

The African Report on Child Wellbeing 2016



Getting It Right:

Bridging the gap between policy and practice



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THE AFRICAN CHILD POLICY FORUM (ACPF)

The African Child Policy Forum (ACPF) is an independent, not-for-profit, pan-African centre of policy research and advocacy on the African child. We were established in 2003 out of concern about the situation of the African child, and the need for us – Africans – to recognise our collective responsibility to ensure the realisation of all rights for all children.

The major focus of our work is the promotion of State Accountability. We are convinced that sustained change can come about only through vigorous state action, and that this can be brought about only by advocacy especially by us, Africans, and African civil society. The major pillars of our work are: knowledge-building; policy advocacy; policy dialogue; and the creation of a stronger collective voice for children in Africa. Only by so doing can we hold our governments accountable and help establish an Africa where our children will have roots to stand on and wings to fly.



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LIST OF ACRONYMS

ACERWC	African Committee of Experts on the Rights and Welfare of the Child
ACPF	The African Child Policy Forum
ACRWC	African Charter on the Rights and Welfare of the Child
AMC	AfricaWide Movement for Children
AUC	African Union Commission
AU	African Union
CAPE	Cellule d'Appui à la Protection de l'Enfance (Child Protection Support Unit), Senegal
CDD	Centre for Democratic Development
CDOs	Community Development Officers
CFI	Child-Friendliness Index
CHRAGG	Commission for Human Rights and Good Governance, Tanzania
CNAC	Conselho Nacional da Crainca (National Council for Children), Angola
CONAFE	Coalition National des Associations et ONG en Faveur de l'Enfant (National Coalition of Child Rights Associations and NGOs)
CPWG	Child Protection Working Group
CRA	Child Rights Act
CSO	Civil Society Organization
DED	District Executive Director
DLT	District League Table
DSW	Department of Social Welfare
EPI	Expanded Programme on Immunization
ETI	Ecobank Transnational Incorporated
FGM	Female Genital Mutilation
GDP	Gross Domestic Products
HAQ	Centre for Child Rights India
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
IBOT	International Board of Trustees of ACPF
IBP	International Budget Partnership
IICRD	International Institute for Child Rights and Development
ILO	International Labour Organization
ILO-IPEC	International Labour Organization-International Programme on the Elimination of Child Labour
MCDGC	Ministry of Community Development, Gender and Children
MDAs	Ministries, Departments and Agencies
MDGs	Millennium Development Goals
MGLSD	Ministry of Gender, Labour and Social Development
MHCDGEC	Ministry of Health, Community Development, Gender, the Elderly and Children
MLSW	Ministry of Labour and Social Welfare
MoE	Ministry of Education
MoHSS	Ministry of Health and Social Services
MoHSW	Ministry of Health and Social Welfare

MoLE	Ministry of Labour and Employment
MVCCs	Committees for the Most Vulnerable Children
NCCS	National Council of Children’s Services
NCPA II	National Child Protection Agenda
NGO	Non-Governmental Organisation
NHRIs	National Human Rights Institutions
NPC	National Planning Commission
OAU	Organization of African Unity
OHCHR	Office of the High Commissioner for Human Rights
PMO-RALG	Prime Minister's Office Regional Administration and Local Government, Tanzania
SDGs	Sustainable Development Goals
SICA	Sistema de Indicadores para a Criança Angolana (System of Indicators for Angolan Children)
TACAIDS	Tanzania Commission on AIDS
TASAF	Tanzania Social Action Fund
UNCRC	United Nations Convention on the Rights of the Child
UNCT	UN Country Team
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nations Children’s Fund
USD	United States Dollar
WHO	World Health Organization

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FOREWORD

Africa has made significant strides in strengthening governance to improve public services. African governments have also become more child-friendly, as elaborated in the previous edition of this report, through working to put in place laws and policies pertinent to children, and increasing budgetary allocations to sectors benefiting them.

While these efforts are commendable, implementation remains a major challenge in promoting child rights and wellbeing in Africa.

This 2016 edition of the *African Report on Child Wellbeing*, subtitled *Getting It Right: Bridging the gap between policy and practice*, focuses on effective implementation – essential to advancement of child rights. The report aims to advocate for change in the functioning of structures and systems responsible for children’s affairs, and to help enhance their effectiveness in delivering on their mandates.

Since the adoption of the UN Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of the Child (ACRWC), a number of regional and global initiatives have been underway to expedite implementation of children’s rights and materialise the ideals and principles of these charters. The Declarations of the World Fit for Children and An Africa Fit for Children and the accompanying plans of action are some noteworthy examples. These initiatives have been instrumental in encouraging action, organization and preparedness to implement the rights and wellbeing of all children across the world. Progress so far has not, however, been satisfactory; more needs to be done.

The findings of this report show that implementation of children’s rights is not getting the necessary attention in national development planning and resource allocation. Inadequacy of implementation across countries is manifested in the huge numbers of children who die needlessly of preventable causes; languish in poverty; and are malnourished and deprived of healthcare, early childhood care and development services. It also shows the absence of effective birth registration systems and child protection mechanisms in large parts of Africa, and the continued marginalisation of highly vulnerable groups of children, such as those with disabilities and those without parental care.

It is important that African governments and development partners break the downward spiral in which ministries and agencies responsible for children’s affairs are given insufficient resources, then accused of ineffectiveness, then made subject to further reductions in budgets and political clout. Instead, they need to be strengthened and empowered to deliver effectively on their mandates. I urge African governments to revisit regularly the structures and systems they have put in place to coordinate child rights implementation, identify bottlenecks hindering their smooth function, and take corrective measures to fix them. Monitoring and accountability mechanisms must also be strengthened to improve the performance of all implementing agencies.

I believe this report will bring to the forefront the issue of child rights implementation and the need to bridge the gap between policy and practice. It will also boost national and regional efforts aimed at ensuring that every child in Africa fully enjoys his or her rights, and can strive to reach his or her full potential. It is only then that we can fulfil our aspirations – as articulated by the African Union in the Agenda 2063 – to create an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the international arena.

Graça Machel

Chairperson, International Board of Trustees, ACPF

PREFACE

Promotion of State Accountability to children is the main area of focus for ACPF's programmes. We are doing so to advocate for greater responsiveness of governments to the needs of children.

It is evident that African governments are disposed towards adopting the right laws and policies for children. However, they have been less successful in effectively implementing them. Our programme of work, therefore, emphasises the issues of implementation and narrowing the gap between policy and practice as major challenges to the promotion of child rights and child wellbeing in Africa. Furthermore, the implementation of the Agenda 2030 for Sustainable Development requires not only enabling environments for the realisation of children rights but also improvement in the national accountability mechanisms. It is within this context that this fourth edition of ACPF's flagship report series is entitled ***The African Report on Child Wellbeing 2016. Getting it Right: Bridging the gap between policy and practice.*** It takes up the issue of child rights implementation and advocates for change in the functioning of national structures and systems responsible for children's affairs in order to enhance their effectiveness and efficiency in delivering their mandates.

The 2016 African Report on Child Wellbeing is an important instrument in ACPF's advocacy. It comes at a critical moment: African governments have defined their aspirations in the Agenda 2063, and started the First Ten-year Implementation Plan to achieve them. The Report contributes to national and regional efforts to enhance implementation capacity to improve the effectiveness of interventions for children. It calls for improved coordination, and promotes for more efficient utilisation of resources.

The Report's main findings are that government structures responsible for child rights implementation across Africa are too often overburdened with multiple and competing mandates, and most suffer from severe capacity limitations. Inadequate budgets and shortages of human resources are among the main barriers to ministries' and agencies' ability to realise, progressively, children's rights and wellbeing. Coordination and accountability mechanisms are also noted to be weak, and fail to ensure quality services for children who represent 47 per cent of the population of Africa.

The Report echoes the call from stakeholders – treaty bodies, civil society and children themselves, among others – to bring change to the current state of affairs. It draws attention to the need to strengthen monitoring mechanisms and track progress in implementing children's rights; to devise appropriate strategies to expedite this process; and, ultimately, to improve the life situation of all children.

I hope that policymakers and practitioners from government and non-government sectors, civil society, and academics will find both the main report and its concise edition (**An Overview**) useful resources in their effort to push child rights implementation further up the national agenda, and narrow the gap between policy and practice pertaining to children.

Théophane Nikyèma
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1

WHY FOCUS ON CHILD RIGHTS IMPLEMENTATION?

'We have to change how we do things and make it work for children. This [implementation] is the biggest gap in the African policy landscape.'

– **Ms Graça Machel**, statement delivered at the 6th International Policy Conference on the African Child (IPC), October 2014

1.1 Introduction

This edition of the African Report on Child Wellbeing, fourth in the series, comes at a critical time. Regionally, the child rights community is celebrating the twenty-fifth anniversary of the African Charter on the Rights and Welfare of the Child (ACRWC) and reflecting on areas of strength and weakness in making children's rights a reality. Globally, it is a historic moment: the new Sustainable Development Goals (SDGs) have been launched, shaping the struggle to pursue the end of poverty and hunger, protect human rights, combat inequalities and build just, peaceful, inclusive societies. This report, focusing on child rights implementation, seeks to contribute to national and regional efforts towards the full realisation of human rights, including child rights, and to building momentum for the attainment of the SDGs.

The past 25 years of child rights advocacy and implementation underline the truism that process determines outcome. Study findings by the African Child Policy Forum (ACPF) and other organisations point to a reality in which there has been encouraging policy progress, but a significant implementation deficit. In recognition of this, and building on our previous recommendations, this edition of the report focuses on child rights implementation, with the aim of helping bridge the gap between policy and practice. It seeks to put effective implementation at the centre of national and regional agenda and promote coordinated action at all levels to enhance children's access to essential services, combat deprivation, strengthen child protection against harm and exploitation, and progressively realise all child rights. Effective child rights implementation is about:

- Managing the implementation process well and ensuring its efficiency
- Enhancing its ability to bring about concrete results in improving the wellbeing of all children alike: girls; boys; those with disabilities; those without parental care; children in remote rural areas; and children living under difficult circumstances
- Giving effect and meaning, progressively, to all rights of all children.

Process-related problems cannot be fixed overnight; the task requires continuous, targeted work by all actors involved. Bridging the gap between policy and practice requires commitment and tangible investment to build strong, efficient programmes, systems and institutions that support the routine delivery of quality services. This requires building capacity to strengthen planning, execution, and monitoring and accountability at individual and organisational levels.

The focus in Africa in the last two decades has been on ratifying regional and international child rights treaties and setting up coordination structures to oversee their national implementation. Most countries have reformed their laws to harmonise with international standards and engaged in advocacy to promote attitudinal changes supportive of children's rights. These initiatives have enhanced recognition of children as rights-holders and the visibility and prominence of their needs in laws and development plans and programmes. However, less effort has been put into strengthening implementation processes and identifying bottlenecks hindering effective delivery of services, particularly to marginalised and vulnerable groups such as girls, children with disabilities and those without parental care.

It is therefore time to interrogate in more depth the implementation processes supporting translation of good policies into effective practices; to explore whether they are well planned and resourced; and to see if they are efficiently coordinated to bring about improvements in the wellbeing of children.

This report looks at key aspects of governance and service delivery through a child rights lens. It examines whether government structures have the political, technical, financial and oversight capacity necessary to ensure effective child rights implementation. It seeks to help strengthen child rights governance and service delivery by analysing current institutional capacity, coordination and monitoring and accountability mechanisms, and by providing evidence to inform the shaping of more effective implementation processes and platforms.

As such, the report mainly targets policy-makers and practitioners in the governmental sector, on the basis that they are the primary duty-bearers for effective service delivery. It also targets non-governmental organisations (NGOs), civil society, treaty bodies and the media, to support their work in service delivery and monitoring, and help them influence action towards enhanced compliance and an overall improvement in government performance.

The sections below explain the reasons for this choice of theme and outline the main elements of child rights implementation.

1.2 The imperative to focus on implementation

Every one of Africa's half a billion children deserves full enjoyment of all the rights stipulated in the ACRWC, the Convention on the Rights of the Child (CRC) and other relevant treaties, so that they can survive and develop to their full potential. This means that they need to be protected from all forms of abuse and exploitation; to access quality health care and education; and to be able to express their views freely on matters affecting them. They need to be cared for adequately and to live in an environment of safety, happiness and love. Socio-economic development policies must uphold the principle of ensuring children's best interests and contributing to their physical and cognitive development.

In a broad sense, these are the ultimate objectives of the child rights instruments, and the goalposts towards which national efforts should be directed. Proceeding from this premise, the main questions that lie ahead are:

- Twenty-five years after the adoption of the CRC and ACRWC, how far have we come in reaching these objectives?

- How efficient are our structures and systems, and how effective are they in ensuring effective implementation of services to guarantee realisation of children's rights?
- What lessons can we draw from current practices, and what could be done to improve them?

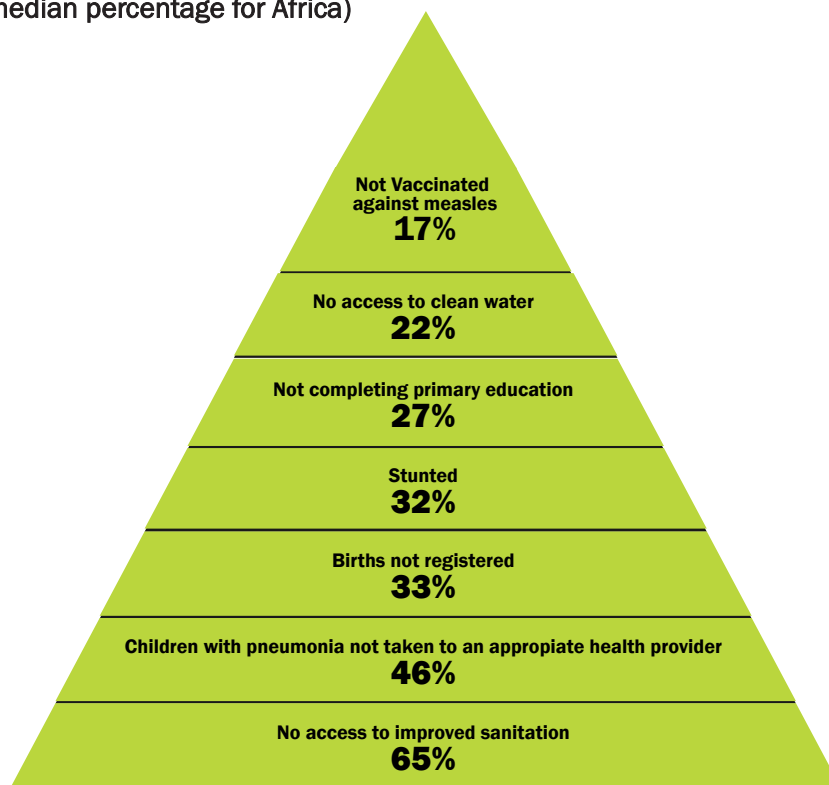
These questions pave the way to an in-depth examination of implementation processes, the aim of which is to build a knowledge base and assist in developing effective strategies for expanding coverage and improving the quality of services for children.

