



Engaging the African Union

Advocacy for Children without Parental Care in Africa

SOS Children Villages
Eastern and Southern Africa



SOS CHILDREN'S
VILLAGES

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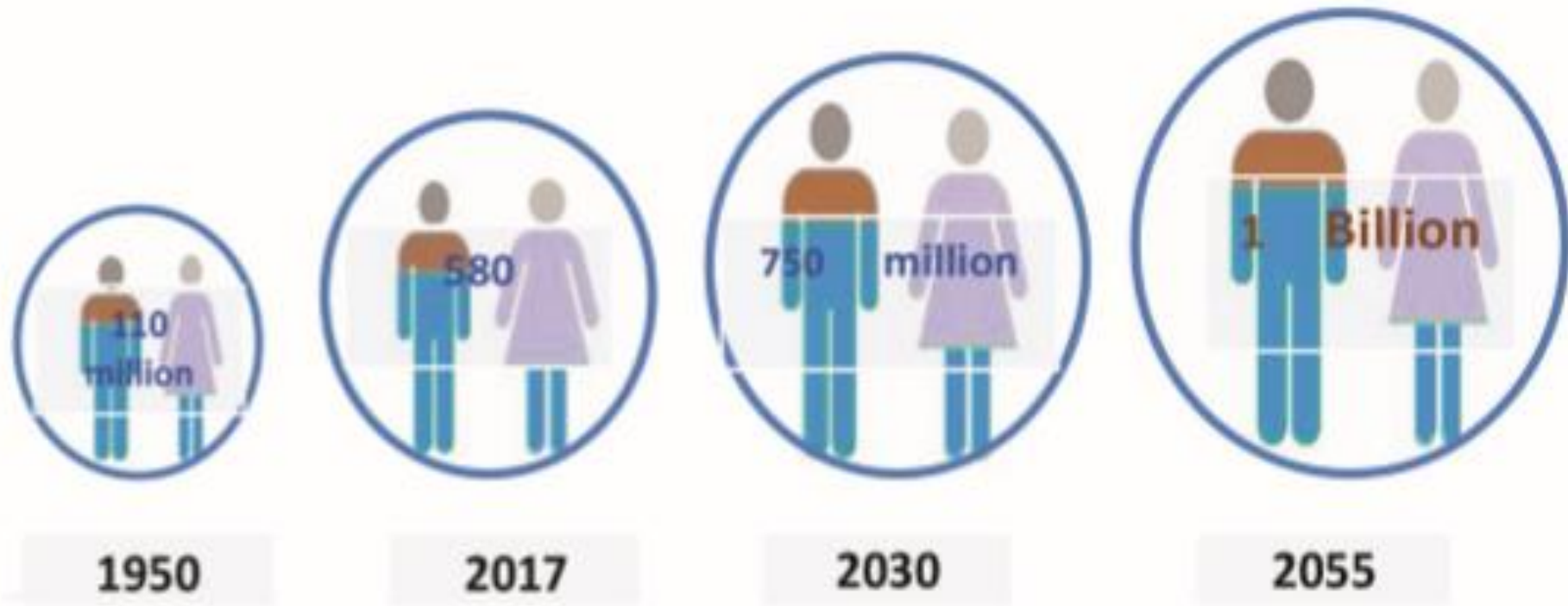
Background: The African Context

- Nearly half of all children in sub-Saharan Africa live in **extreme poverty** (UNICEF - World Bank report)
- Fastest growing population
- More than 40% of the population in sub-Saharan countries is younger than 15 years old
- There are an estimated 52 million children who lost their parents in Africa
 - An Estimated 5.4 million Children are in institutions
 - Children in other forms of care – UNKNOWN
- Home to 90% of the 17m children who have lost one or both parents to HIV/AIDS



Context ...

- **CHILD POPULATION IN AFRICA - Trends**



Sources: Based on data from UN 2018a; UNICEF 2017c.

CONTEXT ...

