

15<sup>th</sup> November 2021

**Statement by Defence for Children International (DCI) on the 38<sup>th</sup> Session of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC)**

Mr. President;

Honorable Members of the Committee.

[Defence for Children International](#) (DCI) would like to thank the Committee for the opportunity to address its 38th Ordinary Session.

Defence for Children International commends the Committee in its efforts to promote and protect children's rights in the region during the COVID-19 pandemic and look forward to the adoption and dissemination of the report on the Impact of COVID-19 on Children's Rights in Africa. With less than eight years until the deadline for achieving the SDGs – and with the impact of the pandemic which has exacerbated existing inequalities and the digital gap, particular efforts should be made to include children from more marginalized backgrounds and groups. In particular, DCI recognizes the gender-based barriers to participation faced by girls. There is an urgent need to invest in the empowerment of children and young people, particularly girls and young women (GYW), to take-up equal participatory roles in decision making processes at all levels including in policy formulation processes.

As you may recall, at the start of the COVID-19 pandemic, children and young people faced extraordinary obstacles because of quarantine and school closure policies in every country in the region. These challenges included an overwhelming increase in GBV including FGM (Female Genital Mutilation), child marriage, sexual violence, trafficking and unintended pregnancies in Africa. From our field experience and research reports, there is evidence that shows that children and young people, particularly GYW, can change society if they are given space and support.

Beyond the COVID-19 pandemic context, supporting children's right to participate in decisions that affect their lives is one key component not only in the CRC but also in the African Charter (articles 4(2) and 7). Children's participation is also about giving them the power to control some of the things that impact them, at the same time, helping adults to understand children's difficulties through their lens.

The pandemic has also disrupted the delivery of justice systems, increasing the backlog of cases resulting in lengthy judicial and administrative proceedings. The impact has been felt most acutely by children victims of violence and children deprived of liberty, including pretrial detainees. Though it is now established that depriving children of their liberty not only deprives them of their childhood but also constitutes a form of structural violence against children with very serious and sometimes irreversible consequences to their physical and mental health, children continue to be deprived of their

liberty in different contexts. DCI would therefore like to draw your attention to the [UN Global Study on Children Deprived of Liberty](#) and highlight the recommendation for States to significantly reduce the numbers of children held in places of detention and other places of deprivation of liberty, and instead apply noncustodial solutions and make all efforts in addressing the root causes.

With this, we recommend the AU states to do the following:

1. Dedicate time, space, and funds for leadership programs to build capacities of children and young people as agents of change, particularly GYW.
2. Identify or create decision-making platforms for consulting children at regional and national level on policy and legislation
3. Member states to drastically reduce the numbers of children held in places of detentions and other places of deprivation of liberty, and instead apply non-custodial solutions and make all efforts to reintegrate them in society
4. Nominate a focal point within the governmental structures in charge of issues related to deprivation of liberty of children in order to coordinate appropriate follow-up of the recommendations of the UN Global Study on Children Deprived of Liberty.

Thank you.