

#ChildrensRightsAreReal
#ChildrensRightsUnit



CHILDREN'S SOCIO-ECONOMIC RIGHTS IN AFRICA

HYBRID SYMPOSIUM ON 4 - 5 NOVEMBER

NOV 4 2021 08:00 AM | NOV 5, 2021 09:30 AM

The African Charter on the Rights and Welfare of the Child (African Children's Charter or Charter) was adopted 31 years ago. To date, 50 countries have ratified the African Children's Charter, which demonstrates a growing commitment to the respect, protection and promotion of the rights of children. There is no doubt that the Charter has contributed immensely to the development of standards and practice related to children in the region.

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**RAOUL
WALLENBERG
INSTITUTE**
OF HUMAN RIGHTS AND HUMANITARIAN LAW



BACKGROUND

Access One of the areas in which the Charter has made this contribution is in relation to the socio-economic rights (SERs) of children. The Charter approaches this category of rights in a manner that is distinguishable from that of global treaties, including the UN Convention on the Rights of the Child (UN Children's Convention). Specifically, the Charter does not prescribe a different standard for the implementation of SERs on the basis of availability of resources. Instead, the Charter calls on states parties to take legislative and other measures to implement all its provisions. This approach of the Charter has been lauded as one of its strengths, noting in particular the common misconception that socio-economic rights are necessarily more expensive to implement than other categories of rights.

Given the passage of time since the adoption of the Charter, and the numerous jurisprudential and academic interpretations thereof that have emerged during the period, it is imperative to review the contribution of the Charter to the area of children's rights, while also reflecting on emerging issues on SERs to which the Charter may need to respond in the future. Following soon after the commemoration of 30 years since the adoption of the Charter, the Centre seeks to review the contribution of the Charter to the SERs discourse, and progress made by African countries towards the realisation of the SERs of children in Africa since its adoption.

Consequently, in April 2021, the Centre for Human Rights, Faculty of Law, University of Pretoria (the Centre), announced a call for papers, inviting researchers across the continent to research and write on the state of the implementation of the SERs of children and to explore the sufficiency of the Charter to respond to emerging issues related to SERs. The call for papers understandably, attracted more than 40 abstract submissions from researchers based in the continent and beyond. Of these, 25 abstracts, from about 20 countries, were selected and the authors invited to submit full papers.

To give this collection of papers, the attention, they deserve, the Centre, in collaboration with the Nairobi office of, the Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI) are holding a hybrid Symposium on the 4 and 5 November 2021. The symposium will explore the sufficiency of the Charter to respond to emerging issues related to SERs in the near future. We hope to bring around 50 participants from across the continent and beyond – including the keynote panellists – to Pretoria for the event. Several others, including some who will be presenting papers, will join online.

Selected papers, presented, at the Symposium, will be published in the next edition of the South African Yearbook of International Law.

SYMPOSIUM AND PROGRAMME OVERVIEW

- **Dr Elvis Fokala**, Project Manager, Children's Rights Unit, Centre for Human Rights

Opening remarks and welcome

- **Prof Frans Viljoen**, Director, Centre for Human Rights

KEYNOTE PANEL

Chair

- **Dr Nkatha Murungi**, Assistant Director, Programmes, Centre for Human Rights

Panellists:

- **Prof Ann Skelton** – Faculty of Law, University of Pretoria
The added value of the Abidjan principles in furthering/strengthening children's rights to education in Africa
- **Prof Usang Maria Assim** – Dullah Omar Institute, Faculty of Law, University of the Western Cape
The Implementation of Children's SERs in Domestic, African Law
- **Prof Joy Ezeilo** – Faculty of Law, University of Abuja, (Nssukka), Nigeria
Litigating Children's Socio-Economic Rights in African, Domestic Courts – Focus on the Sexual and Reproductive Health Rights of the Girl child
- **Mr Ayalew Getachew Asseffa** – Senior Child Protection Officer, African Committee of Experts on the Rights and Welfare of the Child
The African Committee of Experts' Response, to Strengthening the Implementation of Children's Socio-Economic Rights, in Regional, African Children's Rights Mechanisms
- **Dr Alejandro Fuentes** – The Raoul Wallenberg Institute of Human Rights and Humanitarian, Lund University, Sweden
The Evolution of the protection of the Socio-economic Rights of indigenous children in the Inter-American Human Rights System