- **Poor Health Conditions:** Over half of the world's 5.4 million under-five deaths occurred in Africa (UNICEF - 2017). Significant number of children still lack access to basic health services.
- Sub-Saharan Africa has half of the world's maternal, **new-born, and child deaths**. Every year 4.4 million children—including 1.2 million new-borns and 265,000 mothers die in the region.
- **Early childbearing:** About 25% of girls in east and southern Africa gave birth before the age of 18 in 2019 (UNICEF)





- **30 million** primary school-age children are out of school in Africa
- Political **instability, armed conflicts and natural disasters** continue to exacerbate the humanitarian situation
- Recurrent humanitarian situations are undermining the hard-fought development gains of recent years and resulting in **major social and economic setbacks**
- Particularly children without parental care are most likely to experience **rights violations**

Challenges and Gaps

- Multifaceted problems have changed the character and capacity of families and communities to **care** for children
- **Families are weakened** by endemic poverty, deteriorating health situations, lack of education, armed conflict, political instability, natural disasters, financial crisis, and family breakdown
- The vast majority of children without parental care are placed in kinship care
- Inadequate after-care preparation mechanisms for youths
- Shortage of trained and skilled care providers (the social workforce)





- Significant percentage of children can be re-integrated
- Weak government monitoring mechanisms on registration of institutional care providers, admission or reintegration processes
- States' reservations in international/regional treaties
- Limited funding for social protection in most African countries
- **Lack of information and evidence** is the most difficult challenge in Africa.





Care Reforms are Gaining Momentum

- Limitations in implementation of existing laws and regulations
- The number children in informal kinship care is much higher than the number in institutions
- Lack of family and community-based support services to address prevention and other gaps in for e.g. care-planning including record-keeping, and child protection awareness
- Lack of improvement in the conditions at residential care facilities (gaps in accreditation and licensing)
- The development and implementation of gatekeeping mechanisms remain a challenge



Policies and Regulatory Framework

- Some African countries are yet to domesticate treaties properly
- Governments are yet to allocate adequate budget and build regulatory structures towards child protection and provision of quality care
- The African Charter on the Rights and Welfare of the Child (ACRWC) does not adequately address the issue of CWPC
- The African Committee of Experts on the Rights and Welfare of the Child (ACERWC) never prioritised the agenda of children without parental care

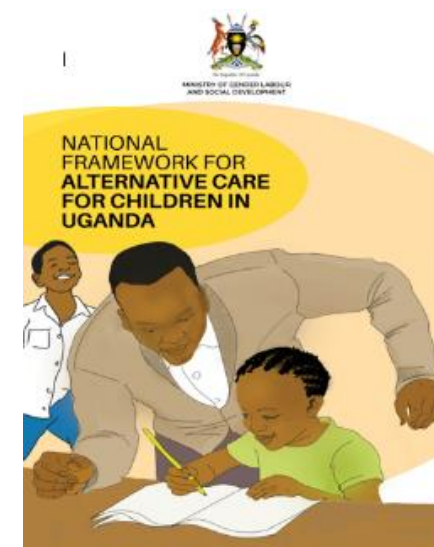
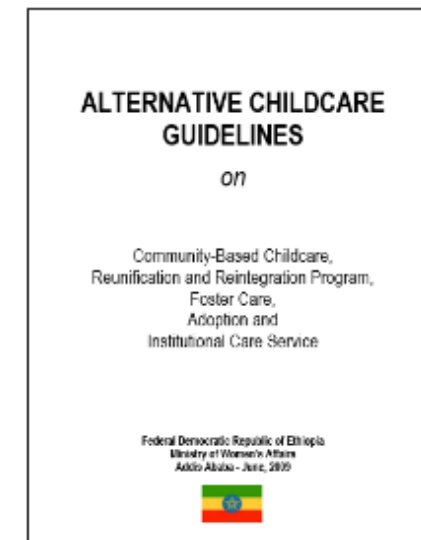
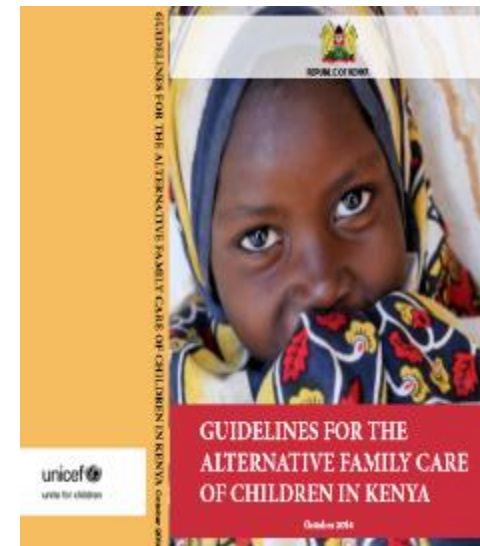


Addressing the challenges/gaps ...