The current situation in most African countries is that significant progress has been made in three respects: developing harmonised policies and laws; creating awareness and recognition of children's rights; and establishing structures and coordinating mechanisms for overseeing national policies, and particularly programmes for vulnerable groups of children (ACPF 2012a; 2012b; Guy 2012; UN 2002). Over the past two decades these developments, along with increased allocation of resources to children's needs, have contributed to African governments' increasing child-friendliness, and improved child wellbeing across the continent (ACPF 2013). Africa today has fewer child deaths; a lower proportion of children living in poverty; greater numbers of children attending school and receiving treatment when sick; and declining gender disparities in access to basic services (ACPF 2014c; UN 2015a; UNICEF 2016; UNESCO Institute for Statistics 2016b).

Despite these achievements, the realisation of children's rights in Africa is far from satisfactory, as the considerations below demonstrate:

- **Significant proportions of children across the continent are deprived of access to essential services.** as shown in Figure 1.1. For example, in sub-Saharan Africa alone there are 34 million out-of-school children – more than half of the total number in the world – and these children have limited prospects for re-entering school (UNESCO Institute for Statistics 2016a). Girls account for 54 per cent of the out-of-school child population in the region. School drop-out is a significant problem among pupils with disabilities, adding to the already low level of school participation by this highly vulnerable group (ACPF 2014a).
- **The level of child poverty in Africa remains very high.** Although it has declined over the years, about two-thirds of African children experience two or more deprivations of their basic needs. This is cause for great concern, given the devastating effects poverty has on children's physical, cognitive and social development (Milliano and Plavgo 2015).

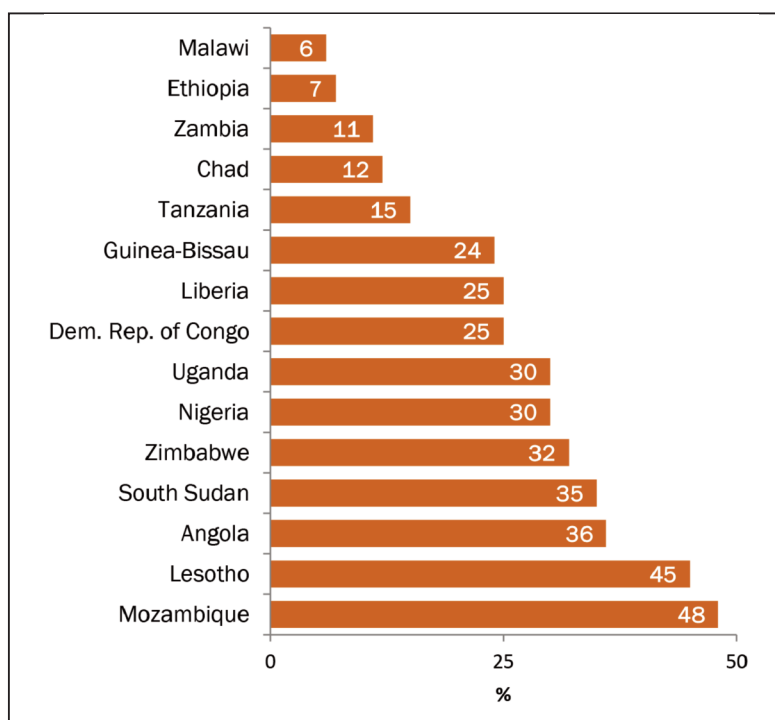
**Figure 1.1: Pyramid of African children's exclusion from basic services, 2016
(median percentage for Africa)**



Sources: Based on data from UNESCO Institute for Statistics; UNICEF 2016b; WHO 2016

- **Protection of children against abuse and exploitation is weak in most African countries.** Violent disciplinary methods are regularly practised within homes, schools and communities across Africa. Globally, the highest rates of reported physical violence are observed in sub-Saharan Africa (UNICEF 2014b). Between 15 and 25 per cent of children experiencing physical punishment reported that the most recent episode was so severe that it left scars and/or stopped them from going to school or playing outside the house (ACPF 2014a).
- **Birth registration rates are low in Africa.** Birth registration, in addition to being a fundamental right in itself, is an important instrument in realising other children's rights. Civil registration and vital statistics systems for registering events such as births are indicators of the level of coordination of relevant agencies in administration and implementation of rights. Coverage of birth registration is also a strong indicator of the strength or weakness of a country's child rights governance and administration (Peters and Mawson 2015). As Chart 1.1 shows, 15 countries in Africa have coverage of well below 50 per cent; in some, it is much lower and falls below 15 per cent, indicating that the system is generally weak in many countries.

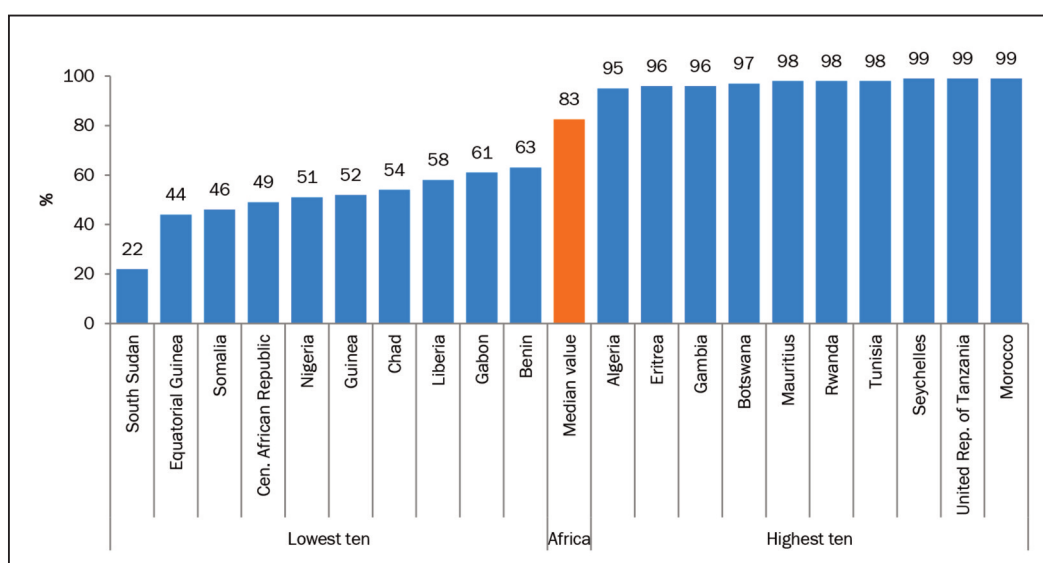
Chart 1.1: African countries with low birth registration coverage (under 50 per cent)



Source: Based on data from UNICEF 2016

- Large proportions of children do not access vaccines against preventable childhood illnesses.** For example, only one in every five children in South Sudan has been immunised against measles. Even in resource-endowed countries like Equatorial Guinea, more than half of all children (56 per cent) had no access to this basic life-saving health service (see Chart 1.2). The median for Africa stands at about 83 per cent, indicating that across the continent about 17 per cent are not vaccinated against measles.

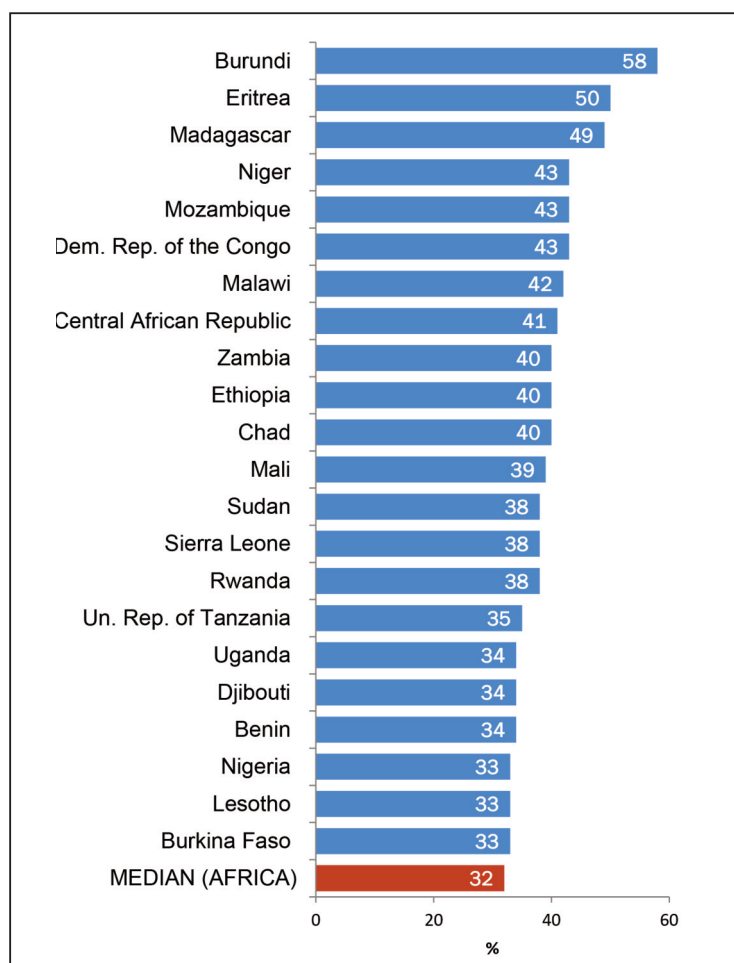
Chart 1.2: Measles immunisation coverage: Bottom and top ten countries, 2014



Source: Based on data from UNICEF, 2016

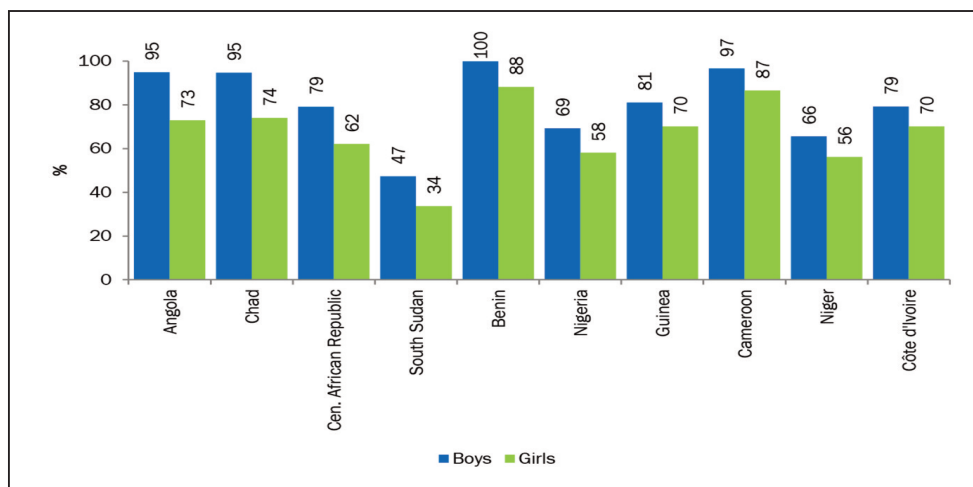
- Stunting is highly prevalent and a major contributing factor to child morbidity, mortality, disability and impaired development.** Stunting or chronic malnutrition is associated with harmful, long-lasting consequences, including diminished mental ability and learning capacity, poor school performance, reduced earnings in adulthood, and increased exposure to non-communicable diseases such as diabetes and hypertension (UNICEF, WHO and World Bank Group 2015; UNICEF 2013a; Branca and Ferrari 2002). Despite its devastating consequences, stunting is widespread in Africa (see Chart 1.3). The absolute number of children stunted under the age of five increased by 23 per cent in the last 25 years, from 47 million in 1990 to 58 million in 2014 (UNICEF, WHO and World Bank Group 2015).

Chart 1.3: Countries with high rates of child stunting (per cent of children under five years of age)



Source: Based on data from UNICEF 2016

- Significant challenges remain in realising children's rights to non-discrimination.** Although progress has been made to improve gender equality, the gap in access to primary education, for example, is still high in a number of countries in Africa. Gender disparity in access to primary education is particularly higher in countries like Angola, Chad and Central African Republic (see Chart 1.4).

Chart 1.4: Countries with high gender gap in net primary enrolment ratio, 2008-2014

Source: Based on data from UNESCO Institute for Statistics 2016b

- **Levels of investment in children are generally inadequate.** As recently as 2015, the Human Rights Council noted that the lack of sufficient, efficient, inclusive and equitable investment of public resources in children remains one of the main barriers to realising their rights (OHCHR 2015). This not only frustrates children's rights and development, but also, given the lasting negative impact it has on their nutrition, health and education, it retards human capital, and hence national development (OHCHR 2015; ACPF 2014d).

Most of these problems are the result of implementation deficits and failures. Broadly speaking, poor and inequitable coverage reflects inadequate delivery of services, including outreach to the most vulnerable and marginalised groups. Poor outcomes are further testimony to the poor quality of services.

Understanding the underlying causes of ineffective implementation requires a detailed examination of prevailing practices and processes. This is hampered by limited documentation and inadequate knowledge, in many African countries, of which practices and processes work well and which do not. The evidence that is available indicates that, generally, government bodies responsible for children's affairs suffer from persistent capacity constraints impairing their ability to initiate, sustain and coordinate the implementation of relevant national policies and programmes. Limited monitoring and oversight capacity and mechanisms in turn contribute to inadequate accountability and a failure to ensure ongoing, evidence-driven quality improvement processes.

