

ELECTIONS TO THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD

Information for CSOs

The African Committee of Experts on the Rights and Welfare of the Child is a group of individuals of high moral standing, integrity, impartiality and competence in matters of the rights and welfare of the child which are mandated to monitor and report on the fulfillment of child rights in Africa. **The term of six out of the eleven members of the Committee is coming to an end in July 2010.** This fact sheet has been produced to inspire and inform civil society organizations (CSOs) on the election process and how they can get involved in the process of nominating competent candidates in their respective countries for the six open positions.

When do elections take place?

- The next elections will be held in **July 2010 when six of the current members** will complete their term.
- In theory, the **nominations must be received by the AU Commission's Office of the Legal Counsel** no less than six months before the AU Summit- therefore **by the end of January 2010**. For this election, it seems the deadline will be prolonged for at least a month.

What does the African Committee of Experts on the Rights and Welfare of the Child do?

The Committee is mandated by the African Charter on the Rights and Welfare of the Child to do the following:

- receive and consider State Party Reports on compliance with the provisions of the African Charter on the Rights and Welfare of the Child and issue general recommendations to State Parties.
- receive and consider individual complaints of violations by State Parties of Charter rights and express its views as to the presence or absence of a violation or violations.
- undertake investigative or fact-finding missions in countries which are State Parties in the context of systematic or gross violations of child rights.
- interpret the provisions of the Charter and set rules, principles and standards governing children's rights and welfare in Africa through general comments, resolutions and declarations.

Who is eligible to be a Committee member?

- Article 33 of the Charter provides that any African of 'high moral standing, integrity, impartiality and competence in matters of the rights and welfare of the child' is eligible for nomination. Since the Charter does not offer additional criteria, the following is suggested:
 - i. Nominees should have **recognized competence in children's rights and welfare issues in Africa** and internationally. A **minimum educational qualification at postgraduate level and/or 10 years of progressive professional experience** in children's rights is desirable.
 - ii. Track record of **excellent analytical, drafting, reporting and advocacy skills** in the areas of children's rights and welfare are invaluable and desirable assets that should be considered.
 - iii. **The need for professional diversities:** Nominees should be from a variety of professional backgrounds, such as lawyers, psychologists, social workers etc.
 - iv. **Willingness and ability to commit sufficient time without remuneration** to the work of the Committee is recommended.
- Only candidates from countries which have ratified the African Children's Charter can be elected.
- The Committee is made up of eleven members who **serve five year terms**.
- **Members serve on a voluntary basis** in their personal capacity, and not as representatives of their State.

- Committee members must not be part of any intergovernmental organization, UN agency or hold any politically binding position such as Cabinet Minister, Deputy Minister, Member of Parliament or Ambassador.

- **States can only have one national sitting on the Committee** at one time.

- Committee members can only serve one five-year term and **cannot be re-elected**.

- Individuals from **Nigeria, Madagascar, Benin, Burkina Faso and Egypt are NOT allowed to be nominated for this round of elections** as those countries already have members on the Committee.

How are Committee members nominated?

- Each **State Party can nominate a maximum of two candidates**. However, when two candidates are nominated by a State, one of them shall not be a national of that State.

- The Ministries of Foreign Affairs and the Permanent Representatives to the AU are asked to submit the names and CVs of their nominated candidates to the AU Commission's Office of the Legal Counsel at least six months before the election is to be held.

- The process of candidate election varies from state to state and the **best way to find out who your country is planning to nominate (if anyone) is to contact your Ministry of Foreign Affairs** or Permanent Mission to the AU in Addis Ababa, Ethiopia

- Nominees should complete biographical information indicating their judicial, practical, academic, activist, professional and other relevant experience in the field of children's rights. In addition, nominees have to submit statements indicating how they fulfill the criteria for eligibility contained in the Charter.

How are Committee members elected?

- **Nominations must be sent to the AU by either the Ministry of Foreign Affairs or by the Permanent Representative to the AU** of your respective countries.

- Members are elected by the AU Executive Council (which is comprised of the Foreign Ministers of AU member states) in a meeting held just prior to the AU Summit in July 2010.

- Elections are held by secret ballot.

- Their decision is then passed to the AU Assembly for final approval and adoption.

- **All nominations must come from governments.**

How much time must Committee members devote?

- Committee members will be expected to spend at least two full weeks in session another two weeks or more for inter-session activities such as missions, representational activities, networking and capacity building experiences, and another two weeks or more of additional demands on their time and expertise to study and analyze numerous documents in advance of Committee sessions.

How much do Committee members get paid?

- Committee members are not remunerated for their work.

- Airfare to and from Addis Ababa for each Committee session and a daily subsistence allowance while in Addis Ababa to cover expenses is provided by the AU.

What role can civil society organizations play in the election process?

Although CSOs cannot nominate candidates, they can **identify suitable candidates and suggest** them to their Ministry of Foreign Affairs. They can do this by:

1. Identifying qualified candidates and lobbying them to consider serving on the Committee.
2. Seeking support for the proposed candidate from government officials working on children's issues or within the Ministry responsible for monitoring the implementation of the Charter.
3. Sending a letter to the Ministry of Foreign Affairs with clear, convincing arguments as to why this person would be a good candidate.
4. Lobbying their governments to make the nomination process truly transparent in which the State Parties select candidates on the basis of merit rather than for political considerations.
5. Lobbying their governments to nominate competent and credible candidates of their choice.

Who are the current Committee members?

Those whose terms are ending in July 2010:

- Ms. Seynabou Ndiaye Diakhaté
Senegal – Chairperson
- Ms. Koffi Appoh Marie Chantal
Côte d'Ivoire – Deputy Chairperson
- Ms. Boipelo Lucia Seitlhamo
Botswana – Rapporteur
- Hon. Lady Justice Martha Koome
Kenya
- Ms. Mamosebi T. Pholo
Lesotho
- Mr. Moussa Sissoko
Mali

How can I get more information?

The Secretariat of the African Committee of Experts on the Rights and Welfare of the Child is based within the Department of Social Affairs of the Commission of the African Union in Addis Ababa. The Committee can be reached on the following contact details:

1) Office of the Legal Counsel
African Union Commission
P.O. Box 3243
Addis Ababa, Ethiopia
Tel.: + (251) 1 51 35 22
Fax: + (251) 1 53 57 16

2) Secretariat of the African Committee of Experts on the Rights and Welfare of the Child

Department of Social Affairs
African Union Commission
P.O. Box 3243
Addis Ababa, Ethiopia
Tel.: + (251) 1 51 35 22
Fax: + (251) 1 53 57 16
E-mail: cissem@africa-union.org
www.africa-union.org/child

Those members remaining:

- Ms. Dawlat Ibrahim Hassan
Egypt, Term of Office complete January 2011
- Mr. Cyprien Adébayo Yanclo
Benin, Term of Office complete July 2013
- Ms. Agnès Kabore
Burkina Faso, Term of Office complete July 2013
- Mr. Andrianirainy Rasamoely
Madagascar, Term of Office complete July 2013
- Ms. Maryam Uwais
Nigeria, Term of Office complete July 2013

This fact sheet was prepared by the members of the organizing committee of the CSO Forum on the African Charter on the Rights and Welfare of the Child. Members of the Committee are:
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