Overall Responses

Governments, civil society organizations and community structures are working on various interventions to address the challenges

- International community and donors are working with local governments to build public sector regulatory capacity to improve governance
- Various poverty eradicating, livelihood, income generating, health and education projects etc. are helping to prevent family-child separation, provide increased access to basic services and safeguard children's wellbeing
- The provision of alternative care services for children without parental care



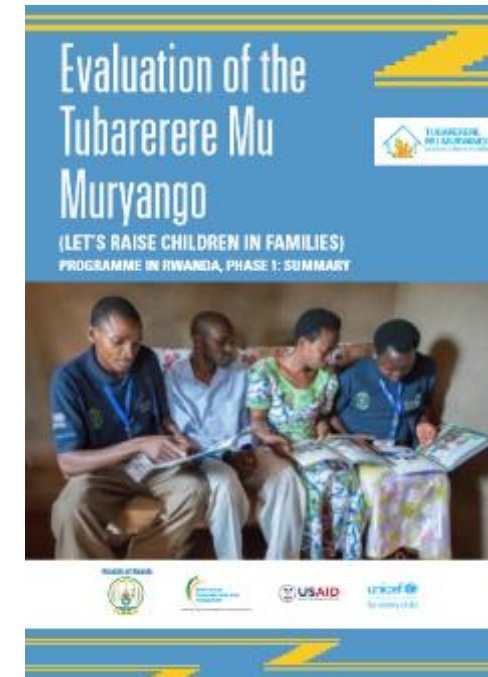
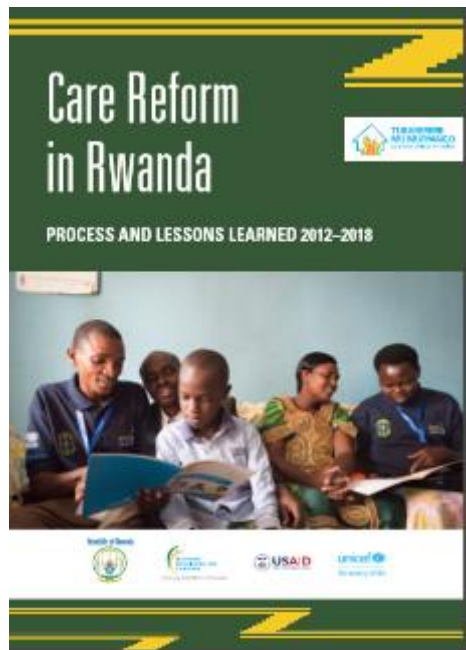
Practices in Africa

- Governments and various child-focused organizations implement different programmes and provide care options

Country	Care Options Recognised
Angola	Adoption, foster care, institutional care, kinship
Botswana	Child welfare institution, foster care, kinship care
Namibia	Places of safety, places of care, early childhood development centres, shelters, children's homes, education and development centres
Zimbabwe	Kinship care, community care, formal foster care, adoption, residential child care facilities
Djibouti	Adoption, kinship care
Eswatini	Residential care, small group homes, informal adoption, foster care
Nigeria	Guardianship, wardship, foster care, adoption, residential care, kinship, kafalah
Somalia	Kinship care, foster care, kafalah, family-like care, institutions



- Donors, governments and partners are collaborating to implement **Child care systems reforms**
- More and more countries are developing/revising policies on child rights and service provisions
- Some countries are using the media to raise awareness and engage in policy dialogues