In addition, there are gaps in understanding what constitutes effective implementation and what inputs are required to enhance the efficiency and effectiveness of existing delivery systems and mechanisms. This results in adverse implications for planning, delineation of roles and responsibilities, allocation of resources, coordination of activities, monitoring of progress, enhancement of accountability and the overall effort to give effect to children's rights. It is therefore imperative that the spotlight be placed on child rights implementation. It must be given sufficient attention to improve understanding of its dynamics, identify bottlenecks in the relevant structures, systems and mechanisms, and enhance coordination and accountability in the interests of greater effectiveness.

1.3 Initiatives to advance implementation

Following the adoption of the CRC, implementation was an issue of immediate concern. In September 1990, just weeks after the CRC's entry into force, world leaders committed themselves to a Declaration on the Survival, Protection and Development of Children and its Plan of Action, commonly known as the World Fit for Children Declaration. It provided a framework for action, informing the national plans of action for children that most African countries developed in the 1990s. The experience of that decade offered lessons on what must be done to implement children's rights effectively. Drawing on these lessons, the 2002 Special Session of the UN General Assembly on Children initiated a global movement to ensure that children's rights are prioritised in all development efforts, and that adequate resources are allocated for their implementation. It also emphasised the need for systematic follow-up procedures and the rigorous monitoring of progress towards the achievement of goals.

The Millennium Development Declaration and associated Millennium Development Goals (the MDGs), which concluded in 2015, were major global instruments that articulated a common framework and galvanised cooperation for development at all levels. Pursuing these goals has helped significantly in improving the wellbeing of children, and the lessons learnt from this pursuit were key inputs in formulating the ensuing Sustainable Development Goals (SDGs). The SDGs have benefited from the perspectives of a wide range of actors across the globe. Children's needs for special care, provision and protection are better articulated and reflected in the SDGs than they were in the MDGs (UN 2015c). This, in turn, stands to have an impact in reducing child deprivation, improving children's access to basic services, and advancing the overall implementation of children's rights.

The Addis Ababa Action Agenda, adopted at the 3rd International Conference on Financing for Development in July 2015, recognises investment in children and youth as a critical measure in achieving inclusive, equitable and sustainable development. Subscribing governments have reaffirmed the importance of promoting and protecting the rights of all children, and have pledged to increase public and private investments in essential public services, including food security, health, education, energy, water and sanitation (UN 2015b). These commitments to sustainable development, accompanied by a stronger monitoring framework, potentially create an enabling environment for sustained effective implementation of programmes for children.

Regionally, the African Common Position on Children (the Declaration and Plan of Action Towards an Africa Fit for Children), tabled at a Special Session of the UN General Assembly, provides guidance on implementing children's rights in the continent. Periodic reviews in Cairo (2007) and Addis Ababa (2012) have indicated that progress has been slow, with capacity constraints and a lack of resources among the main bottlenecks (AU 2007; 2012). To strengthen efforts, the Renewed Call for Accelerated Action on the Implementation of the Plan of Action towards an Africa Fit for Children (2013-2017) was adopted in 2012 at the 3rd Pan-African Forum on Children. It urges governments to exert more effort to achieve the Plan of Action's ten priority goals¹ (AU 2012).

¹ These are: enhancing institutional capacity; mobilising and leveraging resources; strengthening the legislative and policy framework; combating discrimination and exclusion; enhancing life chances; realising children's right to quality education; providing adequate protection; ensuring children's participation in decisions that affect them; combating HIV and AIDS; and, ensuring the wellbeing of the most vulnerable groups of children.

The Agenda 2063 and the associated First Ten Years Implementation Plan are the other regional development frameworks that urge member States to use national planning systems, structures, and monitoring and evaluation mechanisms to improve implementation and performance. They call for strengthening institutional effectiveness and creating an enabling legal, institutional and regulatory environment for the successful execution of policies and programmes, including those targeting children (AUC 2015).

These initiatives have had major implications for children's rights, and offer a number of lessons in developing strategies for more effective implementation. However, seeking improved performance requires an understanding of what implementation means, what its main elements are, and how it works. The following section deals with these questions in brief. It also sets out the definition of child rights implementation on which the discussions later in this report are based.

1.4 What does 'child rights implementation' mean?

1.4.1 Conceptual and legal underpinnings

The concept of 'implementation' is embedded in all human rights laws, declarations and resolutions. It refers to a crucial matter: giving effect to the provisions and principles of these instruments. In turn, this involves taking a wide range of measures to combat deprivation, provide protection, enhance access to quality basic services, and improve the overall safety and wellbeing of every individual.

In the child rights context, implementation is a legal requirement implicit in the CRC, the ACRWC, the Optional Protocols to the CRC, and other relevant regional and international human rights treaties. For example, article 1 of the ACRWC declares that states must:

...recognise the rights, freedoms and duties enshrined in this Charter and [...] take the necessary steps, in accordance with their constitutional processes and with the provisions of the present Charter, to adopt such legislative or other measures as may be necessary to *give effect* to the provisions of this Charter (OAU 1990).

Similarly, article 4 of the CRC requires States Parties to take 'all appropriate legislative, administrative and other measures' for the realisation of the rights contained therein. Articles 1 of the ACRWC and 4 of the CRC provide conceptual and legal foundations for government's overall obligation to realise all children's rights through effective implementation measures.

As such, this report defines child rights implementation in the context of Africa as:

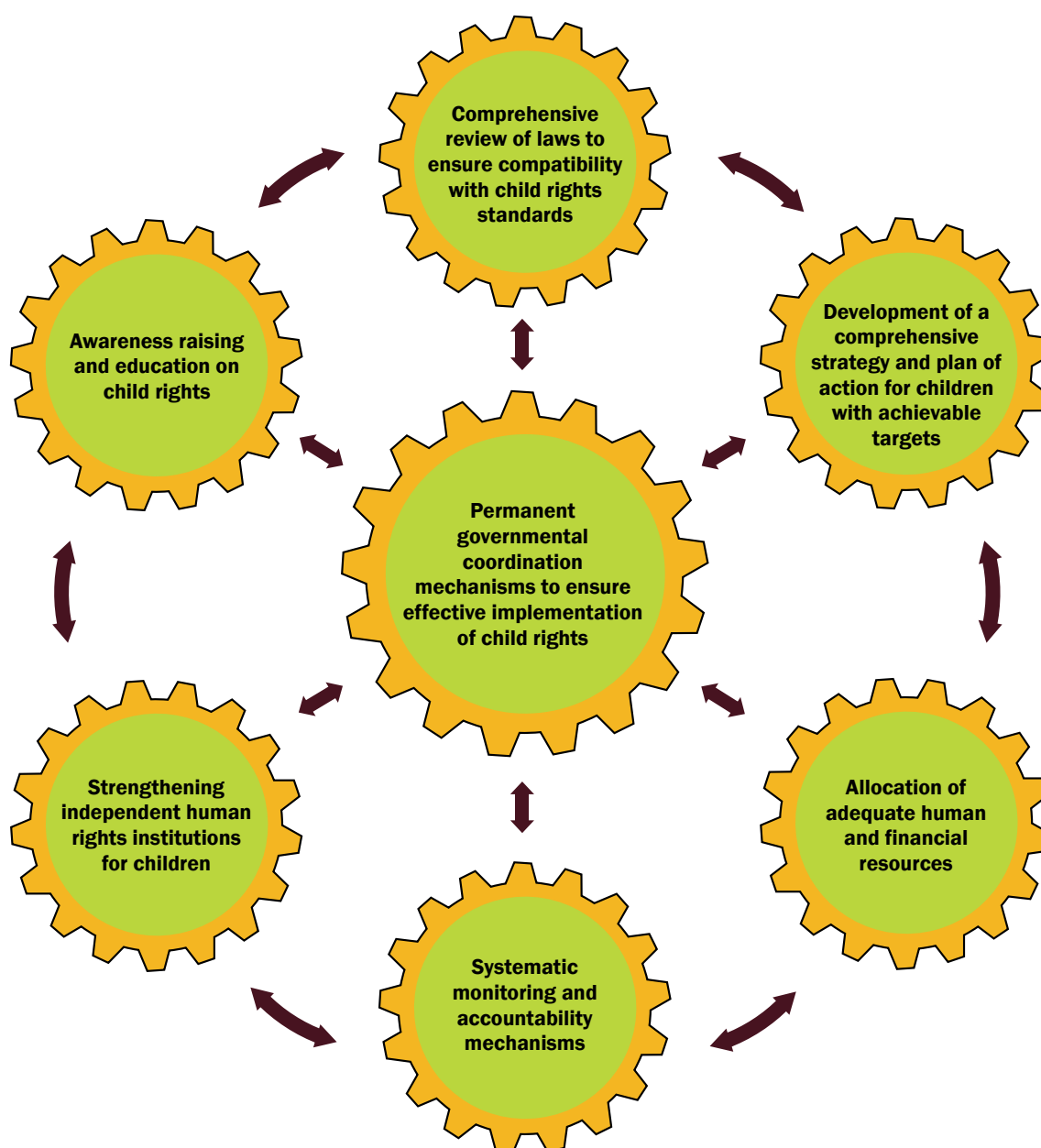
...the process whereby governments take the necessary legal, policy, budgetary, administrative and other appropriate measures to ensure the full realisation of all children's rights stipulated in the CRC, the ACRWC and other relevant national, regional and international human rights laws pertaining to children, and ensure the wellbeing of all children.

Child rights implementation thus entails the practical steps necessary to:

- Secure the full realisation of children’s fundamental right to non-discrimination
- Uphold their best interests in all development endeavours
- Ensure their basic rights to life, development and protection
- Involve them in decisions affecting their lives.

Taking direction from the UNCRC Committee’s General Measures of Implementation, implementation requires that states take continuous measures, as illustrated in Figure 1.2, to give effect to all children’s rights.

Figure 1.2: General measures required to be taken to implement children’s rights



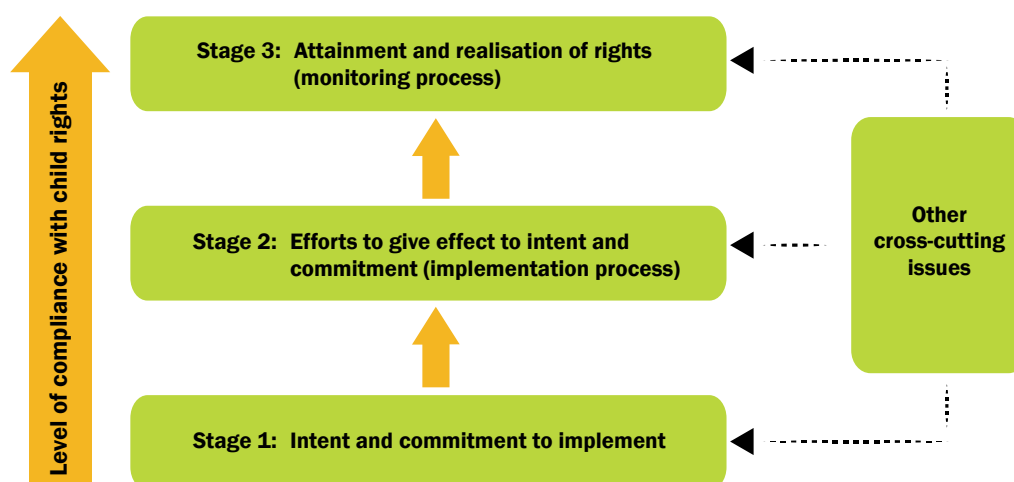
Source: Adapted from the UN Committee’s General Measures of Implementation (UNCRC 2003)

The realisation of children’s rights involves various stages, of which the implementation process is only one, as illustrated in Figure 1.3:

- **Stage 1** relates to government’s intent and commitment to implement child rights. This is reflected in ratification and adoption of legal instruments and in the existence of basic institutional mechanisms to facilitate implementation.
- **Stage 2** consists of a series of actions to give effect to these commitments. This involves developing legal, policy and programmatic instruments for the progressive realisation of all children’s rights. It also entails mobilising the required inputs, putting in place appropriate resources, and managing the process efficiently and effectively to translate inputs into concrete results and positive outcomes for children (OHCHR 2012).
- **Stage 3** concerns the fulfilment of rights and attainment of concrete outcomes in child wellbeing and child protection, as well as ensuring children’s involvement in decisions affecting them.

This report focuses on the second stage – the implementation process. The conceptual framework for child rights implementation adopted in this report is based largely on the considerations above.

Figure 1.3: Stages of child rights implementation



Source: Adapted from the OHCHR framework for assessment of human rights (OHCHR 2012)

The implementation process and the way in which it is carried out determine the extent to which governments have complied with their obligations. In other words, governmental compliance with child rights instruments is determined by the level of effort and commitment made to advance to the stages described above.

1.4.2 Four key aspects of implementation

As illustrated above, the implementation of children’s rights in Africa encompasses a complex web of factors, the full range of which is beyond the scope of this document. Instead, this report will focus on the four aspects most pertinent to the delivery of public sector services targeting children in the African context:

1. Institutional capacity of structures responsible for children's affairs
2. Coordination mechanisms to facilitate child rights implementation
3. Budgets allocated for such interventions
4. Monitoring and accountability systems to evaluate and improve performance.

Giving effect to the array of child rights in international and regional treaties requires coordinated effort by diverse groups, ranging from families and communities to governments and non-state actors. In the government sector, major role-players include line ministries and agencies responsible for children's affairs, along with others such as planning and budget commissions and ministries for finance, health and education. The legislature, judiciary and other law enforcement bodies also have significant contributions to make in ensuring the continuity and effectiveness of implementation efforts. The extent to which these institutions reinforce each other's work and lead to tangible results depends on their capacity, the resources at their disposal, the effectiveness of coordination between them, and the accountability mechanisms in place to monitor and influence performance.

Moreover, implementation relies on effective coordination not only between similar strata of the public sector, but also between different levels of government, and between government and non-state actors such as civil society organisations (CSOs), the private sector, the media and children themselves. In general, coordination mechanisms work better when a well-articulated, agreed vision for children is translated into short-, medium- and long-term plans of action. Without such vision and plans, the door is open to disorganised, compartmentalised activities that carry higher risk of duplication and therefore wastage of resources.

In light of these considerations, this report examines:

- Whether governments have established functional structures capable of coordinating national efforts to implement all children's rights
- Whether they have allocated adequate budgets for such interventions
- Whether they have developed comprehensive strategies and plans of action for children, and whether these are being used as instruments for coordinating and guiding government-wide implementation efforts.

The other important components of child rights implementation are the monitoring and accountability mechanisms in use by governments and independent entities such as human rights institutions. These provide oversight, checks and balances, and contribute to improving the performance of implementing institutions. Governments are expected to be proactive and put systems in place to ensure efficient, effective use of resources to achieve planned goals. Also significant in this regard are the informal mechanisms of various non-state actors for monitoring governments and holding them accountable.

The four aspects of implementation outlined above constitute the focus areas of this report. The chapters that follow consider each area in depth: Chapter 2 examines structures responsible for children's affairs; Chapter 3 deals with coordination; and Chapter 4 looks at accountability mechanisms. The state of child rights and the efforts made by governments to enhance compliance are elaborated in Chapter 5. The last chapter, Chapter 6, presents conclusions and priority areas for action to improve child rights implementation in Africa and bridge the gap between policy and practice that exists in almost all African countries.

2

INSTITUTIONS, SYSTEMS AND CHILD RIGHTS IMPLEMENTATION

‘Change [institutional and systemic] comes more often in an incremental manner, and less frequently as dramatic breakthroughs.’

– **Ian Hopwood**, former Representative of UNICEF in Senegal, Zambia and Guinea

2.1 Background

Children’s rights are affected by the decisions and actions of many actors. These include parents, government agencies, private businesses, multilateral agencies and NGOs at national, regional and international levels. The overarching responsibility of the state is, therefore, to ensure that all role-players advance the cause of child rights; to help enable them to do so; and to guarantee that the best interests of the child are paramount in all decisions and actions they take.

As noted in the previous chapter, General Comment No.5 spells out many legislative, administrative and other measures that states must take to create the required child rights governance systems². Viewed holistically, the state is obliged to put in place the institutions and systems necessary to ensure that all implementing role-players are organised around a common purpose or goal – the realisation of children’s rights. It is also obliged to allocate adequate resources to ensuring that these institutions and mechanisms deliver on their responsibility to coordinate implementation efforts and attain, progressively, all children’s rights (UNCRC 2003).

This chapter explores structures and mechanisms making up the components of an effective child rights governance system. It seeks to identify and analyse factors that have supported or undermined the establishment of effective systems for implementing children’s rights. Drawing on analyses of case studies and other relevant resources from across Africa, the chapter aims to provide a framework for critical self-reflection, and offers a number of recommendations for consideration in strengthening governance systems as they relate to children.

Analyses in subsequent sections focus on promotive and inhibitory factors of cross-cutting relevance to implementation. Areas considered in depth include approaches, successes and challenges in establishing and managing structures and systems for implementation; coordination of implementation efforts; development of enabling policy frameworks; effective sectoral planning; and resourcing. The two following chapters explore the remaining components of coordination and monitoring and accountability mechanisms.

² Child rights governance refers to governments’ responsiveness in implementing the standards and principles of the CRC and the ACRWC, including its effectiveness and delivering and/or coordinating the essential services and support that children need (Save the Children International 2014).

2.2 Contextual factors affecting implementation

A large number of African countries have reviewed and developed their policies and laws to align them with the dictates of the CRC and the ACRWC. However, the same level of success has not been achieved in implementation and provision of services for all children – and particularly not for the most marginalised and vulnerable groups.

This section identifies a number of contextual factors that commonly inhibit or promote the translation of child rights policies and programmes into effective interventions on the ground. The lessons learned from engaging with how these factors have impacted on, and been successfully addressed through, child-rights governance, provide valuable guidance for strengthening implementation systems.

Child rights implementation is influenced by macro- and micro-political, economic, governance and societal factors. As far as possible, the design of a country's child-rights governance system must account for these realities. Such factors include political dynamics and processes, administrative structures and capacity, national income and budgets, and socio-cultural norms and practices. Some examples are explored in the following paragraphs.

Political and economic factors

In recent years, Africa has seen broad improvements in governance, accountability and citizens' engagement. On the other hand, it has also been witness to increasing levels of corruption and inequality. In a number of countries, developmental progress has been undermined by long periods of autocratic and authoritarian rule, weakened governance and institutional capacities, political instability, internal conflict and natural disasters (Ojo and Esan 2015). These factors have held back the realisation of children's rights; and, while they are not unique to the African continent, their negative impact is further aggravated by Africa's broader demographic and economic context.

Political and governance issues combined with huge demand for services and, in most African countries, a lack of resources to finance them, together contribute to poorer levels of implementation in Africa than in other regions. Government budgets are under huge pressure, for a range of reasons including a child population that is nearly half of the total population; rapid urbanisation; deficits in energy, infrastructure and basic services; and high unemployment, especially among youth.

Hemmed in by such constraints, governments find it hard to implement policies and strategies in general, not only those dealing with children. Increasingly they are looking beyond the usual bureaucratic models, seeking greater effectiveness through measures like public-private partnerships, greater decentralisation, privatisation and the creation of autonomous agencies – so far, with mixed results. All these approaches impact the scale and pace of child rights implementation.

Opposing socio-cultural norms

Even after two decades of promotion, particularly following the adoption of the CRC and the ACRWC, the concept of children's rights is often misunderstood by many as a foreign imposition alien to the culture and values of African societies that is likely to undermine

parental authority and bring about social disruption. In a survey in Senegal, for example, 69 per cent of interviewees regarded child rights as contrary to their culture (CONAFE Senegal and Save the Children 2011). This is both a reason for and an outcome of the fact that most governments have not made the CRC's provisions sufficiently widely known 'to adults and children,' as stipulated in article 42 of the Convention.

For many, the notion of childhood underpinning the CRC is seen as prioritising the individual, whereas African communities often emphasise the need to sustain interdependent life. The reality in many parts of the continent is such that the situation of children cannot be understood separately from the social relationships in which they are embedded³ (Afua 2009; Tatek and Tamirat 2014). The idea that children have special rights apart from those of adults, and that the 'best interests' of the child can be separate from, and in opposition to, the interests of the family, can be hard for traditional leaders and rural community members to accept. Strict discipline and control over children are viewed as important to their upbringing, and their right to be heard is regarded as inconsistent with their duty to be respectful to adults. The situation is worse for the girl child, and has negative implications for child participation. Such misconceptions and harmful practices are among the main barriers to translating child-related policies into meaningful change on the ground.

However, 'culture' is neither monolithic nor static, and perceptions of this kind are not universally shared in Africa. Parents of different generations and socioeconomic backgrounds have different expectations of, and ways of relating to, their children. This underlines the fact that change is possible, through social movements that create environments conducive to the promotion and effective implementation of children's rights. It remains the case, nevertheless, that societal attitudes towards children's rights have at least two broad consequences. The first is that they can limit the contribution families and communities make to the improvement of children's lives, a contribution all the more essential in view of the resource constraints on governments and the expectation that parents shoulder the primary responsibility for their children's wellbeing. The second is that governments will not be inclined to take action on child rights issues if they believe public support is lacking, or that proposed actions will be contested.

These realities suggest that the complexities of implementing child rights have been vastly underestimated, both by governments and by child rights advocates. To put it differently, implementing the fundamental changes the CRC and ACRWC require, will involve, more often than not, a long and protracted process. Strong incremental gains against time-bound targets are certainly possible, but equally, it must be recognised that those who are committed to implementing child rights face a daunting task.

These factors combine to foster what is commonly referred to as 'lack of political commitment' to children's rights - an oft-cited reason for slow or failed implementation. While there will always be exceptions, politicians are unlikely to press for advances in rights implementation if it goes against their interests, and even less likely if their efforts encounter resistance. The implication is that, on the whole, political leaders seldom take

³ This is partly addressed in the ACRWC, notably in article 31 and in the preamble, which invokes the virtues of African culture and values.

decisions that challenge strong vested interests or which go against the prevailing norms and values of their society. They may opt to 'go along' with a new law or initiative, but are unlikely to follow up strongly on implementation. As a result, important investments in children, which take time to bear fruit in terms of improved human and social capital, are all too often postponed indefinitely. Such practices need to change and governments must revisit their policies, strategies, structures and systems for children's rights. Proactive measures must be taken to mitigate socio-cultural barriers and ensure effectiveness of interventions in improving the wellbeing of children and fulfilling their basic rights to life, protection and development.

Positive developments supporting child rights implementation

The current picture on the continent is, however, positive in many respects, and many features and recent developments augur well for the development of stronger child rights implementation systems. The following are some highlights with direct or indirect positive implications for the promotion and effective implementation of children's rights in Africa:

- Parliaments and judiciaries in a number of countries are increasingly exercising constitutional checks and balances against the executive wings of governments.
- While the space for civil society engagement in human rights, including child rights, is shrinking, there are encouraging developments where the sector is presenting an ever-stronger countervailing force against potential abuses of power.
- The African Union has adopted a series of declarations and legal instruments to strengthen democratic practices and is now more committed than ever to taking action to combat major abuses such as unconstitutional regime changes.
- There is increased, if uneven, freedom of expression, and an expanding free and independent media. This has opened up space for discussion of child rights issues and led to vigorous public debate on a range of sensitive topics such as domestic violence, sexual abuse and exploitation of children, trafficking, and other harmful practices that until not long ago were scarcely acknowledged.
- Significant improvements have been made in both the quantity and quality of child-related data, which can be used to make the case that children are disadvantaged.

Overall, there has been a broadening and deepening of support for children's causes. The major challenges, then, are to translate these positive trends into better policies, legislation and programmes that target vulnerable children; and to invest in strengthening systems and institutions so as to enhance their effectiveness in implementing those policies, laws and programmes.

In the longer term, the challenge calls for a broad-based movement for social change and the creation of a culture of respect for, and commitment to, the full enjoyment of human rights, including child rights. This will not happen, however, without supporting institutions and systems that use the limited available resources efficiently to increase access to high quality services.

2.3 Institutional factors affecting child rights implementation

The multi-sectoral nature of children's rights makes it almost impossible to implement them fully under a single agency. The overarching responsibility of governments is therefore to put in place a child rights governance system that ensures the visibility, advancement and realisation of all children's rights across the full implementation processes of all role-players.

Effective implementation requires a strong supporting institutional framework that can make children's rights government-wide priority on national and sectoral development and delivery policies, budgets, programmes, and monitoring and evaluation systems. Lessons learned from systemic reviews confirm that where underlying governance is weak, implementation is likely to fail. This section examines institutional aspects of child rights implementation, and associated issues.

Current practices show that there are considerable differences between countries in the way they organise structures responsible for children's affairs, both at national and sub-national levels. While some have placed these structures close to the heart of government, others have put them in ministries with multiple target beneficiaries and responsibilities, or created agencies with limited power and political clout to exercise their mandate.

It is more common for children's issues to be appended to ministries of family, women, welfare, sports, youth, disability, culture or maternal issues where the term 'children' does not even feature (see Table 2.1). Because women, persons with disabilities or even youth are groups that tend to have greater political influence, children's issues are at a disadvantage in composite ministries dealing with numerous other social issues.

The Federal Ministry of Women's Affairs and Social Development in Nigeria, for example, is broadly mandated to manage and coordinate issues related to several vulnerable groups, including women, persons with disabilities and children. Children's issues are not in most cases given the attention they deserve within the ministry; are low on the list when it comes to resource prioritisation; and often appear to be an "add-on" to the Ministerial portfolio. In Tanzania, children's affairs in the newly constituted cabinet fall under the Ministry of Health, Community Development, Gender, the Elderly and Children, a ministry with multiple responsibilities ranging from broader issues of public health to community development to women and the elderly, crowding out any focus on children's issues or follow up on implementing their rights.

In Zanzibar, children's affairs are housed in the Ministry of Empowerment, Social Welfare, Youth, Women and Children. In Benin, children's issues are dealt with by the Ministry of Youth, Sports and Leisure. The governments of Seychelles and Madagascar have respectively placed children's affairs under the Ministry of Social Development and Culture and the Ministry of Population and Social Affairs (ACPF 2016c). In these cases, the reality is that the ministries have divided attentions and varying levels of commitment to children's rights.

Table 2.1: Examples of broadly-mandated ministries responsible for children's affairs

Country	Lead ministry
Benin	Ministry of Youth, Sports and Leisure
Burkina Faso	Ministry of Social Action and Solidarity
Cameroon	Ministry of Women and Family
Egypt	Ministry of Health and Population
Guinea Bissau	Ministry of Women, Family and Social Cohesion
Lesotho	Ministry of Health and Social Welfare
Madagascar	Ministry of Population and Social Affairs
Morocco	Ministry for Solidarity, Women, the Family and Social Development
Nigeria	Federal Ministry of Women's Affairs and Social Development
Rwanda	Ministry of Gender and the Family
Seychelles	Ministry of Social Development and Culture
South Africa	Ministry of Social Development
Tanzania	Ministry of Health, Community Development, Gender, the Elderly and Children

Sources: ACPF 2016d; 2016e; Tagwireyi 2012

In a context of competing demands and limited resources, children's rights can suffer political and economic marginalisation when other, more dominant groups win the fight to ensure that their vested interests are respected. When this happens, there is a greater risk that children's rights will not feature on the national development agenda, and that the investment of financial and human resources to support programmes targeting them will be too small to provide services at the scale required to ensure adequate implementation. Proactive measures must be taken to strengthen the institutional frameworks responsible for children's affairs and bestow on them the political, institutional and financial power necessary to exercise their mandate.

In the country case studies that fed into this report, the ministries responsible for children's affairs, as they are currently structured and staffed, face serious capacity constraints – whether for coordination, implementation and advocacy, or in oversight roles to ensure adherence to the principles and standards of child rights. Severe capacity limitations are among the main barriers inhibiting these structures from exercising their mandate and expediting child rights implementation in Africa.

Constraints due to serious staffing shortages also apply, whether the ministry has a single mandate or several, and these cut across the full range of government services with regard

both to overall staffing levels and to technical areas relating specifically to children. Particularly given that in numerous countries key child services exist only in major cities, constraints are far more pronounced in regions and districts, where they limit the capacity to implement laws, policies and programmes targeting children at sub-national levels. Even where well-trained professionals are available, many governments allocate insufficient funds to recruit and retain them, with the result that these scarce human resources migrate to better opportunities elsewhere.

The Executive Secretary in charge of children's affairs under the department for Women and Children in Guinea-Bissau, for instance, had only three experts and an intern working under them – hardly sufficient for a country with many child rights concerns (ACPF 2016h). In Tanzania, the Ministry for Community Development, Gender and Children (which has recently moved to Ministry of Health, Community Development, Gender, the Elderly and Children) faced a severe shortage of human resources. Sub-nationally, 61 per cent of community development posts at ward level had not been filled, and many districts had no ward-level community development officers at all. These realities underline the huge challenges faced by the ministries and departments responsible for children's affairs in Tanzania, and many other countries in Africa, in delivering on their huge mandate.

In addition to chronic capacity limitations, challenges relating to institutional frameworks include a lack of autonomy for existing structures that have mandates to coordinate and oversee child rights implementation. Often, ministries responsible for children's affairs are considered lightweight, and other line ministries are reluctant to be coordinated – and even less to be held accountable – by ministries they perceive in this manner. It was also noted that there is little or no dialogue among various institutions that were supposed to coordinate and work together (ACPF 2016e; 2016f).

Above all, ministries for children require strengthening so that they can formulate and execute strategies for scaling up and expanding outreach. In many countries, government programmes are small in relation to the magnitude of the problems they seek to address, and heavily reliant on donors for funding. There is also insufficient provision for developing the capacity of ministries and their collaborators.

Box 2.1: Lessons from the implementation of the AU Plan of Action Towards an Africa Fit for Children

As part of the African Union (AU)-led review of the implementation of the Plan of Action Towards Africa Fit for Children, assessments were made to examine progress towards, and challenges impeding, achievement of the goals set out in the framework.

In the Plan of Action, strengthening institutional frameworks is one of the top priority actions, and a key consideration in the assessment. The main finding was that limited effort had been made to build the capacity of institutions responsible for children's affairs, and that the resulting weak institutional frameworks constituted a main barrier to effective implementation of the Plan and achievement of its goals.

The major limitations of these frameworks related to inadequate capacity to coordinate interventions effectively, and weak accountability mechanisms, attributable in part to the lack of institutional autonomy. This led to duplication of efforts and lack of dialogue and shared planning among responsible role-players, which undermined the effectiveness of national children's programmes in a number of countries.

Sources: AMC; AUC 2012

In short, ministries for children should accord high priority to their advocacy, coordination and oversight roles, enhancing the visibility of children on the national agenda and addressing key funding and capacity challenges. Yet while there is growing consensus that the challenge of capacity development has been underestimated, there are few comprehensive action proposals. Even when development partners are willing to assist in capacity-building and related collaborative initiatives, they are sometimes discouraged by bureaucratic processes and turf wars within ministries. Creative new strategies are needed to develop partnerships with universities, development partners, research institutes, think tanks, foundations, civil society organisations and the private sector. All of these can provide technical expertise and implementation skills, and possibly financing, to strengthen institutional and individual capacities.

It is imperative for effective child rights implementation that governments deploy existing human resources optimally and at the same time devise capacity-development strategies to overcome gaps in this respect. Specific requirements can be identified through needs assessments that gauge how far basic training in child relevant fields has kept up with new concepts, techniques and interdisciplinary methods, and responded to the evolving realities of African children and their families.

In this regard, the need to expand basic training programmes and take advantage of new information technologies can be anticipated. This can be used to develop continuing education programmes and upgrade professional competencies and knowledge. Among the categories of human resources to target are social workers, magistrates, paediatricians, child psychologists, educators, planners, evaluators, and teaching and research staff.

2.4 Planning for an effective implementation

2.4.1 National plans of action for children

Overcoming some of the contextual and related systemic challenges that marginalise children's rights requires broad-based movement for social change. This requires the support of all role-players at all levels of implementation. Achieving this degree of collective and coordinated prioritisation at all levels necessitates the development of a national government-wide strategic plan of action for children.

Many governments lack a comprehensive, long-term, widely embraced strategic vision for children that is rooted in the political, social and economic realities of their countries and inspired by the CRC, ACRWC and other relevant human rights instruments. This absence is disturbing in the African context, where nearly half the population are children.

As spelt out in General Comment No. 5, implementation of children's rights requires a national strategic plan for children that provides a common, unifying, comprehensive and rights-based framework of action for all role-players. The plan needs to be developed inclusively and must pay particular attention to the specific steps that should be taken by particular role-players to realise the rights of marginalised and vulnerable children. It is important that the national strategic plan for children has political support at the highest levels, and that it is linked to national development strategies and planning processes – and stays there.

Strategies and plans must go beyond a list of good intentions and statements of principles, and set real, achievable targets in relation to the full range of economic, social, cultural and civic and political rights for all children. It should be outcomes-focused, include achievable targets, and be given effect through aligned sectoral plans of action and appropriate public financial and human resources. Without such measures, it is not possible to implement children's rights on a significant scale.

This is all as theory prescribes it should be. When looking at practice, however, many countries fall short of expectation, as the country case studies show. The governments of Egypt and Nigeria, for instance, have national plans of action, but these have limited ownership by different stakeholders, and little linkage to national budget processes – which in turn has created problems in funding and coordinating their implementation.

Similarly, the Government of Senegal has a comprehensive three-year plan for child protection with 39 costed priority actions, but the implementation mechanisms are not yet fully functional and there is a large funding shortfall. In Tanzania there are only thematic plans, which are not comprehensive enough to address the spectrum of child rights issues. The other countries in the study have health and education sector plans, as well as a considerable number of thematic plans that focus on specific child rights issues such as female genital mutilation (FGM), child labour, child justice, and violence. Unlike most other countries, Guinea Bissau has not revised the plan of action it developed some years ago, and this is almost too out of date to serve its purpose and unify national activities targeting children.

In addition to gaps in high-level political endorsement and poor engagement and ownership on behalf of key stakeholders, challenges to national plans for children include incomprehensiveness of the plans; limited funding for implementing the activities; ineffective coordination; capacity limitations in implementing agencies; and lack of functional mechanisms to hold role-players accountable.

Because of these problems, plans of actions and strategies for children have been largely ineffective in guiding national efforts to realise children's rights fully. They are usually seen as a means to broaden national dialogue, notably during the formulation phase, but are less useful as operational guides for implementation. This is because the strategies and plans tend to be 'over-standardised' – they do not take national realities into account and lack broad national ownership, political 'buy-in,' and realistic targets. There are however countries such as Namibia that offer good practice in the development of a result-based national plans of action for children (see Box 2.2).

It was also noted from country experiences in costing plans of action that cost estimations were insufficiently credible to secure the required funding, whether from donor or internal sources. Faced with many competing priorities,⁴ resource-constrained governments were unwilling or unable to invest the political capital and resources needed to implement national strategies and plans of action for children successfully. Progress was therefore patchy and piecemeal, and depended on the dynamism and resource-mobilisation capacity of the actors responsible for the various sub-components. The health and education sectors were usually the most effective, as were certain thematic areas like child labour. As a result, national plans served more as advocacy statements drawing attention to an action agenda than as vehicles for significant change in children's lives.

Box 2.2: Key features of Namibia's National Agenda for Children (2012-2016)

The Government of Namibia offers a model of good practice in developing a comprehensive and results-based national agenda for children, one that clearly articulates, under each of the proposed results, the current situation; the national commitment; strategies for implementation; the lead agencies responsible for implementation and their partners; indicators for monitoring progress; and the framework for holding lead agencies accountable for their performance.

The government developed the National Agenda for Children (2012-2016), a five-year framework to guide all sectors towards fulfilling their obligations to realise all the rights of children. The Agenda aims to strengthen multi-sectoral collaboration to achieve the envisaged results. It supports the building of national systems and innovative programming; ensures integrated programming by different sectors; and, allows for the clear articulation of progress on each result through strengthened monitoring and coordination mechanisms.

The Agenda identifies five priority commitments based on consultations with major stakeholders in all sectors. Each of these priority commitments has three key results to be achieved within the five-year period. The priority commitments are to ensure that:

- All children are healthy and well nourished
- All children have equitable access to quality integrated early childhood development (ECD) services and pre-primary, primary, secondary and vocational education
- All children have access to age-appropriate high-quality HIV prevention, treatment, care and support
- All children have an adequate standard of living and a legal identity
- All children are safe from neglect, violence, abuse and exploitation.

continued to next page...

⁴ Since the 1990 Summit, there has been an inflation in 'summits' and global or African conferences, nearly all of which require governments to adopt goals and then develop plans of action along with coordination and monitoring mechanisms. For almost every one of the case study countries, the sum of these commitments is greater than the capacities and resources available to meet them.

Unlike previous such plans, the Agenda has shifted focus towards a more comprehensive national response to children's rights, with emphasis on building systems and strengthening national and local capacities and partnerships. It recognises and emphasises the need for government and partners to collaborate and coordinate their endeavours to ensure that the rights of all children are fulfilled holistically, and no child misses out on any critical service.

The Agenda also clearly outlines key indicators and expected results. For example, under Commitment 4, All children have an adequate standard of living and a legal identity, one of the three stipulated results (result 4.1) states that child vulnerability must be addressed through a comprehensive national social protection system. To illustrate how the Agenda provides guidance on the main features of its implementation and monitoring, we have highlighted the indicators, a brief description of the situation, the lead agency coordinating the intervention, involved partners, and the process of implementation and monitoring for this particular result.

Indicators used to track progress toward this particular result:

- Percentage of children living in poverty
- Percentage of social service posts in child welfare that are filled.

Description of the situation

The Agenda emphasises the fact that despite Namibia's strong economic growth and upper-middle income status, about 43 per cent of its children and 38 per cent of adults live in poverty. It was also noted that, with a Gini coefficient of 0.74, the country has one of the highest income disparities in the world.

Lead agency to guide and coordinate implementation: Ministry of Gender Equality and Child Welfare (MGECW).

Main partners involved in the process: National Planning Commission (NPC); Ministry of Labour and Social Welfare (MLSW); Ministry of Education (MoE); Ministry of Health and Social Services (MoHSS); and civil society organisations working in this area.

Priority strategies

- Develop a social protection strategy that integrates and enforces different social grants, exemptions and other social protection measures to serve and reach children in poverty.
- Strengthen national monitoring systems to include indicators on child poverty and service accessibility for vulnerable children.
- Strengthen social welfare workforce capacity and interagency coordination to ensure that children access critical services.

Implementation and monitoring

This section of the Agenda reiterates that the lead ministry will advance these strategies by continuing to implement the recommendations of the Human Resources and Capacity Gap Analysis and by taking measures to restructure the social welfare workforce cadre as deemed appropriate. The NPC will include reports on child poverty following each National Household Income and Expenditure Survey. Periodic longitudinal surveys and short-term tracer studies will also be undertaken to review the impact of poverty reduction and social protection interventions. A review will be undertaken with the aim of incorporating the necessary indicators into Naminfo, a national database for tracking human development.

Source: Namibia's National Agenda for Children (2012-2016) issued by the Government of the Republic of Namibia (2012)

2.4.2 Planning modalities to support child rights implementation

While a comprehensive child rights strategy is essential, on its own it is not enough. All departments, branches and levels of government must fulfil their assigned responsibilities and support implementation of planned programmes through the development of aligned sectoral plans and the allocation of adequate human and financial resources. This section therefore examines strategic planning methods to support child rights implementation at a sectoral level.

Effective planning for child rights implementation requires sound knowledge of the changing planning environment. In this context, the key instruments shaping implementation are annual budgets and annual and three-year rolling investment plans. Here, the dominant discourse is more often 'results-based' than 'rights-based'. 'Hard' economic data, economic growth rates, budget deficits, and aid disbursement rates are monitored more closely than child rights implementation. In the same vein, Medium-Term Sector Expenditure Frameworks have been introduced to facilitate better sectoral alignment between resources with results.

Child rights actors need to understand these processes and influence them in appropriately persuasive ways. In addition to citing strong moral and legal justifications, this involves advancing politically attractive and economically sound arguments, without which child rights programming will remain under-developed and under-resourced. For example, in a number of countries, while children's rights do feature more prominently than before in national planning documents (mainly in components on health, education, poverty reduction and social protection) this does not automatically lead to effective implementation. Implementation has been inconsistent, varying according to factors such as levels of funding, institutional capacity to translate priorities into operational programmes and projects, and capacity of the services responsible for implementation.

It was noted that national plans of action for children rarely inform Mid-term Expenditure Frameworks (MTEF) and planned interventions are not included in ministry budgets. Activities are often costed on an ad hoc basis outside of formal budgetary processes, with these costings appearing superfluous because they do not spell out a clear strategy for mobilising resources to cover them. As a result, implementing ministries face serious financial constraints in putting plans into action effectively, and have to increase their reliance on donors (ACPF 2016f).

Box 2.3: Barriers affecting Tanzania's National Costed Plan of Action for the Most Vulnerable Children

A key feature of Tanzania's National Plan of Action for the Most Vulnerable Children (NCPA II) is that it has been carefully costed to give policymakers and economic planners a clear picture of the financial resources needed to implement it. It is also fairly comprehensive, draws lessons from its predecessor, and has all the main elements a good plan of this kind should have.

However, there have been significant problems in rolling it out to cover the country as a whole. The major barriers to its implementation are:

- **Human resources:** The primary implementer of the Plan is the Department of Social Welfare (DSW) of the Ministry of Health and Social Welfare (MoHSW), which has now been moved to the Ministry of Health, Community Development, Gender, the Elderly and Children (MHCDGEC), a severely under-resourced department. At almost all its levels, and especially at the lower administrative levels, there are insufficient human resources for the department to carry out its work. With few exceptions, there are no social workers at ward or even district level. Implementation of the Plan depends largely on Community Development Officers (CDOs), who are already overburdened with numerous other tasks.
- **Funding constraints:** The total budget for the Plan was USD 44 million for 2014 and USD 57 million for 2013. However, much less than this was allocated. The government attributes this to donor delays in disbursing funds, but the reality is that the Ministry of Finance allocated available funds to other expenditures.
- **Donor dependence:** The government is implementing the Plan with various partners, including funding agencies, NGOs and faith-based organisations (FBOs). While this is welcome, the tendency is to over-rely on these partners, financially and technically. ACPF's assessment showed that implementation efforts actively coordinated and supported by NGOs are more likely to be successful, whereas those without direct NGO support varied in quality, scope and effectiveness.
- **Coordination:** Coordination bodies at lower administrative levels, such as the Committees for the Most Vulnerable Children (MVCCs) and Child Protection Teams, are not recognised as formal structures. This makes it difficult to allocate resources to them, because such allocations have to be authorised by the issuance of a circular from the Prime Minister's Office-Regional Administration and Local Government (PMO-RALG). This has not happened, so it has not been possible to strengthen the capacity of the Committees at ward and community levels to facilitate activities by Local Government Agencies (LGAs) and thereby implement the Plan more effectively.

As a result of these issues, there have been serious delays in implementing the Plan, and hence in achieving its core objective: mitigating the multiple deprivations experienced by vulnerable children.

Source: ACPF 2016f

2.4.3 Featuring children in sectoral planning

Implementation of the full range of protected children's rights requires all sectors to develop sound, inclusive, adequately resourced plans and programmes for discharging their responsibilities to children – and not just those sectors most obviously and immediately responsible for daily services such as health and education.

The ACPF's country case studies and reports from other sources suggest that considerable progress has been made in integrating child rights into sectoral strategies and development plans, particularly in the areas of health and education. Sound sectoral development plans are an essential component of the child rights governance system supporting the implementation process. They pave the way for smoother implementation by incorporating operational mechanisms that relate to coordination, resource mobilisation, performance management, M&E, and, less commonly, supervision, procurement and accounting. Increasingly, such plans also emphasise a degree of decentralisation and promotion of innovation.

Many countries have sectoral plans for health and education, and less frequently for sectors like transport, agriculture, water and sanitation, and justice. This partly explains significant progress to date in child survival and under-five mortality reduction, along with the dramatic expansion of access to primary education for boys and girls. However, that progress is uneven across countries, highlighting the importance of addressing outstanding country-specific constraints. A major continuing challenge is the need to strengthen equity in opportunities and outcomes. This means making sure that the most marginalised and disadvantaged children are reached through strategies targeted at those who are still out of school, including the disabled, and reducing unacceptable disparities in mortality, nutrition and other health-related indicators. In general, such sectoral plans do not yet exist in the field of child protection, although some initiatives of this kind are emerging. Senegal's 2013 National Strategy for Child Protection offers a good example.

There is generally a proliferation of thematic issue-specific plans and projects in a number of African countries, many of which encounter significant implementation constraints. This is especially true when plans are structured around ambitious objectives and strategies flowing from international declarations or donor-driven international initiatives, a situation that potentially weakens national ownership of these plans and their closeness of fit with national capacities and country conditions. Moreover, many of these plans and related projects are poorly costed, and when they are donor-funded (as is often the case) the level of ambition is ultimately determined by the size of the donor contribution. In these situations it is doubtful how sustainable these plans and projects are, and whether strategies for taking them to scale are feasible.

2.4.4 Involving children in the planning process

In line with the CRC and the ACRWC there is an imperative to include children's voices in planning and implementing their rights. Although much of the relevant documentation refers to 'participation', in reality effective mechanisms and processes for obtaining children's views on decisions affecting them are strikingly absent. Obtaining these views calls for special skills, and is particularly challenging where hierarchical, top-down

approaches prevail. There is also a constant risk of tokenism and the manipulation of children to serve the interests of powerful stakeholders.

If plans and programmes are to take account of children's realities, listening to the child is not just a matter of ad hoc consultation for fine-tuning ready-made courses of action at expedient moments in the planning cycle. Rather, it requires genuine openness to the voices of children and those close to them, voices that are expressed through public fora and child-focused research and which could challenge the basic logic of those plans and programmes. Additionally, standards and codes of conduct for such initiatives are needed, to provide maximum protection to children.

Box 2.4: Children's contribution to the drafting of Egypt's new constitution

On 10 October 2013, child delegates sat with members of Egypt's constitutional drafting committee in Cairo and submitted a manifesto outlining their demands. They had the opportunity to speak about issues they considered fundamental to enjoying their rights. Unlike similar occasions in the past, the meeting was successful in influencing the content of the constitution, in that Article 80 of the latter was dedicated to providing for all the rights and demands the children had requested. The Article's provisions are compatible with the CRC and ACRWC, and entitle children to a range of rights beneficial to their care, protection and harmonious growth and development.

This achievement sets a precedent for other countries to follow. It demonstrates the need for, and value of, listening to children's views and taking legal, policy and administrative measures to ensure that their special needs are met. However, children's participation should not be confined to one-off initiatives, but rather systematised to enable children to make continuing contributions to planning, implementing and following up measures that advance the realisation of their rights.

Source: ACPF 2016g

Finally, implementing a welter of different plans can be labour-intensive for the responsible ministry, given that each plan usually envisages a project with its own separate coordinating committee, annual planning and budgeting, and reporting and review mechanisms. Whatever the planning and programming modalities are, invariably they require extended partnerships, pooling of resources and significant capacity development.

2.5 Resourcing child rights implementation

2.5.1 National budgets and donor trends

Implementation of child rights entails costs in almost all phases. The availability of financial resources significantly determines the scope and effectiveness of activities.

Governments are obliged to allocate adequate resources, both human and financial, to support implementation of sectoral plans and programmes to ensure adequate coverage and quality of all services necessary to realise children's rights. In addition, it requires that governments monitor and report on the allocation of sectoral funds to support child rights implementation.

In most cases, funds directed to child rights implementation are allocated chiefly to line ministries such as those for education and health, with the remainder scattered among the ministries of justice, labour and social affairs. As a result, the shares that ministries or agencies for children's affairs receive may be inadequate for the full exercise of their mandate.

The problem of budgetary and wider political sidelining is compounded when, as happens in many countries, ministries for children are overburdened with multiple mandates. In such cases, the tendency is for the larger part of their already small budgets to be allocated to groups that are politically more important 'clients' than children. One consequence of this is that departments with multiple mandates are under-staffed and lack the full range of expertise to carry out key activities such as planning, programme design, implementation, advocacy, engaging children, and monitoring and evaluation.

There have been positive developments in the allocation of resources to sectors benefiting children, but significant room for improvement remains. It is evident from ACPF's assessments that inadequate funding is a major constraint in implementing children's rights across the board. Generally, there is a serious mismatch between the policies, goals and standards that countries adopt, and the resources allocated to implement them. For example, the total government budget in 2015 for Senegal, classified as a lower-middle income country, is less than USD 350 per capita, and this includes development aid channelled through the national budget (ACPF 2016e). The 2015 health budget is well below USD 20 per capita. Even if one adds to this the aid that is not channelled through the budget, the total is well below USD 40 per capita (WHO 2015). Zambia's 2016 budget envisages similar per capita expenditure. The consequence of these very modest figures is increasing tension between competing interest groups and services for portions of budgets that are getting smaller in real terms.

The end result, particularly in countries where children are not adequately prioritised on the national political and development agenda, is chronic under-funding of development programmes and services. This causes poor coverage, quality and impact of essential services necessary to realise the rights of children. Moreover, resource shortfalls put pressure on governments to look to alternative sources of funding from development partners, with further negative impact on the sustainability of the programmes.

For example, Uganda's Ministry of Gender, Labour and Social Development (MGLSD) has consistently received less than 0.5 per cent of the national budget over the last seven or so years. It obtained funding support from other sources, including multilateral and bilateral agencies and international NGOs, to address funding gaps and carry out some of its activities. In Tanzania, financing in child-focused departments depends to a very large extent on donor funding. It is estimated that 70-80 per cent of the recurrent budget of the Ministry of Community Development, Gender and Children (MCDGC) is externally funded. UNICEF contributes about 10 per cent of the overall budget of local governments to support activities related to the National Child Protection Agenda (NCPA II) and the Child Justice Strategy. Meanwhile, the child labour strategy has stalled due to a lack of funding.

This trend is also seen in Cameroon, where the government is increasing its investment in the social sector, often by entering into technical cooperation and international assistance agreements with other governments, funding agencies and international NGOs. The situation is aggravated by low allocations of the mobilised resources to programmes

benefiting children, and by the inappropriate use of allocated resources. Overall, there are concerns in Cameroon about the inefficient and ineffective use of public funds, as well as limited accountability for decisions taken, especially in the social sector – concerns which, as in several other countries, drive a cycle of under-resourcing. Governments are disinclined to finance sectors with questionable resource planning and management capacity.

Similarly, critical resource constraints impede the implementation of child rights in Tanzania, notwithstanding increased budget allocations. The budget of the Ministry of Community Development, Gender and Children offers a good example. At the level of the national budget, as shown in Table 2.2, allocations have risen over the years in absolute terms; increases to the development budget are also significant. However, children’s issues are a low priority in the ministry, and the responsible department gets the lowest share. In 2014/15 the Children’s Department received only USD 230,500, less than five per cent of the development budget of the Ministry, a substantial portion of which went to cover administrative and travel costs of senior officials.

A further problem is that the amount allocated is reduced drastically during disbursement and/or there are limited funds to cover operational costs. More than 92 per cent of the national budget in Zimbabwe goes towards current expenditures with limited space for non-wage spending in all sectors, but even less space in the social sectors (UNICEF–Zimbabwe 2016).

Delay in budget disbursement is another challenge in implementing children’s rights. In Tanzania, for example, only 22.8 per cent of the development budget had been disbursed by April 2015 (two to three months before the end of the financial year). Although Members of Parliament urged strongly that budgeted money be released to the ministry well before the end of the financial year, this generally does not happen, significantly limiting the ministry’s activities and its coordination role in the child rights implementation process.

Table 2.2: Budget for the Ministry of Community Development, Gender and Children of Tanzania (in US dollars)

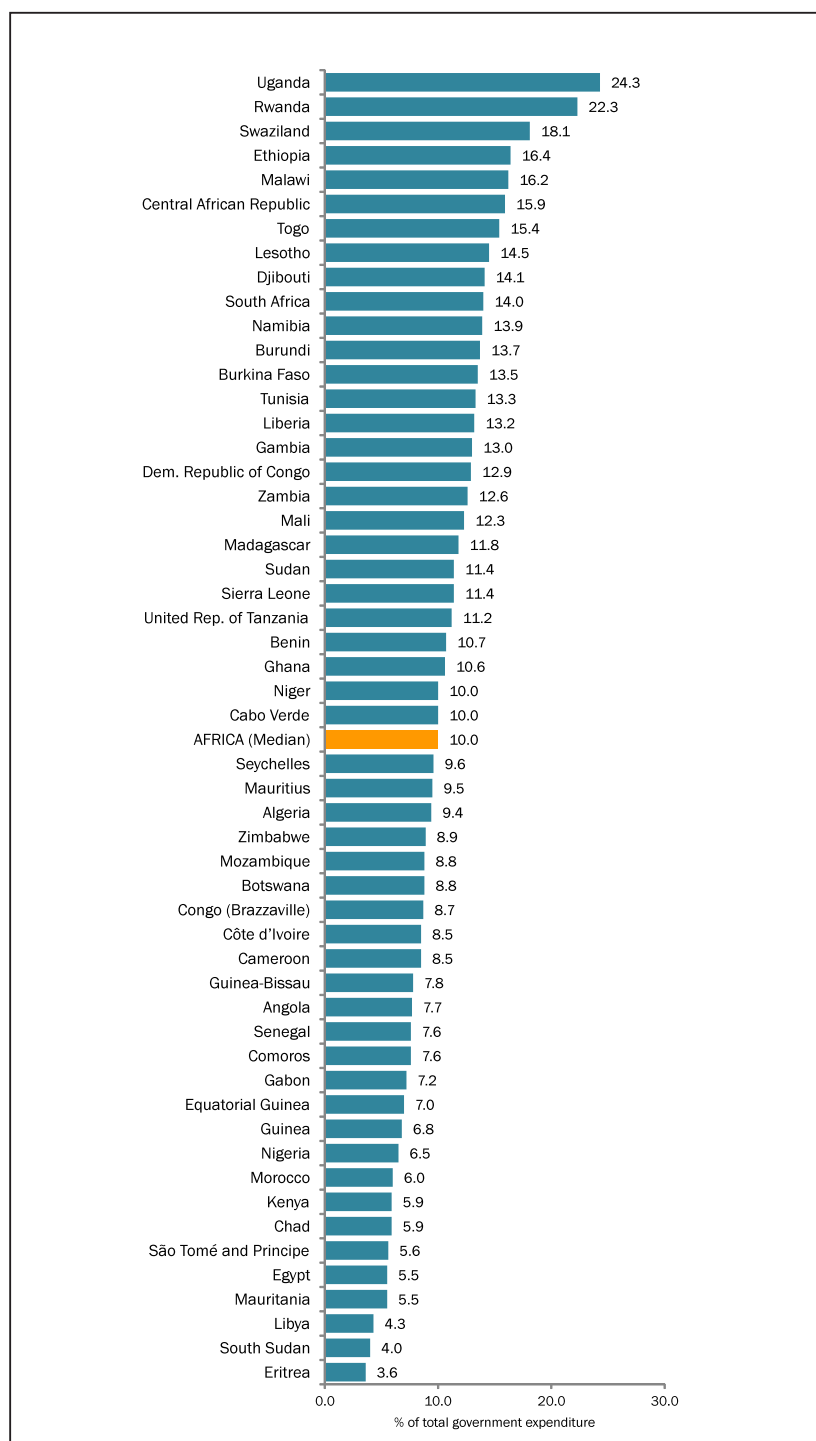
Budget category	2012-13	2014-15	2015-16
Overall budget	7,198,000	13,575,000	14,482,000
Development budget	1,568,000	4,115,000	5,035,000

Source: ACPF 2016f

In addition to budgetary allocations to ministries for children’s affairs, expenditures by other sectors involved in implementing children’s rights were also reviewed. The health sector, for example, is a key player in fulfilling children’s rights to life and to an adequate standard of health. Expenditure on health thus serves as proxy measure of commitment to implementing these crucial aspects of children’s rights. Chart 2.1 shows the most recent health expenditure as a percentage of the total government expenditure by country. Uganda and Rwanda spend a relatively high share of the national budget on the health sector compared to others. Eritrea, South Sudan, and Libya, on the other hand, spend less, at about four per cent of their budgets.

Current levels of expenditure on health were measured against the Abuja target, which requires that governments spend 15 per cent of the national budget on the health sector. The majority of countries spend far below that target, and only seven countries met it: Uganda, Rwanda, Swaziland, Ethiopia, Malawi, Central African Republic, and Togo. The median value for Africa stands at 10 per cent. It has remained so for a number of years, signalling that budget allocation in most countries is not on par with the growing demand for health services.

Chart 2.1: General health expenditure as a percentage of total government expenditure, 2013

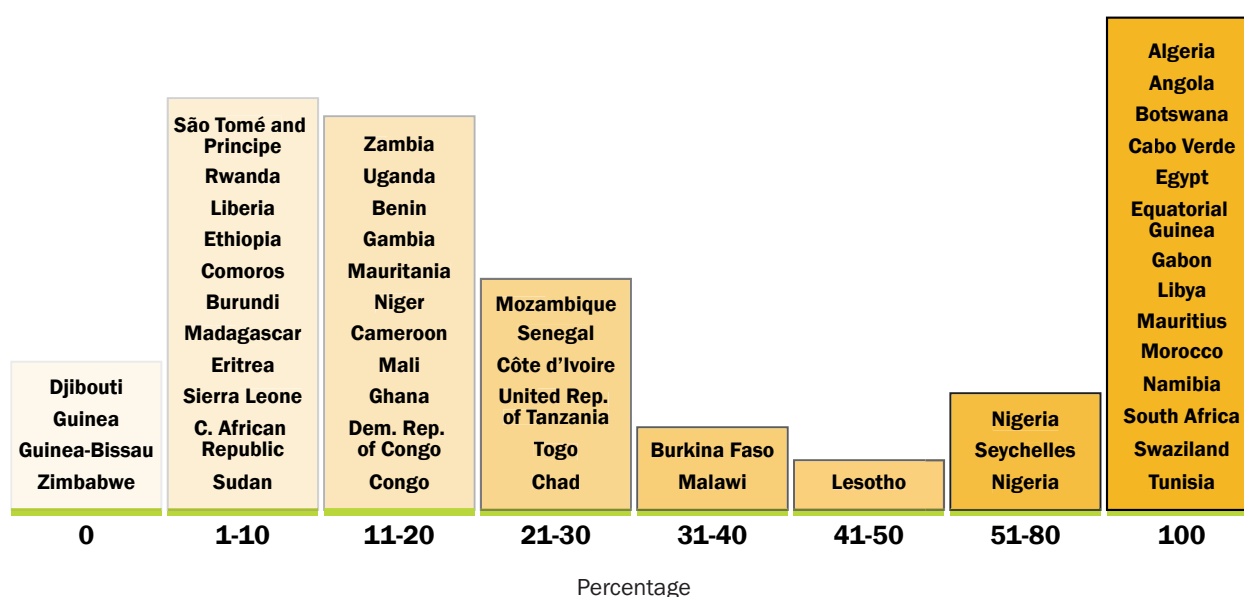


Source: Based on data from WHO Global Health Expenditure Database, 2016

The figures above provide a picture of overall sectoral allocation, but do not tell us how much of the allocated budgets are used for children’s services. Case studies give insight into where funds go within the ministries, and the shares assigned to departments or sections dealing with children’s issues. In Tanzania’s Ministry of Health and Social Welfare⁵, for instance, the Department of Social Welfare, which is responsible for coordinating the National Child Protection Agenda (NCPA II), receives merely one per cent of the budget allocated to the Ministry. The children’s section within it gets an even smaller share of this already limited budget. In the general context of chronically under-funded budgets, children’s issues have very low priority.

Another indicator used to assess budgetary commitments to realising children’s rights and wellbeing is government contribution to budgets for the routine immunisation programme (commonly referred to as the Expanded Programme for Immunisation (EPI)). As shown in Figure 2.1, most countries contributed below 50 per cent of the budget for this important programme, despite the fact that a considerable proportion of children do not have access to vaccines for deadly childhood illnesses. The most committed in this regard were Algeria, Angola, Botswana, Cabo Verde, Egypt, Equatorial Guinea, Gabon, Libya, Mauritius, Morocco, Namibia, South Africa, Swaziland, and Tunisia, all of which financed 100 per cent of the programme in 2014.

Figure 2.1: Percentage of routine EPI budget financed by the government

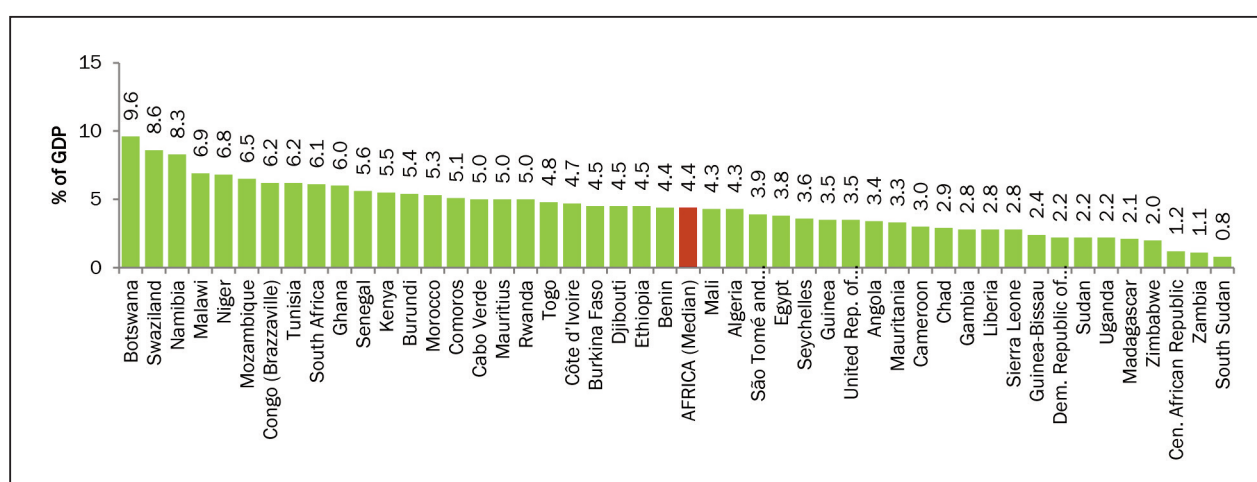


Source: Based on data from UNICEF 2015

⁵ The Ministry has now been restructured as the Ministry of Health, Community Development, Gender, the Elderly and Children.

Education is another important sector beneficial to children. Chart 2.2 shows expenditure on education as a percentage of gross domestic products (GDP) by country. According to the most recent data, southern African countries such as Botswana, Swaziland and Namibia spent a relatively high share of their national income (more than eight per cent of GDP) on the education sector. Similarly, countries like Malawi, Niger and Mozambique fare better than most others, with allocations averaging about seven per cent of GDP. By contrast, countries such as South Sudan, Zambia and Central African Republic spent less than two per cent of GDP on the sector, despite the fact that the majority of girls in these countries lack access to secondary education and a significant proportion of children do not complete primary education (UNESCO Institute of Statistics 2016; UNICEF 2016).

Chart 2.2: Total public expenditure on education as a percentage of GDP



Source: Based on the most recent data from UNESCO Institute for Statistics, 2016b

The median percentage of expenditure on education for Africa is 4.4 per cent of GDP, less than half of what governments pledged 15 years ago at the Dakar Education for All Conference. When looking at individual performance, only Botswana met the nine per cent Dakar expenditure target. It is evident that commitment to this important sector, as in the case of health, falls short of expectation.

There is a tendency in a number of African countries to reduce the budget for the social sector, with a negative effect on the realisation of children's rights and wellbeing. In Zambia's national budget for 2016, for example, social sector allocations (budgets allocated for health, education, water and sanitation, and social protection) declined substantially from 35.3 per cent of the national budget in 2015 to 29.6 per cent in 2016 (UNICEF-Zambia 2016c). Such reduction is happening when child poverty remains high, and when pressure on poor and vulnerable households is mounting due to increasing costs of living, bad harvests, and job losses. There is a similar trend in Togo, despite the country's positive economic performance. Such trends are unacceptable manifestations of non-compliance to obligations to children.

There are, however, some encouraging developments around allocation of resources to vulnerable groups through grants and support schemes. The Government of Egypt, for example, is taking measures to ensure equity of resource distribution by geographical area, sector and group of beneficiaries. It does so by means of subsidies, grants and social

benefits that by and large benefit families (and thereby children). In Egypt's 2014/2015 budget, for instance, about USD 30 billion – or nearly 30 per cent of total government expenditure – was allocated to such support schemes (see Table 2.3 for the breakdown of budgets).

Table 2.3: Budget allocated to support and grant schemes in Egypt, by year (in USD millions)

Support and subsidy types	Budget year	
	2014/2015	2011/2012
Commodity support, including for farmers, electricity and petroleum products	21,249	16,515
– Support for supply commodities	4,102	3,937
– Support for farmers	436	49
– Support of petroleum products	13,033	12,420
– Electricity support	3,541	0
Support and grants for social services, including transport and child support	7,239	2,159
– Transportation support	193	142
– Social insurance pension	1,391	320
– Child pension	7	6
– Contributions to pension funds	4,188	806
– Grants	772	690
Support for areas of development, including:	204	362
– Upper Egypt Development	26	0
– Soft loans benefits for housing	98	108
– Low-income housing	20	195
Support for economic activities	1,155	416
– Support for industrial zones	52	10
– Support for revitalisation of exports	338	337
– Financial credit	54	73
Total support, grants and social benefits	30,401	19,525

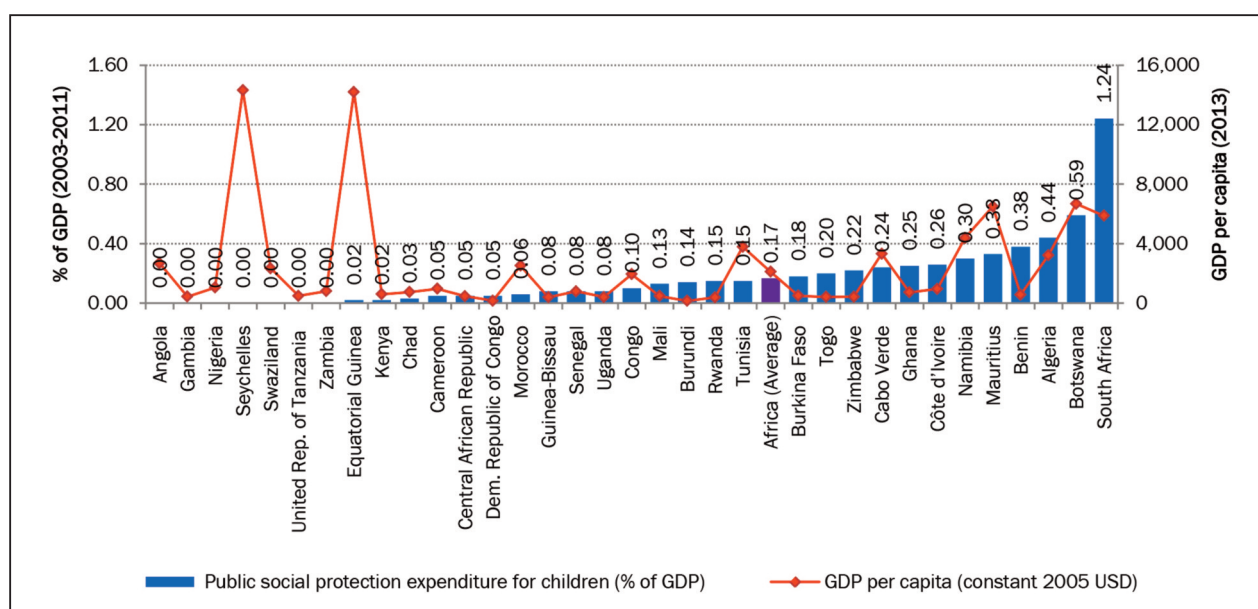
Sources: Ministry of Finance (Arab Republic of Egypt) 2015; ACPF 2016g

There has also been positive growth in South Africa: a support scheme for vulnerable groups increased the budget for social development in the 2015/16 fiscal year by about eight per cent from the previous year, to R155.3 billion (USD 10.7 billion). This increase was to assist vulnerable groups in general, but children in particular, and there was a similar trend in other sectors, with South Africa increasing the budgets of departments – including

those responsible for children – to help them exercise their coordination and monitoring mandates (Ministry of Social Development South Africa 2015).

While Egypt and South Africa set good examples in providing social protection that largely benefits children in disadvantaged families, few other African countries are allocating adequate budgets to social protection for children; indeed, current expenditure on social protection is generally inadequate. The regional average is about three per cent of GDP, much lower than the 7.4 per cent allocated globally. Modelling by the International Labour Organization (ILO) shows that typically even low-income countries should be able to afford a minimal social protection package made up of targeted child support grants to the poorest 10 per cent of a population (ILO 2014).

Chart 2.3: Public social protection expenditure for children versus GDP per capita



Sources: Based on data from ILO; The World Bank, 2014

2.5.2 Strengthening child-sensitive budgeting

There is clearly a need to increase the child-sensitivity of national and sectoral budgeting processes and outcomes. Whilst there are challenges to achieving this, there are also significant opportunities. For example, the UNCRC Committee has recently adopted General Comment No. 19 on Public Budgeting for the Realisation of Children's Rights, which provides guidance to Member States on generating, allocating and utilising public funds to advance child rights. This General Comment is an important instrument to raise awareness among policy-makers and practitioners in finance and budget related sectors, which often have limited engagement with child rights issues. It is also a tool for ensuring that budget cycles are sensitive to children's rights and their special needs for care and protection.

However, across many countries in Africa, limitations at a macro planning and oversight level undermine the potential use of instruments and opportunities such as these to ensure adequate allocation of budgets and effective accountability for their use. While officially inaugurating the 11th Parliament of the United Republic of Tanzania, President Magufuli

cited statistics for expenditure on officials' foreign travel by the government, parastatal organisations and other institutions between 2013 and 2015. He said that a total of USD160 million was spent on foreign travel during that period; air ticketing alone consumed USD30 million, and per diem payments reached USD50 million. He noted that this money was sufficient to construct a 400-kilometre long paved road and said, "...let's ask ourselves how many dispensaries could have been constructed with the sum? How many teachers' houses? How many desks?" (Speech made on 20th November 2015 in Dodoma).

Almost everywhere, the budgetary process is highly political and, in too many cases, not transparent enough. Parliamentarians and NGOs who play oversight roles are often limited—for instance, because they do not have enough expertise to interpret highly technical budget arguments, or because hearing processes take place under tight time-frames. There is clearly a need to strengthen national and sectoral budgeting processes and oversight mechanisms to ensure value for money through optimal use of resources for intended outcomes.

Box 2.5: Influencing budget sensitivity to children: what can we learn from Kenya?

In Kenya, the constitution and other statutory laws have formally set up public participation mechanisms for budget formulation and approval. These mechanisms offer citizens and civil society a number of opportunities to influence the policies and priorities that will be reflected in the approved national budget.

- During the early stages of budget formulation, the public participates in the development of the Pre-Budget Statement (locally called the Budget Policy Statement) in a public hearing arranged by the Ministry of Finance.
- Civil society can also influence budget policies and allocations when the legislature's Budget and Appropriations Committee considers the executive's budget proposal. During the two-month period in which the legislature debates and amends the draft budget proposal, submissions can be made to the Committee through various means. In these hearings and consultations, citizens have the chance – albeit limited – to offer input on the Budget Policy Statement before it is presented to the legislature.

Civil society organisations have come up with innovative ways to leverage these opportunities to influence revenue and expenditure priorities. For example, the Institute of Economic Affairs holds public consultations across the country and prepares a Citizen's Alternative Budget, which is then presented at the public hearings in aid of the Budget Policy Statement. This paves the way for the preparation of a Budget for Children considered by both the executive and legislature, and helps to ensure that the final budget is sensitive to the wellbeing of children and provides for the implementation of their rights.

Source: International Budget Partnership (IBP), 2015

There is scope for stronger advocacy and accountability measures across Africa to improve child-sensitive budget allocations, efficiency and equity. However, in order to leverage these possibilities, oversight functionaries such as parliamentarians and child rights advocates need:

- To gain expertise in public finance and the budget systems applicable at national and decentralised levels

- To build credible arguments and collaborative relations with the Ministry of Finance, key parliamentarians, budget teams in the sector ministries, and other leading players
- At a minimum, to ensure that children, especially the most vulnerable, are protected against budget cuts in times of economic difficulty.

A number of countries have made significant gains through effective advocacy, and there is much to learn from their experiences.

2.6 Strengthening support systems for implementation

What country studies show in overview is that implementation of some of the best policies and programmes targeting children is regularly thwarted by limited funding, political sidelining, poor working relations with other ministries, and shortages of human resources. Is this, then, a sustainable way of implementing child rights? Considering the obligations resting upon governments under child rights laws, the answer is clearly not.

Ministries for children almost everywhere are at risk of being trapped in downward spirals. They are allocated small budgets because they are given less attention and seen as ineffective, but their lack of effectiveness is due in part to their inadequate funding and the ill effects it has on human and other resources.

Just as clearly, this self-perpetuating cycle has to be broken. Ministries of children need, as a starting point, to be more politically visible and more effective in running programmes for vulnerable children; mobilising resources; providing government oversight; and conducting monitoring and evaluation. Monitoring is particularly important because it allows corrective action in the present, and preserves lessons for the future. Viewed holistically, changes are required across all components of the governance systems supporting implementation of children's rights in all countries. Change is required at policy level, at sectoral planning level, and at resourcing level, in terms of both human and financial investments.

In order to bring about the necessary changes, it is essential that government systems recognise and address the underlying challenges that frustrate implementation, including lack of political will and commitment to children, politically dominant sectoral interests, macro-level planning, accountability, capacity, and attitudes and norms contrary to children's rights. The needed changes should be undertaken bearing the following in mind:

- The fundamental and systemic nature of the necessary changes means they take a long time to achieve and require multiple measures. They must be driven by collective, multi-faceted, nationally-owned initiatives.
- Policy and institutional changes do not necessarily happen in the linear manner that is the premise for much development planning. Even when positive changes are under way, the balance of forces in favour of change might weaken, momentum can be lost, and progress may be reversed. Successful policy reformers have to be opportunistic, taking the initiative to push their 'solutions' when the window of opportunity opens – which is the moment when political leaders recognise that a problem exists and must be addressed, and that possible solutions are available.

- There is a need to sustain political support for long-term processes of change by achieving some intermediate results. This can bring credibility to reforms and expand the coalition for change. Conversely, a lack of results, and a perception that there is resistance that will impede change, can weaken political and public support.
- Policy changes should not be regarded as an iron-clad formula to be applied unswervingly. Instead they should be seen as a means of compromise that accommodates diverse expectations, and sometimes competing demands, among actors in the change coalition. The starting formula will inevitably be adjusted over time in light of what is learnt from the implementation experience, and captured in part in its monitoring and evaluation.
- A general tendency is to postpone difficult decisions and delay fundamental change until a problem becomes so severe that action cannot be avoided. In many cases, the earlier action is taken, the smoother and less costly the change it involves. However, all too often there has to be a perception of ‘crisis’ before anything is done. Such circumstances provoke hasty measures to address the immediate manifestations of the problem, and while these might win short-term popularity they often later prove costly and unsustainable.

As Louis Pasteur is said to have observed, ‘Chance favours the prepared mind.’ Child-rights-focused agencies and actors should aim to be ready with ‘solutions,’ in the form of field-tested operational programme strategies and service models that can be adapted rapidly to respond to the ‘crisis situations’ that they must address, as described above.

A key question here is how best to frame – or to position persuasively – relevant institutional and systemic issues in order to secure support for required actions. ‘Framing’ can be thought of as a way of organising and expressing potentially relevant considerations when describing the realities surrounding the required actions. There are no simple answers and no standard formulae, but a few considerations below should be noted.

Child rights advocacy based on the moral force of the CRC and ACRWC, and employing a discourse of ‘duty-bearers’ and ‘rights-holders,’ might gain fleeting attention from politicians, economists and planners, but is less likely to convince them to take significant decisions. It is also worth highlighting the economic and developmental significance of investing in children, which holds numerous benefits for society, the future of which depends greatly on the state of its children. Politicians might be pleased at the idea that they would be doing the morally right thing, but to take action they also need reassurance that they are committing themselves to doable, fairly risk-free measures that are likely to yield quick, visible results. In turn, planners and economists are more likely to put a premium on feasible, cost-effective measures that stay in budget (these points are discussed further in Box 2.6).

This does not discount the fact that an explicit child rights perspective can bring value to the work of development planners and economists. It demands a more ‘holistic’ view of the child. In principle, it also requires that planners always consider the anticipated effects of policies and programmes on children, whether the effects are direct or indirect, or short-, medium- or long-term. To this end, the UNCRC Committee encourages governments to undertake child impact assessments. These offer a systemic monitoring mechanism to

track progress against agreed-upon benchmarks and standards. It is also important that, to enhance collective actions, forums be created for dialogue between child rights actors and mainstream practitioners in planning and budgeting.

Appeals to religious and traditional values, along with moral indignation at flagrant child rights violations, can sometimes trigger broad-based movements for change. But where the proposed responses are contested, or there is neither strong societal pressure for change nor an available solution, it is difficult for politicians to take action.

In seeking to influence policy and improve implementation, one should not overlook the potential impact on public and political emotions of the uninhibited voices of children themselves. Children are often best placed to testify to the rights violations that are the daily reality for so many of them in Africa and in the wider world.

Box 2.6: Success factors for implementing child-focused policies

Twenty-five years of experience of child rights promotion show that implementation is more likely to happen when the following success factors are in place:

- Well-articulated and far-sighted visions and strategies for children that are accompanied by clearly defined and inspiring goals and time-bound targets
- A policy environment that is sensitive to the rights and wellbeing of children, and which also encourages and supports collective action by key stakeholders in the relevant sectors
- Functional institutional arrangements and implementation mechanisms with adequate capacities and financial resources
- A good knowledge base and robust evidence as to what works and does not, so that credible and affordable responses can be designed to address the problem
- Action focused on clearly identified and relevant problems that affect most children
- Effective coordination
- Monitoring conducted on the basis of agreed norms and standards, and feedback systems that provide regular course-correction and evidence of positive results
- A degree of accountability at all levels
- Effective advocacy and communication support that builds alliances and reinforces coalitions for change
- Key stakeholders who have long-term commitment
- Continuous learning taking place through evaluation and action research.

However, successful implementation is not predictable and is not sequential. It requires a judicious mix of strategies that adapt in response to the implementation experience. Each country has its specific dynamics and pathways by which children's issues emerge on the political agenda. Committed and visionary leadership is also a crucial success factor. Combined with upward pressure from below, it is one of the main determinants of purposeful, sustained public action for children. As such, leadership capacity, as well as that of all other practitioners, must be enhanced at all levels of operation by allocating adequate financial resources and improving accountability.

2.7 Conclusion

Almost half of Africa's population is under 18, and in most countries the child population is doubling every 25 years. The increasing unmet demand for services, driven by historical under-investment in appropriate child rights programmes, is fuelling poor development outcomes for children and, ultimately, for African countries. Changing this trajectory and putting Africa on a path to sustainable development and the realisation of children's rights requires much stronger governance systems capable of supporting and sustaining implementation of universal, high quality services for children.

This will require the development of coherent long-term policies supported by sectoral policies; adequate human and financial resources; and effective accountability mechanisms. To achieve the necessary government-wide levels of change, there is a need for a shift in the prioritisation of children's rights to centre stage in national political and development agendas. A foundational systemic development necessary to achieve this is the crafting of a politically and developmentally credible national plan of action or strategy for children. Governments should therefore mobilise the best minds and the most respected leaders in society to reflect on past performance and develop a comprehensive, coherent and inclusive child policy that places children – the leaders and practitioners of tomorrow – at the heart of economic and social policy. This fundamental step is necessary to catalyse and sustain the significant legal, policy and budgetary shifts necessary to build strong economic and social cohesion, and robust and stable political institutions across Africa.

These actions will not, however, fully materialise without an effective coordination mechanism that ensures integrated engagement of all role-players, avoids duplication of efforts, and maximises efficient use of resources. The following chapter deals with these issues in greater depth.

3

COORDINATING CHILD RIGHTS IMPLEMENTATION

'Effective implementation of the Convention requires visible cross-sectoral coordination to recognize and realize children's rights across government, between different levels of government and between government and civil society – including in particular children and young people themselves.'

– UN Committee on the Rights of the Child in its General Comment No. 5 (UNCRC 2003)

3.1 Introduction

Children's rights cut across sectors. There are few, if any, government departments without some influence on children's lives. General Comment No. 5 requires all member states to establish a national coordination mechanism to ensure government-wide and cross-sectoral policy coherence, and to enhance visibility of children's issues in government.

Coordination involves getting programmes and organisations – public sector and non-governmental – to work together to develop and deliver better services. It supports quality and efficiency through the collective use of expertise and resources in planning and delivery, and through the standardisation of practices and processes (Hall et al. 1976). In sum, coordination is a critical governance issue that needs close attention to ensure the effectiveness of policy planning, implementation and achievement of development goals (Peters and Mawson 2015).

Coordination is particularly important in the case of services for children, given the multi-sectoral and interdependent nature of their rights. Coordination has been identified as a determinant of results for children, alongside other governance matters like budgeting, management and legislation (UNICEF 2012).

Based largely on country experiences, this chapter provides analysis of the various models of coordination and identifies barriers hindering effectiveness of child rights implementation in Africa.

3.2 Models of coordination

There is no prescription as to the form that national coordination should take. There are different models and structures from which different countries may choose. Even within the same country, a particular coordination mechanism or structure may not be transferable from one policy area to another, or from one part of the country to another. In choosing a model, decision-makers must understand and choose the model best suited to their specific political and administrative circumstances, the priorities they seek to achieve, and the policy, resourcing and delivery framework within which coordinated planning is to take place.

Various considerations dictate the type of coordination model a country adopts. All governments have several levels of administration, and many put in place coordination mechanisms that reach vertically from national down to local levels, as well as horizontally across departments, programmes and organisations. The horizontal and vertical coordination outcomes sought may well be different and may require different structures. For example, horizontally, the outcome is often one of policy alignment; whereas vertically, it is often ensuring consistency in practice. Furthermore, horizontal coordination at a local level, where role-players will be concerned with collaborative implementation, requires different mechanisms than at national or central level, where coordination seeks to align higher-level policies and resourcing decisions.

The model of coordination adopted by countries is also determined by the strategic choices countries make concerning the adoption of structures as opposed to processes. The usual reaction of governments is to establish formal coordination structures or organisations. However, this is not always necessary, nor is it always the most strategic route. Establishing a dedicated organisation can create tensions between the coordination structure and the coordinated role-players responsible for delivery, or between other structures already playing a coordinating role.

An alternative, process-driven mechanism that has been used to ensure effective intersectoral coordination is hierarchy, with the centre of government exercising authority and power to determine policy and to require other levels of government and organisations to align their actions with the central vision. The strength of the hierarchical approach lies in its inbuilt political weight and accountability mechanisms. The location of authority at a central level ensures that pressure is placed on actors – whether political or administrative – to perform and account upwards, and applies sanctions when they fail to deliver on their responsibilities. It also secures the support of senior political officials for the coordinated effort – an ingredient necessary to attaining credibility and commitment to coordinated initiatives by all role-players at all levels of government.

In some countries, governments allow more structured and robust civil society involvement in coordination; in others this might be restricted. In Africa, where government capacity and resources are limited, NGOs and CSOs are crucial to child rights implementation, and coordination of their input is essential to maximise the impact of their contribution. The primary role of the non-government sector is usually the provision of technical and financial support to the government for policy reforms and programme development and implementation. