forced marriages, placement in training centers and/or schools"***.

## Non-discrimination :

The creative changes implemented in applying this principle in many countries is encouraging. In the field of education, significant efforts are being made by governments to reduce inequalities in accessing education for girls and boys, even though in some communities, social norms and perceptions are hampering the expected impetus. In addition, the restructuring of some schools to accommodate children with and without disabilities in the same premises should be welcomed. The children in these schools feel valued and human. But it should be noted that despite these efforts – to have access to education and public spaces – inequalities in the treatment of children still persist. According to the children and youth consulted, ***"the system of education and supervision of children is discriminatory; it divides children and does not guarantee the ideal of living, growing up and managing together sustainably"***.



***Une fille en train de faire de la mécanique***

At the community level, the consideration given to non-discrimination is still struggling to advance because cultural constraints segregate between boys and girls in accessing certain rights. For example, in education, boys are more privileged than girls. When it comes to child protection, girls still suffer from a lot of inequalities and harmful cultural practices.

Also, despite the progress observed in applying this principle, there are still significant shortcomings that we observe in some communities which hesitate to invest in the education and professional integration of girls because they are considered to be unproductive. Given the socio-political situation in many countries, children do not have the same opportunities depending on the ethnic, religious and political affiliation of their family or their home community. Due poverty, some children are not lucky enough to go to school while others including those affected by disabilities, cannot have access to some schools.

## The best interest of the child:

This aspect of the principles has been one of the most misunderstood by first responders<sup>4</sup> who worked to promote and protect the rights of the child in Africa. Its determination, its definition, and its scope have posed a problem for decades among community and also institutional actors.

For example, during the consultation, the children and youth of Togo expressed the hope that the concept of the “best interest of the child” could be well defined, and its scope and extent well determined and clarified during the revision of the Children’s Code.

Many children are confronted with the misunderstanding of this principle due to the relativity of the principle which is most often interpreted negatively against children. The children are worried over what adults call the ‘best interests of the child’ even though some agree that the failure stems from the inability of the “pioneers” of children’s rights in Africa to relate the needs of the child to the normative and pre-established thoughts of adults.

In fact, the best interest principle is interpreted differently depending on the interests of adults.

Certain harmful traditional practices are tolerated and even valued in the name of the best interests of children, which is also determined by the superior concept of the family or the community, according to the social representations of the place and role of the child as a member of the family and/or of its ethnic, territorial or religious community.

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<sup>4</sup>The first responders are the “pioneers” of the rights of the child in Africa

Institutional actors (governmental or non-governmental, national and international services) themselves can also make value judgments on children and their situation, and indiscriminately apply normative frameworks that can induce biases in determining the best interest of such and such a child in such and such a context. Through several activities aimed at decision-makers and operational actors, the AMWCY insists on the effective consideration of the best interests of the child in political processes and in the operational approaches of international organizations and those of major national civil society organizations for the rights of the child.

## The Best Interest of the Child (BIC)



## Life, survival and development

For the AMWCY (and reaffirmed by the children and youth consulted in the different countries), it emerges that ***“all children have the right to be born and grow up in enabling conditions”***. Hence, children and youth initially recognized the efforts of governments. According to them, the States have implemented several measures to help and support children in their development process by building public schools so that all children can learn and develop in the best conditions. They also noted that governments promote the health care of children by building hospitals, health centers, running caesarean and childbirth sections in hospitals, and fight against childhood diseases, etc.

However, the children and youth consulted also identified obstacles that blur the effective consideration of the principle of life, survival and development as stipulated by the ACRWC. They believe that ***"despite all the efforts made, there are shortcomings that prevent children from enjoying their right to life including, insufficient hospitals which culminate in the loss of lives of the mother or the newborn in remote areas. Food, as an indisputable factor for the survival and development of children has not been provided by the state for all children, especially those in poor regions"***.

By adopting the approach based on the rights of the child as an intervention approach, the AMWCY, like other children's and youth organizations, ensures the application of the general principles of the rights of the child as stipulated in the ACRWC. Whether these principles concern children or actors of children's rights, they must be considered in the process of implementing the activities of the ACRWC. Water is not treated in rural areas, and children cannot find clean water to drink. This causes illnesses among children. The condition of detention of children is harmful to their life and development.

## Big progress and significant shortcomings

The analysis of progress made and significant shortcomings is drawn from the 12 rights on which the AMWCY and its affiliated national associations are working. The analysis also addresses other areas of the rights that are attributed to children.

### a. National legal frameworks for the rights of the child

Many African countries are committed to the African Charter on the Rights and Welfare of the Child and have subscribed to it by ratifying the CRC. This has inspired these countries to harmonize their national legislations with the relevant provisions of the ACRWC. Whereas most countries have made an effort to incorporate the provisions of the ACRWC into national laws, while some of them have adopted specific laws on child protection, others have not only adopted child codes which include provisions on the various rights of the child, but have also adopted institutions and procedures that accompany their implementation and monitoring. Yet still in other countries, provisions concerning the rights and protection of children do not exist in a single legal document but are incorporated into various laws. These legal frameworks have helped in bringing about reforms that established institutional frameworks consistent with the objectives of promoting and protecting the rights of the child. The consultations with children and youth have revealed that legal frameworks do exist, but the problem lies in the failure to apply the provisions that they contain. This is due to the lack of training on the part of State agents that are responsible to apply them as well as the lack of knowledge of the rights of the child by many people especially in rural areas. Further to that, is the low allocation of resources to state institutions and services responsible for child protection.

Through their movements like the AMWCY, children and youth have contributed in bringing about legislative reforms and producing policy documents on the child both at the national and regional levels. The advocacy actions undertaken by children and youth have helped to engage national and regional decision-makers on adapted legal and policy frameworks, and on the pledges they have made by ratifying the various instruments of the rights of the child.

## b. Assessment of the implementation of the 12 rights in line with the AMWCY approach

### 1) The right to a training in order to learn a trade

The right to training in order to learn a trade is a recognized right of children by the ACRWC (article 11 of the ACRWC stipulates the right to education, which must prepare the child for an active life and in line with the cultural values of its community". Even though the ACRWC does not contain specific provisions on vocational training, it is a component of the right to education. It can be linked to paragraph 3 of article 11 of the ACRWC which makes it possible to: ***"encourage the development of secondary education in different forms and make it progressively free and accessible to all."***

This gap is filled by the 12 rights of the AMWCY, and therefore constitutes an added value. It expresses a pragmatic aspiration of working children and youth in relation with their daily life. It should be noted that the right to training in order to learn a trade is contained in most national legislations and in policies that promote employment. But consultations with children and youth revealed that ***"this right is not accessible to all children and youth. Those who live in rural areas often do not have access to training opportunities and channels that improve their choices and needs"***.



## 2) The right to stay in the village (not to « go away»)

The right to remain in the village is linked to the right of the child to remain with his family and to be separated from them only in the best interest of the child as stipulated by article 4 of the ACRWC. The child must stay with his parents in order to benefit from their assistance (article 20 of the ACRWC), education (article 11 of the ACRWC) and protection for which they are responsible. Unfortunately, many children do not live and grow up with their parents due to poverty on the part of their parents, and the failure of some parents to care for their children. Children who have lost one or both parents (orphans) do not benefit from appropriate alternative care. They are often left on their own and consequently exposed to high risks of abuse and exploitation.



Dessin: Omar Tony

## 3) The right to safely conduct our activities

Children have the right to protection against attacks on their physical integrity. This right is recognized by Article 16 of the ACRWC which protects them against abuse and ill-treatment. In addition, the ACRWC prohibits the exploitation of children as stipulated in Articles 16, 22, 29: protection of children against ill-treatment and sexual exploitation; in the event of armed conflict; against abduction, sale or trafficking of children and exploiting children as beggars. Whether in educational and training activities, the safety of children and youth must be ensured. Although this is enshrined in national laws, children and youth – being the most vulnerable – are highly exposed to violence and abuse which jeopardize their right to safety and protection. Corporal punishment is still practiced in schools and training centers. In places where children and youth are active, they face threats to their safety. Children on the move are often victims of racketeering and all kinds of violence without consideration to their rights to safety and protection. UNICEF's 2018 annual report for the West and Central Africa region indicates that 115,000 children were victims of all kinds of violence.

### **A true story from Nigeria**

A 14 year old boy who stays with his uncle at Aradagun in Badagry Lagos was systematically subjected to several forms of physical abuse such as flogging, and slapping by his uncle, his teacher and his master for minor and major offenses. He is also subjected to work as a maid and therefore goes late to school for which he was also. His uncle also flogged him for returning home late. He has also enrolled in a local skills training center where he learns to make barbed wires, and whenever he fails to get there after 6 p.m. he is scolded and beaten by his master for being late. The AWCY of Badagry is following up on the case.

- A story from Nigeria

In the opinion of children and youths, "The cultural beliefs of our societies are still practiced: FGM, whipping for errors, children are whipped in order to learn and beg. The laws exist against begging, but are not enforced as well as those against rape on little girls while the community remains silent. The police often perform their job; some doctors remain unprepared to treat patients. The laws are not enforced while civil society also fails to act effectively."

#### 4) The right to light and limited work

Article 15 of the ACRWC stipulates the right to light and limited work which protects the child from all forms of economic exploitation and from undertaking jobs which are dangerous or risky and thereby jeopardizing the child's health, physical, mental, spiritual, moral and social development. Articles 16, 22 and 29 of the ACRWC prohibit the exploitation of children. It is within this framework that states have taken measures to set minimum ages for employment and to prohibit the worst forms of child labor. But in practice, the monitoring of the application of these measures is lacking. Thousands of children in many countries are forced to undertake hazardous work such as illegal mining for gold, transporting gravel, digging sand, crushing rocks, and hard work on plantations. This hazardous work compromises the rights of children to life, education, health and safety. All of these are recognized by the ACRWC. The latest ILO global child labor estimates indicate that Africa has the highest number of child laborers: 59 million children between the ages of 5 and 17 are involved in hazardous work.

The children consulted (during the children's forum in Niger) established that **"many African children in member countries continue to work in difficult conditions regardless of their rights to education and the guarantee for a flourishing life. The problems posed by child labor are many and serious. The sectors that mobilize children as workers in different countries in Africa are: hawking in big cities; agriculture, animal husbandry and fishing. These sectors are notorious for their transmittable nature: from father to son and their close links with family education"**. In recent years, children have increasingly been engaged in the mining and domestic sectors, while child labor as baggage carriers is expanding in the transport sector.

The children claim that **"Parents abandon children in the hands of marabouts (Islamic spiritual guides) who force them into the streets to beg...they do not pay working children...there are laws regulating workers' remuneration, but they are not respected and the state is not doing anything"**.

*Teenage girls protect themselves by serving as sex partners of male commanders of armed groups. Others work in restaurants, or work as household maids for armed groups. Some live as sex slaves for armed groups. They are raped. They cannot flee or else they expose their families to reprisals.*

**A true story from the Central African Republic.**

## 5) The right to a sick leave

The right to a sick leave is linked to the right to the protection of children against the worst forms of child labor (hazardous work). Article 15 paragraph 2.b commits state parties to adopt appropriate laws regarding working hours and conditions of employment. These measures are generally contained in the texts, but they are not applied. Thousands of children are engaged in hazardous work but are not entitled to a leave or period of rest. During the various national workshops, the children discussed the right to sick leave for child domestic workers and apprentices. They also lashed out against employers who force sick children to report for work. Self-employed children complain that the situation is getting worse because they cannot stop working even when they are sick due to **"lack of means"**.

## 6) The right to be respected

The right to be respected stems from the recognition of the child as a subject of rights and the consideration that this status confers on him or her. By reaffirming the rights attributed to children by the CRC, the ACRWC acknowledges the child as a holder of rights and therefore deserves that his rights be respected and his or her need for protection should be recognized and guaranteed by all. Further to that, article 10 of the ACRWC calls for the right to protection of private life, protection against any form of interference and damage to his or her honor or reputation. The law guarantees the child the right to protection against such interferences or attacks. This recognition of the status of the child as subject of rights, is confronted by social norms in African communities. In practice, they still resist granting this place to the child despite the laws and awareness-raising activities carried out by the actors.

The consultations with children and youth reveal that **"it is taking time for children's rights to be integrated into practices and behaviors in grassroots communities. Although there is some progress, there is still much to be done."** Respect for the child as a person which derives from his legal status as a "subject of rights" **is at odds with the traditional perception of the child in African communities which perceive the child as "an individual, a mini person"**.

## 7) The right to be listened to

The right to be listened to is guaranteed by article 7 of the ACRWC which stipulates that **"Any child who is able to communicate will be guaranteed the right to express his or her opinion freely on any issue and to make his or her opinion known in keeping with the law"**. A mixed reaction emerges from the various consultations with children and youth concerning children's participation. They believe that: **"some of those who support children's participation tend to do so in line with their interest"**.

The children and youth noted that children do not participate in decision-making spaces; children do not express themselves on their own, and even when they do, they do so in the words of the adults accompanying them; that children are neither integrated into the cultural decision-making systems nor at the state level; that decisions are imposed on children; that dialogue is not open between children and adults, children are not considered in decision-making, etc.

Furthermore, the children and youth pointed out that: ***"We do not have a voice in the family; we are not invited to the meeting of adults, and the authorities do not consult us when designing programs that concern us. We still bear the cultural weight of our communities including forced marriages, placement in training and/ or selection of schools"***.

### 8) The right to enjoy oneself and to play

The right to have fun and to play is a fundamental right for children. Respecting this right helps to develop the capacity and potentials of children. It is reaffirmed by article 12 of the ACRWC which recognizes the right of the child to rest and leisure; the right to play games and partake in recreational activities appropriate to the child's age, and to participate freely in cultural and artistic life. The right of the child to have fun and play is recognized in most national laws on child rights and child protection; but the lack of appropriate infrastructure allowing children to fully enjoy this right in many African countries, means that this right is not respected. Many primary schools do not have the infrastructure that allows children to have fun, play and thrive.



### 9) The right to health care

The right to health care is enshrined in article 14 of the ACRWC which stipulates that every child has the right to enjoy its physical, mental and spiritual health in the best way possible. This right implies that governments fulfill certain obligations such as reducing the rate of prenatal and infant mortality, providing the necessary medical assistance and health care to all children; provision of adequate food and potable water; fighting against diseases and malnutrition within the framework of primary health care, etc.

In spite of the significant investments made in the health care sector, thousands of households face geographical and financial constraints in accessing resources that will enable children to enjoy health as much as possible. This state of affairs is illustrated by the annual UNICEF report for West and Central Africa, stating that ***“Between 1990 and 2015, the mortality rate of children under five in the two regions has halved, but we are still far from being able to guarantee the life of every child. Under-five mortality rate ranges from 17 per 1,000 live births in Cape Verde to 123 per 1,000 live births in Chad. In 2017, 1.7 million children under the age of five died in the region, representing one third of child deaths worldwide. Most of these deaths were due to vaccine-preventable diseases, but also to malaria, respiratory infections and even diarrhea”***.<sup>6</sup>

Concerning HIV/AIDS, the West and Central Africa regions account for the highest number of children and adolescents living with HIV, after East Africa and southern Africa<sup>7</sup>. In West and Central Africa, access to safe drinking water is uneven and subject to disparities. An estimated 181 million people, or 38 percent of the region's population do not have access to potable water. Access is much lower in rural areas where 54 percent of the population do not have access to potable water compared to 18 percent in urban areas.

This data is corroborated by the experiences recounted by children and youth during consultation workshops. They noted that there are ***“difficulties in accessing basic health care, potable water for all, and sanitation facilities especially for those living in areas where households experience growing poverty.”*** For children and youth, the big problem lies in the low investment of the State and the insufficient involvement of the communities in ensuring good health for children.

## 10) The right to express and organize oneself

The right to express and organize oneself is contained in Articles 7 (freedom of expression) and 8 (freedom of association). Laws on children's rights in African countries recognize the right of children to express and organize themselves in keeping with national regulations in the domain.

But, in practice, the implementation of this right runs against social norms which do not give the child enough place he or she deserves in the decision-making spheres in their communities. The children and youth consulted, believe that in the cultural context of many African countries, grassroots organizations are perceived as spaces of rebellion against the established order.

<sup>6</sup>Rapport annuel 2018, situation des enfants, Afrique de l'ouest et du centre – Unicef.

<sup>7</sup>Ibid.

Hence, some associations have had difficulties to receive official recognition in some countries while others were forced to change their nomenclature as a condition for receiving official recognition. Anyhow, the lesson learned is that the implementation of this right is intrinsically linked to the situation, and to the social standards of each country. There is much still to be done. However, the work of child rights organizations in recent years has helped to change the situation of children's rights in certain contexts.



Group discussion with traditional chiefs

Indeed, some governments and adult civil society organizations defend themselves on certain issues by invoking the experiences obtained during consultation of children and youth. These consultations are frameworks for children's freedom of thought, opinion and expression. For example, children confessed that they were consulted and involved in the process of combating harmful traditional practices which enabled traditional and religious leaders to speak out publicly. Thus, they expressed their views and feelings on the various harmful traditional practices in their countries.

In a child-to-child approach, the children and youth are very present on the ground, engaging in dialogue with local and community authorities, in lashing out against cases of abuse or violation of children's rights, and in monitoring cases of abuse that were reported to the authorities.

## 11) The right to learn to read and write

The right to learn to read and write is linked to the fundamental right of the child to education. Education is crucial in the integral development of the child and his or her fulfillment. This right is enshrined in Article 11 which commits the State Parties to do everything in their power to make basic education free and compulsory. From the consultations with the children and youth, they revealed that African governments were making efforts to improve access to education for children in Africa. However, the problem is about keeping children in school and the lack of access to education for certain categories of children such as girls and children from poor or rural families where schools are located far away from the communities..



*In Bandoro, a locality in Central Africa, the children have reported that in Grade 1, only 5 of the pupils are girls out 30, and that the number of girls reduces in the upper grades*

*A true story from Central Africa*

According to UNICEF's annual report of West and Central Africa, ***"In the region, the gross enrollment rate in pre-primary education is on average 33% and the completion rates of primary and secondary education and lower secondary education are 68% and 42%, respectively, with strong disparities. An estimated 41 million children are out of school, nearly half of them in Nigeria (16.3 million) and in the Democratic Republic of the Congo (3.1 million). In countries like Liberia, Niger and Burkina Faso, more than half of school-age children are out of school».***



Furthermore, in spite of the significant progress made in recent years, enormous challenges still persist in ensuring the effective coverage of educational services. The quality of education is also a serious concern. Considerable efforts should also be made to systematically integrate the needs of children with special needs into the educational system which the traditional educational system does not provide. The quality of education is also a serious concern. Considerable efforts should also be made to systematically integrate the needs of children with special needs into the educational system which the traditional educational system does not provide. For children and youth: ***"The system of education and supervision of children is discriminatory; it divides children and does not guarantee the right of living, growing up and managing together sustainably ».*** Further to that, the children and youth also noted that several issues blur the enjoyment of their right to education including: the recurrent strikes in the educational system of many countries, the inability of parents to monitor their children's education, and the fact that the school is not a model of success that is clearly perceived by children who do not also see their elders succeed in school. This, as well as the disturbances in families culminating in divorces, conflicts, death of parents, etc. do not motivate the children. All of these situations have serious consequences on the performances of children in school and hence, the cause of children dropping out of school.

## 12) The right to appeal, and fair justice in case of problems

The right of the child to an appeal and to fair justice in the event of problems is enshrined in Article 17 of the ACRWC which deals with the administration of juvenile justice. The provisions of this article lay down the principles of the treatment of the child with humanity when he is in conflict with the justice system. Such treatment must be respectful of his rights and his dignity, and should give consideration to specific and adapted procedures.

But from the experiences of children and youth, this right is not assured. Children living in situations of extreme vulnerability are systematically denied of their rights when - in the implementation of their survival strategies - they are in conflict with the law: ***"These are children who for the most part have not committed acts that are against the law, but who are often obliged to face punishments. Some are sent to juvenile jails while others are imprisoned with adults "***

Children on the move often experience violence and racketeering in the hands agents who are supposed to protect them. It is often impossible for these children to resort to justice in order to restore their rights. The procedures often used when the rights of the child are violated are rarely effective. The rights of children in prisons are also baffled. The real cause of this phenomenon is the lack of access to education, supervision and training mostly of parents in poor countries. According to the children consulted, "many children live in the streets and are susceptible to delinquency, robbery, etc. and subsequently end up in prison. In some countries like Ivory Coast, the children in conflict with the law are called "enfants microbes" or "germ children"<sup>8</sup>. These children need support to get out of this situation which often pushes them to indulge in acts of delinquency. Many of them are often forgotten in detention centers in different countries. The children who were consulted also believe that **"these children have a potential like all others"**. In order to remedy the situation, the children suggest that **"it would be necessary to create a living conditions that can change their perception of life. We must set up training and re-education centers that would enable those who are in prison to learn skills that would be rewarding to them when they are released from jail"**.

Testimony AWCY Liberia -

*In our community, a child stole a camera and he was sentenced to five months in jail at the end of his trial. Having learned of this, our grassroots group invited us to go and see the person in charge of the protection of the children in order to plead for the release of our colleague. We requested that he should be released and work in order to pay for the camera or the fine imposed on him since there was no one to assist him. After questioning him, we understood that he stole the camera in order to buy something. But he explained further that his intention for stealing the camera was to enable to pay his school fees and pursue studies in order to become somebody in the future. Indeed, we pleaded for him and the authorities released him. After his release we tried to enroll him in a public school where he is now studying.*

Africa Children's Forum (ACF)  
Report, September 2018

## C- Other rights issues or specific situations

### ➔ Birth registration

Registration of the child at birth gives the child the right to an identity (name and nationality). The registration of children is enshrined in Article 6 paragraph 2 of the ACRWC. Any child who is born must be registered immediately in order to be recognized by his country, establish a nationality and obtain other identification documents. In Africa, governments with the support of their technical and financial partners have made a lot of efforts over the last ten years to improve birth registration.

<sup>8</sup>Rapport Forum Enfant d'Afrique, Niamey, Niger, Septembre 2018.

These efforts include strengthening political commitment, transforming civil registration services, and mobilizing communities to use the services. Relevant strategies have been put in place to facilitate birth registration through health service delivery platforms, such as immunization which benefit from more comprehensive coverage and reach.

Birth registration has been put on the agenda of some countries and thereby signaling a reaffirmed political will to take the issue forward. Despite these efforts, it remains difficult to give all children a legal identity, with millions of births going unrecorded every year. If the current demographic trends continue, the number of unregistered children is expected to reach 78 million by 2030. Less than half of children are registered before they turn five, and only 43% of infants have their births registered in their first year of life<sup>9</sup>.

These findings are confirmed by children and youth saying: "Many children remain undeclared by parents while some of them were born in the absence of their father, the state did not facilitate the declaration procedure". The children consulted explain that in certain social contexts, culture remained an obstacle to the registration of children at birth, arguing that: *"the declaration of births is an important aspect but, has not worked well because it is linked to our culture. Parents consider baptism as birth and that is when everyone knows that a child is born. We do not think about documents"*.

Through their various movements, children and youth invest and participate in attaining the objective of systematically registering all children at birth. The children and youth attain this objective through awareness raising on the right to identity and through their participation in grassroots projects to enable unregistered children and youths to benefit from supplementary judgments which enable unregistered children to obtain birth certificates.

### ➔ Harmful traditional practices: child marriage and female genital mutilation (FGM)

The children who are victims of it suffer physical and psychological consequences as well as a breakdown in their educational process. Despite the sensitization of various child protection actors, West and Central Africa still has some of the highest child marriage rates in the world.



<sup>9</sup>Annual report 2018, situation of children, West and Central Africa – Unicef

In this region, 42% of women are married before the age of 18 (which means 4 out of 10 girls and young women, or nearly 60 million people).

However, these figures conceal significant disparities between countries, and even within the same country. Child marriage and the education of girls are linked in various and complex ways. Child marriage can be a cause or a consequence of dropping out of school<sup>10</sup>. According to the analysis of children at the Niamey Children's Forum in 2018 on child marriage, "... child marriage is taking on worrying proportions with multiple and varied consequences. The participants maintained that this practice is explained by the precarious economic situation of parents, their low level of education and the social environment in which they find themselves. It is therefore important that urgent actions be taken to enable children to live a fulfilling childhood."

Female genital mutilation is a harmful practice for the girl child, but is still present in many communities in sub-Saharan Africa. The children consulted in Guinea said: *"FGM is embedded in the communities that practice it, and parents think that it is a way of reducing frivolity among girls. For them, it is a means of education or at least it is a practice that is maintained to respect the tradition. Some girls are circumcised because they do not want to be marginalized (rejected)"*.

#### A true story

*In Covè, a town in Benin, a girl named Ella. Coming from a poor family, she is forced to engage in small businesses to meet her needs. At the age of 13, her daddy gave her in marriage to a well-off man. The dad having taken a dowry never seen before according to him was very happy. The girl once married was abused because the man is 48 years old different from the child. The WCYs having heard the news intervened by moralizing the parents and the husband was locked up. NB: children are not commodities, they are humans like all beings and deserve to be respected.*

*Reported by the children and young people of Benin during the workshop to prepare the report on the implementation of the CRC*

### Children on the move

Many regions in Africa have long been accustomed to free movements of people and as such, the phenomenon of migration is not seen there as a problem. Migration is deeply embedded in people's way of life.



<sup>10</sup> Les normes de genre, le mariage des enfants et la scolarisation des filles en Afrique de l'ouest et du Centre, Save the children, 2019

Traditional models of mobility reflect strong social perceptions such as the belief that moving to other places is an opportunity and that mobility is an important stage in life for many people II. This is true for adults as well as for children and youth. The mobility of children and youth is deeply embedded in the minds of this sector of the population whose assumption is that other places have more opportunities than there are at home.

However, it should be noted that beyond the positive effects that the mobility of children and youth can have for them, they face significant risks and vulnerable situations during their migratory journeys. They suffer from various kinds of violations of their fundamental rights (violence, abuse, exploitation), and would not access basic social services (health, education, vocational training). This observation is corroborated by the analysis of the experiences lived by children and youth. They feel that **"... the harsh living conditions are supplanted by the desire to be successful. It has also emerged that mobility/migration is a phenomenon that sustains livelihoods: the person concerned himself; the family which has invested and is awaiting the benefits; the community which nourishes the hope of benefiting one day from the migrant, and the various workers in contact with migrants (transporters, landlords, road and border police, various vendors / traders), etc. Mobility is also a solution for children and the communities who practice it. The novelty is that this same mobility seems to be seen as a solution for the African authorities who no longer have the means and the capacity to offer these young people an answer, an occupation and a future"**.

The approaches and devices (those developed by the AMWCY and other institutions) which help to provide adapted responses to the needs of children and youth on the move, are still limited in scope and do not reach all of the children and youth on the move. The security crises as well as the conflicts raging in certain regions of Africa do not facilitate the protection of children and youth on the move and thereby hinder the attainment of the objectives of their migration projects. Except very few countries, many of them have not yet integrated the protection of children on the move into their national legislation.

#### A true story

*AB, is a Senegalese man aged 27, and whose ambition is to get to Sweden. I have once lived in Sweden, but I was deported home, and I still want to go back there. I have seen a lot of people die on the way to Europe but there is nothing we can do, we have no possibility or choice. I know that a lot of people will die on the road as we all know. But we will try anyway. We try to invent a future for ourselves since there is no hope for us in the country; everything is tight! You wake up in the morning, you wash yourself, you brush your teeth, you sit down, and you look at people. Why so? Because no one cares whether you are a graduate or not, and so the European mirage pushes us towards adventure. In this region of the world, two-thirds of the population is under 25 and jobless, without a future. These young people have little to lose. There are between 150 to 200 migrants here living on 5kg of rice without meat or fish and which is not enough for us. This is the book I had when I was at school in Sweden...I miss my friends, I miss everything. I want to be a great person. But before leaving (for abroad) you need money to pay to cross. We spent a lot of money to get to Agadez (Niger) while some were robbed. So we had to stay close to our phone here in Agadez to receive a call from a family member to transfer money to us.*

*- Africa Children's Forum (ACF)  
Report, September 2018*

Mobility/migration always induces the search for a better life. It is therefore justified by:

- The lack of opportunity, absence of work and training that is needed to meet the expectations of youth;
- The desire to change an environment, to discover other things, to pursue activities far from the eyes of acquaintances and to flee discouraging realities.

From the children's perspective, mobility/migration has never been a problem but rather, that it is caused by the failure of state and community leaders to integrate the well-being of children on the move in education, training, job opportunities, development, leisure, humanism. There is the general impression that the authorities cannot stop the phenomenon because it mainly concerns youths since the latter are permanently and vainly in search of jobs. Moving away from their homes therefore gives them the hope of engaging in an upward social mobility. Mobility therefore requires different forms of support or actions that can prevent youth from finding themselves in appalling situations compared to their initial status.

## **D- Major and persistent challenges**

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There are a few important challenges that need to be addressed and which deserve attention in order to advance children's rights in Africa. They are:

### ➔ **Popularizing texts on children's issues:**

people's access to information and knowledge about children's rights is crucial, but this still faces some shortcomings. Efforts to fully keep people aware of the rights of the child are not systematic. It is only the activities of CSOs during the commemoration of the International Days on the rights of the child that are helping to popularize the texts on children's issues.

### ➔ **Strengthening community engagement for greater mobilization around children's issues at the grassroots level:**

African communities have always paid particular attention to the protection of their children even though these century-old practices have in many ways been eroded by poverty and the emergence of individualism. African communities must regain their responsibilities as protectors of children by giving them the necessary resources and support they need to fully play their role.

### ➔ **The full and effective participation of children and youth as actors of their own protection/protagonists of their rights:**

Although the notion of subject of rights derives from the recognition of the rights of the child, the latter is neither fully considered as a subject of rights nor as an active participant to attain it. The initiatives that promote children's participation are still "manipulative" and do not yet sufficiently materialize the rights and status attributed to children as subjects of rights.

➔ **The involvement of important child and youth organizations in public awareness campaigns at the national and regional level:** This challenge is a corollary of the previous one. Child and youth organizations are not supported and accompanied to enable them to effectively implement their initiatives and fulfil their responsibilities. The initiatives of children's parliaments and children's advisory councils in many countries lasted only for the duration of the projects that implemented them. In the countries where these initiatives still exist, the State is not investing sufficient means to enable them to be fully functional.

*In Owode, a town in Benin, a father tied up, beat and locked up his son in the room for hours. The neighbors intervened in vain. Finally, thanks to the intervention of the WCYs, the village chief informed the gendarmerie. Upon their arrival, they broke the door open in the absence of the father and freed the child. And upon the father's return, he was arrested and imprisoned for months.*

*Reported by the children and youth of Benin during a workshop to prepare the report on the implementation of the CRC*

➔ **Significant reduction in violence against children and their exploitation:** Violence still persists in communities, schools and places of training and learning. Violent conflicts in some African countries are affecting the lives, health and dignity of thousands of children (girls and boys). They affect the potential of these children and prevent them from progressing in life.

➔ **Significant budgetary provisions for the attainment of the fundamental rights of children and especially the right to protection against violence, abuse and exploitation:** The sectors responsible for children, and especially those concerning child protection are the "poor parents" of the national budgets of many countries. Budget allocations for child protection are very low and do not support sustainable projects in spite of the fact that adequate resources are indispensable in building effective and sustainable protection systems.

➔ **A relevant and alternative educational offer adapted to children facing special situations such as children and youth on the move:** Children and youth on the move have special educational needs linked to their living conditions and which the traditional educational system cannot meet. The need for an alternative educational offer that is relevant and adapted to the living conditions and realities of children and youth on the move, is imperative to enable them - like all other children - to continue to learn to read, write and train themselves to be able to benefit from the opportunities that are available to them during their migratory journeys.

➔ **Capitalize and generalize proven experiences in protecting children and youth on the move:** Proven and effective approaches that support children and youth on the move still have a limited scope and are not yet systematic. It is important for governments and children rights NGOs to capitalize on these approaches in order to make them more systematic, generalized and capable of improving the protection of children and youth on the move.

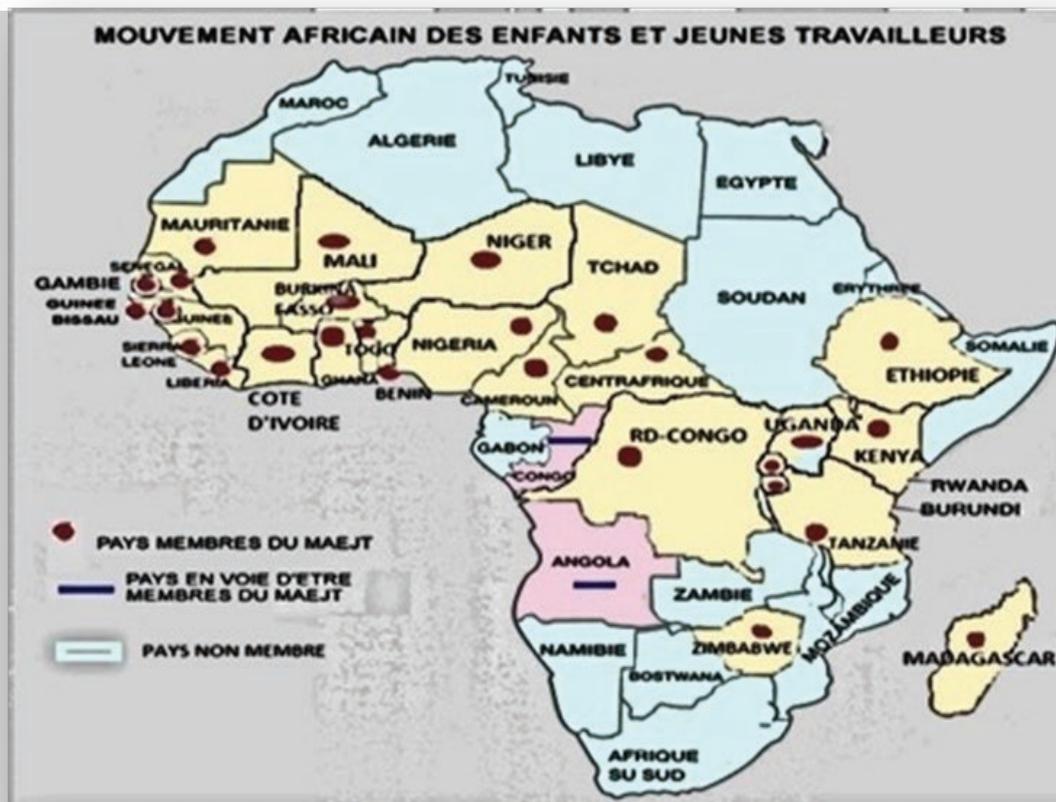
## **Part 2:**

**THE AMWCY'S COMMITMENT TO ENSURE  
THE PARTICIPATION OF AFRICAN CHILDREN  
AND YOUTH IN ATTAINING THEIR  
FUNDAMENTAL RIGHTS**

## I- Presentation of the African Movement of Working Children and Youth (AMWCY)

The African Movement of Working Children and Youth (AMWCY) was created on 27 July 1994. It was set up to promote, defend and ensure respect for the rights of all children. The movement promotes the protection of Working Children and Youth (WCY). It is a well-structured movement with branches at all levels (community, local, national, and international). At the community level, the grassroots groups form the nucleus of the movement.

They are an effective child protection mechanism that serves to awaken communities and relay information. At the local level, there are the Associations of Working Children and Youth (AWCY) which comprise all grassroots groups from the different localities of a given administrative territory. They coordinate the activities of the grassroots groups. At the national level, there is the National Coordination of AWCY (NCAWCY).



It represents the supreme body within a country and ensures the coordination of all the activities of the AMWCY. The AMWCY intervenes at the regional level and it is the supreme body of all the NCAWCY. It coordinates the activities of the NCAWCY. The AMWCY comprises several members and sympathizers from 28 countries in Central, Eastern, Western and Southern Africa. The movement has more than a million members and supporters. Its vision is that "all children in Africa must be born and grow up in good conditions, and must enjoy their rights fully in order to flourish, while helping their communities to develop harmoniously in peace and in an enabling environment".

Since its establishment, the AMWCY has been coached or sponsored by "ENDA Jeu-nesse-Action" or 'ENDA Youth in Action' - an organization whose aim is to improve the living conditions of children.

## II-Vision, mission et valeur du MAEJT

### The AMWCY's vision

is that all children in Africa must be born and grow up in good condition, and must enjoy their rights fully in order to flourish, while helping their communities to develop harmoniously in peace and in an enabling environment

### AMWCY's missions:

1) to inform and train children on their rights and take action to realise them;  
 2) to fight against child poverty and that of their communities;  
 and 3) to contribute to the development of children's participation as well as solidarity and fraternity among them and among all the populations of Africa.

### The values of the AMWCY

- Commitment and motivation
- Listening and respect
- Self-help and individual and group solidarity
- Open-mindedness and adaptation
- The participation of everyone in a spirit of transparency, honesty and
- accountability

AT GRASSROOTS  
LEVEL

AT NATIONAL  
LEVEL

AT REGIONAL  
AND INTERNATIONAL  
LEVEL

### III-From the adoption of the ACRWC to the 12 rights of the AMWCY: Children's Rights Approach at the heart of AM-WCY's commitment

The adoption of the ACRWC on 1 July 1990 marked a decisive turning point for African children due to their recognition as subjects of rights in Africa. This occurred in a specific cultural context wherein the traditional perception of the child denies any pre-rogative to the child, and wherein the implementation of the rights of the child runs contrary to established norms. The first initiatives on the continent to promote and protect the rights of the child were led by states and civil society organizations. The emergence of child and youth organizations in this dynamic was hardly noticeable during the first years.

Initiatives by children's parliament in some countries were instigated by financial partners and not by local initiatives led by children and youth. It was not until 1994 that we saw the emergence of the African Movement of Children and Young Workers (AM-WCY): it was an opportunity for them to identify the 12 rights which they planned to defend together and to carry out activities based on a common plan of action. Two years later, WCY delegates took part in the international debate on child labor. Their participation brought the movement to defend its position and ideas in the face of those of the international community.

The AMWCY's working approach is one based on the rights of the child and centered on children and youth. For at least 25 years, the involvement of children and youth in the participatory process has made it possible to improve the living and working conditions of children and WCY in particular, according to statements by WCY. This approach promotes the rehabilitation and protection of children in difficult circumstances. It also makes it possible to approach the adults around them and therefore involve even more people in the protection of the rights of children and youth. Better still, this intervention transforms child victims into actors for the protection of children in difficult circumstances.



**Table N°2: Describing the six points that explain the importance of the AMWCY**

	Usefulness of the AMWCY	Corresponding activities	
1	<p><b>Promoting the rights of the child</b></p>	<ul style="list-style-type: none"> <li>- Support for children's schooling</li> <li>- Literacy of out-of-school children</li> <li>- Popularizing the children's rights to children</li> <li>- Promotion of the principle of children's participation</li> <li>- Organization of healthy leisure activities and sports activities for the benefit of children</li> <li>- Promotion of associative life</li> <li>- Strengthening children's self-protection capacities</li> <li>- Promotion of the education pair</li> <li>- Revelation of children's intrinsic abilities and talents</li> <li>- Promotion of birth registration</li> </ul>	
2	<p><b>Protecting children in difficult situations</b></p>	<ul style="list-style-type: none"> <li>- Identification, listening and guidance for their care</li> <li>- Schooling / literacy of working children</li> <li>- Promotion of networking in favor of the child</li> <li>- Construction of reception centers for children in difficult situations</li> <li>- Promotion of the denunciation of violations of the rights of the child</li> <li>- Strengthening children's expressive capacities</li> <li>- Support for professional training of children</li> <li>- Construction of vocational training centers</li> <li>- Promotion of associative life</li> <li>- Strengthening children's self-protection capacities</li> </ul>	<ul style="list-style-type: none"> <li>- Promoting peer education</li> <li>- Supporting children's integration into the family</li> <li>- Organizing healthy leisure and sporting activities for children</li> <li>- Revealing children's intrinsic abilities and talents</li> <li>- Building children's resilience capacities</li> <li>- Initiating appropriate IGAs</li> <li>- Promoting birth registration</li> <li>- Prevention and fight against alcohol and drug abuse</li> <li>- Collecting data on child rights violation.</li> </ul>

	<b>Usefulness of the AMWCY</b>	<b>Corresponding activities</b>
<b>3</b>	<b>Social mobilization in favor of the child</b>	<ul style="list-style-type: none"> <li>- Popularizing the rights of the child in the community</li> <li>- Raising awareness of families of children in difficult circumstances</li> <li>- Capacity building of communities to protect children</li> <li>- Sensitizing parents on the various violations of children's rights</li> <li>-- Communications for a change of behavior in favor of the child</li> <li>- Advocacy with authorities at the local, administrative and political level for the protection of children</li> </ul>
<b>4</b>	<b>Fight against harmful practices for children</b>	<ul style="list-style-type: none"> <li>- Fight against child marriage</li> <li>- Fight against dangerous jobs by children</li> <li>- Fight against female genital mutilation</li> </ul>
<b>5</b>	<b>Protection of children in a crisis situation</b>	<ul style="list-style-type: none"> <li>- Protective support for migrant children</li> <li>- Protection of children during political, inter-communal and inter-religious conflicts</li> <li>- Protective support for children victims of the loss or displacement of their family during crises</li> </ul>
<b>6</b>	<b>Promotion of girls' rights</b>	<ul style="list-style-type: none"> <li>- Promotion of girls' education</li> <li>- Promoting girls' participation in various activities</li> <li>- Strengthening girls' self-esteem and their ability to express themselves</li> <li>- Strengthening the capacities of girls and women against Gender-Based Violence</li> </ul>
<b>7</b>	<b>Policy Advocacy (Law and Policy Reform) for the Rights of the Child</b>	<ul style="list-style-type: none"> <li>- Days of questioning local authorities</li> <li>- Advocacy visits</li> <li>- Participating in strategic reflections on legislative reforms affecting children</li> <li>- Participating in policy development process for children</li> </ul>

## IV-Children and youth participation and the SDGs: AMWCY's contribution towards the attainment of the SDGs

The AMWCY has integrated the SDGs into its strategies and action plans. The WCY in the various countries have been strengthened to establish the link between the SDGs and the rights of the child.

Through the different approaches and implemented activities, the AMWCY and its affiliated national associations are contributing towards the attainment of several SDGs, and especially SDG 1. This is being done through the support for children and youth to undertake IGAs which helps them to break through the vicious circle of poverty.

The AMWCY and its affiliates are also helping to attain SDG 2 through advocacy at the local level to facilitate access to land in order to undertake IGAs in the agricultural sector, and to attain SDG 3 by paying attention to the health and well-being of its members and the communities to which they belong and live. The Movement is also helping to attain SDG 4 by promoting the educational and vocational training of children and youth by providing literacy courses for grassroots groups, facilitating the cultural mix that promotes learning of languages (English, French, Portuguese, etc.) as well as the donation of school materials to WCY. It is also helping to attain SDG 5 by organizing symposiums for girls (discussion spaces where the image of girls is valued), promoting girls' issues in decision-making bodies. Further to that, the Movement also helps to attain SDG 8 by raising the awareness of WCY on risky, arduous and dangerous work (carrying heavy loads, night work, work-ing for long hours during the day, etc.) and orientation towards decent work. It also helps to attain SDG 13 through active contribution to reforestation campaigns, regular initiation of sanitation actions to make their environment clean and viable for all, and the establishment of a warning system and sensitization of communities to prevent bushfires.

Most importantly also, the Movement is helping to attain SDGs 16 and 17 by advocating for children and youth access to equitable justice and the promotion of dialogue and partnerships for constructive dynamics in a bid to materialize the rights of children.

## V- The AMWCY's influence

### Three levels of outreach namely:

#### It is first and foremost at the grassroots level:

in towns and villages where the AMWCY perform different activities to concretize rights, increase literacy rates, hold negotiations with heads of health structures in order to facilitate access for WCY, questioning authorities on arrests and issuance of membership cards to avoid being arrested, reforestation and birth registration campaigns, animation and recreation for children, reporting cases of abuse, dissuading children from leaving their homes, but also support for children on the move.

In most cases and with a lot of patience, the WCY have succeeded in imposing their existence and even involving parents, traditional and official authorities in their efforts, thereby making them to become their spokespersons.

### At the national level:

it entails disseminating messages on a broader level by successfully engaging the media which is not an easy task. It is also about designing action plans beyond the city, and participating in multiple coalitions with or without government ministries. All this is being done while continuing to do the groundwork in the neighborhoods of the city. This public relation work is done on a much larger scale. Fortunately, the movement has partners and friends at the local level and among NGOs and international organizations who recognize our potential and facilitate our task, in spite of the strong and persistent cultural reluctance.

### At the African and international level:

the AMWCY's interventions are frequent and has over the years been present on the pan-African scene. For instance, in 2011 and 2012, it took part as a "panelist" in the sessions of the Forum of Civil Society Organizations which were held in parallel with the sessions of the Committee of Experts on the Rights of the African Child.

From the process of "A world fit for children" in Africa, then in New York to participate in the African Committee of Experts on the Rights and Welfare of the Child of the African Union wherein the AMWCY has an observer status, to carrying out contacts with ECOWAS, and then to a function on the rights of "street children" at the Human Rights Commission in Geneva. It is clear that the AMWCY is playing its role and is being assisted in doing so by its participating friends.



## **Part 3:**

**SOME KEY ADVOCACY MESSAGES FROM  
THE AMWCY AND PARTNERS INTENDED  
TO IMPROVE THE SITUATION OF  
CHILDREN'S RIGHTS IN AFRICA**

1.

Children and youth without any distinction, have their role to play in building an Africa fit for children. Children and youth organizations must be involved at all levels to play their part in this work.

2.

The full and effective participation of children is a fundamental principle of the rights of the child. We call on the governments of African countries to commit themselves to making the children's right to participation more effective.

3.

Support our families and strengthen our communities for a greater mobilization around grassroots childhood issues. Families, parents, traditional, community, religious, political and civil society leaders can and must be full stakeholders in strategies to combat all forms of violence, exploitation and abuse against children.

4.

The worst forms of child labor and the violence associated with it prevent children from portraying their potential. States must take stronger action to eradicate these worst forms of work.

5.

Children and youth on the move have the right to education in order to develop and thrive. Provide us with alternative educational opportunities that can meet our needs. They will help us to value ourselves, to make the best use of opportunities and to make us responsible future leaders.

6.

Violence in all its forms destroys our dignity and our potential. Ending violence is a development imperative. We call on the authorities to take more concrete political actions to put an end to it.

7.

Child marriage robs the girl child of her childhood as well as her rights to leisure, to education and destroys her development efforts. End child marriage!

8.

To end Female Genital Mutilation (FGM), our communities must be engaged and empowered. Stop this inhuman practice on the girl child with communities and by communities.

9.

Allocating sufficient and adequate budgetary resources is necessary to sustain the efforts in protecting children. Investing in children is to support the socio-economic development of countries. Child and youth-sensitive budgeting promotes the achievement of SDGs, the realisation of the demographic dividend.

10.

An Africa Fit for Children and Youth is possible and achievable with increased participation of children and youth in the process of developing and planning public policies and strategic frameworks. Let's involve children and youth in civil society organizations to help design policies and development strategies!

11.

Registering a child at birth is saving Africa's future. Without birth registration, the Africa of tomorrow will have no identity.

12.

Young girls are not objects. They are not inferior to boys. Gender-based violence must be banned from our communities.

## Conclusion

On the 30th anniversary of the ACRWC, corresponding to the 25th anniversary of the AMWCY, the latter portrayed a strong commitment at the continental and regional levels. That commitment results from a clear identity that is structured around the 12 rights which are perfectly in line with the ACRWC and with the strategic framework of ECOWAS.

The significant results obtained in protecting the rights of the child and support for working youths, have clearly contributed towards implementing the SDGs. However, the area of intervention is enormous just as the challenges as thousands of children still need protection in Africa. But there are major projects concerning the protection of the rights of the child as well as to assist working youths in Africa.

The AMWCY's willingness to engage in participatory approach with the AU in order to implement the activities of the ACRWC must be strengthened. It is important for the AU's Committee on the Rights and Welfare of the Child, to plan in a participatory manner the celebration of the 40th anniversary with the AMWCY, while defining child protection objectives in the short, medium and long terms.



## APPENDICES

**Table n ° 3: Summary of the contribution of AMWCY to the SDGs ([www.maejt.org](http://www.maejt.org) ›maejt-odd)**

**Table n ° 4: Summary table of AMWCY's contributions to the ECOWAS strategic framework**

Objectives	Actions	Targets	Level	Entity in charge
Have a database of actors active on the theme of child protection in Benin	Update the mapping of active actors intervening on the theme of protection.	INGOs involved in child protection	National, Departmental, Communal and community	Ministry of Social Affairs and Micro Finance / DFEA
Mobilize actors at all levels around the ECOWAS strategic framework on child protection	organization of restitution training within child protection committees	State actors, NGOs active in child protection, leaders	National, Departmental, Communal and community	WAN /Educo
Monitor the implementation of the ECOWAS strategic framework in Benin	Establishment of a melting pot on the implementation of the ECOWAS strategic framework	Ministries in charge of and related to child protection	National, Departmental, Communal and community	WAN /Educo/ IOM
Advocate for the translation of the five priorities of the ECOWAS strategic framework into national languages	Solicit the support of consultants, the grassroots population, the State and TFPs	local elected officials, parents and community	Community	CSO, State, FPT, etc,
To end child marriage	Raise awareness of current legislation and promote sexual reproductive health education for adolescents	Parents, children, educators, CSOs	National, Departmental, Communal and community, local, etc.	State, CSO, Youths, etc.
Create focal points for child protection in the main ministries	Advocate for the establishment of focal points at the level of other ministries	Ministries of Trade, Decentralization, Agriculture, Defense,	national	Ministry of family affairs
Create focal points for child protection in the main ministries	Advocate for the establishment of focal points at the level of other ministries	Ministries of Trade, Decentralization, Agriculture, Defense, etc.	national	Ministry of family affairs
Encourage private sector participation and investment in child protection	Advocate in government to encourage investment from private companies	Banks and insurance mobile phone networks, petroleum product marketing company, cement company	national	Ministry of family affaires and trade
Conduct an audit of existing networks of civil society organizations active in the area of child protection, including networks that protect the interests of children on the move	Develop network assessment tools	Network of CSOs	national	Ministry of family affairs
Ensure better implementation of the strategic framework	Advocacy with opinion leaders for the implementation of the strategic framework	Ministries, elected local officials	national, community, communal,	Agents

Objectives	Actions	Targets	Level	Entity in charge
Promote the strategic framework	Organizing mass awareness sessions	Social workers, actors in charge of protection, populations, communities, etc.	national, community, communal,	State
	Training of trainers	Social workers, actors in charge of protection, populations, communities, etc.	national, community, communal,	State
	Organising restitution sessions	Social workers, actors in charge of protection, populations, communities, etc.	national, community, communal,	State
	Film projection, theatres	Population, communities, actors in charge of protection	national, community, communal,	
	Dissemination of the strategic framework	Population, communities, actors in charge of protection	national, community, communal,	State
	Sensitizing religious leaders about the strategic framework	Religious leaders	community	State
Eliminate the worst forms of child labor	take stock of the existing action plan on the worst forms of work in Benin	State; CSOs;	National	Ministry of Labor and Ministry of Social Affairs; CSOs; technical partners
	Harmonize knowledge on the worst forms of child labor	Social agents; CSOs	National	
	Develop a national action plan on the worst forms of work in Benin	State; CSOs;	National	
Bring the State to empower the actors	Reorganize the monitoring committee to implement the NAP	State, agents and CSOs	National	Ministry of Labor and Social Affairs, CSOs, technical partners
Make birth registration free	Simplification of the entire procedure	Population	Court	President of the tribunal
	Reduction of costs associated with issuing birth certificates in court			

Source : MAEJT, Rapport initiative « parole aux enfants et jeunes d'Afrique », juillet 2019, Bénin.



**WE  
have rights**