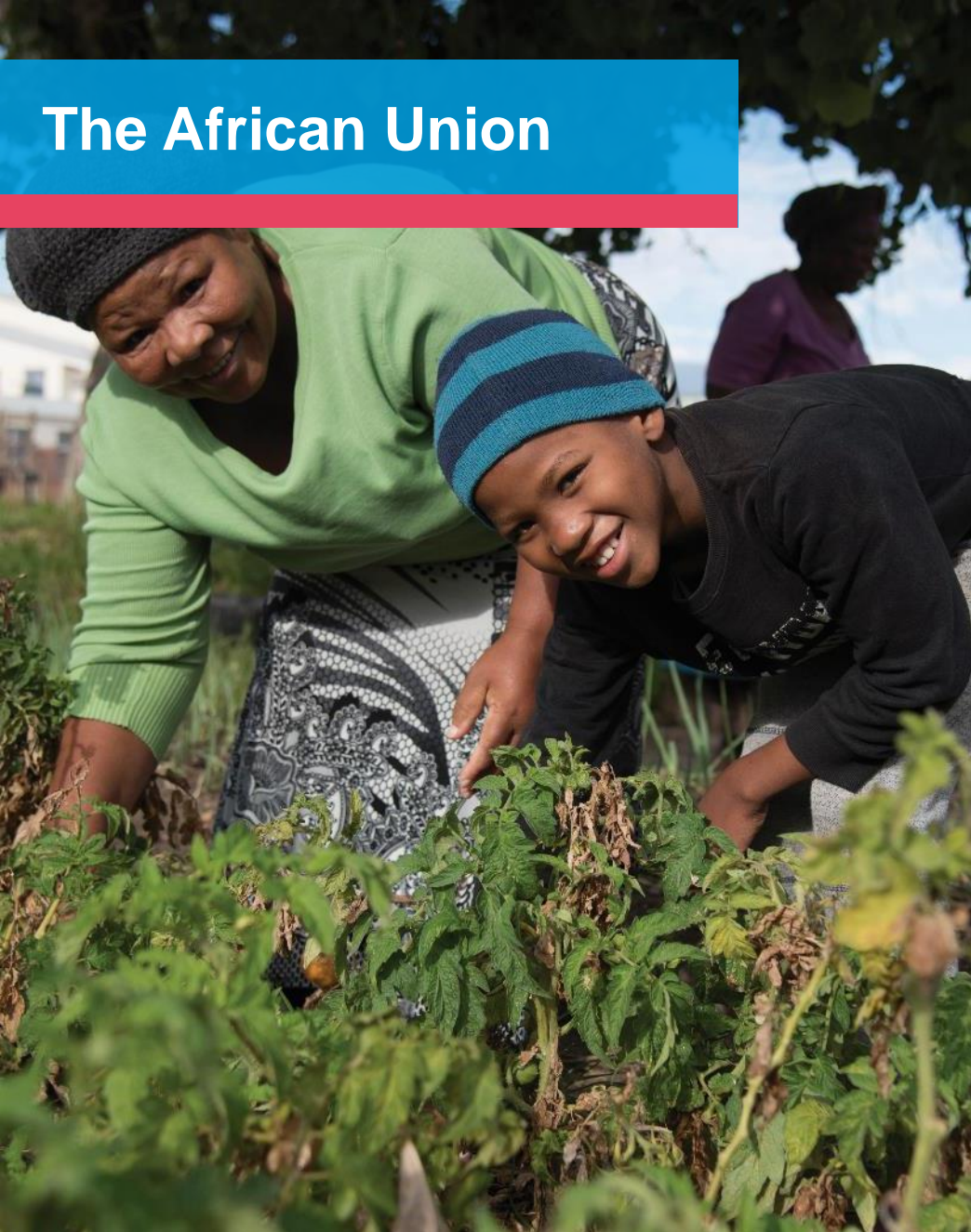
Advocacy Efforts

- The African Charter on the Rights and welfare of the Child (ACRWC)
- African Committee of Experts on the Rights and Welfare of the Child (ACERWC)

Strategic Advocacy Approaches

- Direct Engagement to influence policy and regulatory frameworks
- Evidence-based Advocacy (Research, documentation and learning)
- Strengthen Networking and Coalition Building
- Increased use of media to so support advocacy efforts
- Strengthen advocacy capacity

The African Union



Engagement at the Continental level - AU

- Organisation of African Unity (OAU) (1963-1999) and the African Union (AU) (2002- to present)
- OAU adopted the **African Charter on the Rights and Welfare of the Child (ACRWC)** in Addis Ababa, Ethiopia - July 1990. This Charter
 - Builds on the same basic principles as the UN Convention on the Rights of the Child,
 - Contextualises issues of special importance to Africa
 - Ratified by 50 of the 55 AU member states
 - Established and Mandates the African Committee of Experts on the Rights and Welfare of the Child (ACERWC)



The African Union



- The ACERWC is mandated to (among others):
 - Encourage national and local institutions and make recommendations to governments
 - Collect and document information, commission inter-disciplinary assessment
 - Formulate and lay down principles and rules aimed to protect the rights and welfare of children in Africa
 - Cooperate with other African, international and regional Institutions and organizations
- The committee has 11 members and one is a Special Rapporteur on Parental and Child Responsibilities (including Children Without Parental Care)

Some of the African Policy Frameworks:

- ACRWC
- Agenda 2063
- Agenda 2040 (Fostering an Africa Fit for Children)
- African (Banjul) Charter On Human And Peoples' Rights
- The ACERWC Strategic Plan (2015-2019 – under revision)
- AU Commission Human Rights Strategy for Africa (Department of Political Affairs)
- The African Union's Social Policy Framework for Africa (2008)
- Concluding Observations of the ACERWC to Member States of AU
- The Monitoring and Evaluation Framework to Assess Progress towards Africa Fit for Children (Department of Social Affairs, AU)
- Regional economic communities (ECOWAS, SADC, EAC, IGAD)

... Frameworks

General Comments On ACRWC

- General Comment on Article 30: Children of incarcerated and imprisoned parents and primary caregivers.
- General Comment on Article 6: Name and nationality
- General Comment on Article 31: Responsibilities of the Child
- Joint General Comment on Ending Child Marriage, etc.
- General Comment on Article 1: “State Party Obligations”
- General Comment on Article 22: “Children in situations of Conflict”
- General Comment on Article 1: “State party obligations and systems strengthening for child protection”





Advocacy Engagement with AU

Building Partnership

- In 2019, SOS Children's Villages approached UNICEF and African Child Policy Forum
- At the Committee's 34th Session in Cairo Egypt:
 - SOS CVI raised awareness of CSOs and partners about the UN Resolution on the Rights of the Child (A/C.3/74/L.21/Rev.1)
 - SOS CVI on behalf of partners presented the resolution and the situation of children without parental care in Africa
 - Advocated for continental level response and direction
 - The Committee unanimously agreed to:
 - Conduct a continental study on children without parental care
 - Conduct continental validation workshop
 - General Comment on Children without Parental Care





... Building Partnership

- SOS CVI, UNICEF, ACPF established a technical working group
 - Organized a regional meeting to kick off process
 - Hon. Justice, Maria Mopani Kawimbe, Special Rapporteur on Parental and Child Responsibilities,
 - **H.E. Catherine Muigai Mwangi**, Kenyan Ambassador to Ethiopia and Permanent Representative to the Africa Union and UNECA , experts and practitioners
 - Reviewed the ToR for the continental study on CWPC
 - Practitioners from different African countries shared experience



Continental Study on Children without Parental Care

- 01 Establish evidence on nature and magnitude of CWPC in Africa
- 02 Build evidence to serve as a foundation for addressing the root causes and drivers of CWPC in Africa
- 03 Conduct a critical analysis of the current normative frameworks
- 04 Map out alternative care options and programmatic responses that are in the best interest of the child
- 05 Recommend ways in which the ACERWC and RECs can work more effectively member states



... Building Partnership

- The partners identified experienced consultant and the Committee approved
- Currently, the secondary data is being collected, 10 case study countries are identified for primary data collection
- The technical working group is expanding to include more practitioners
 - Discuss and brainstorm on the situation, challenges, programmes and advocacy responses, coordination and actual implementations on the ground
 - Support and share feedback on study
 - Collaborate on the continental validation workshop
 - Communications and social media campaigns to raise awareness



Conditions for achieving sustainable change



Building political will, drive and ownership



Developing sufficient knowledge and capacity to manage effective responses



Developing and strengthening family and community-based services e.g., strengthening kinship care, community foster care programmes, parenting training



Ensuring financial sustainability of family and community-based services



Shifting cultural approaches, attitudes and practices of society, families, children, and governments



Empowering children and families to take a lead role in changing attitudes and practices



Key Considerations

- Domestication of the UN Resolution and Guidelines for the Alternative Care of Children
- Family strengthening
- Gatekeeping
- Range of quality alternative care options
- Investing in the social workforce / Care professionals
- Child protection and child care systems reform and improvement
- Reunification and reintegration
- After care / Leaving care
- Child participation
- Information systems, monitoring and reporting
- Mental health and psycho-social support

Thank you



SOS CHILDREN'S
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Questions for Group Work

1. Do you think it is important to advocate with States and other stakeholders so that they understand the importance of the content of the UN resolution 'Promotion and protection of the rights of children'? If yes can you suggest two important messages in the resolution that help to develop your advocacy agenda?
2. Who do you think are the most important stakeholders you would want to advocate with?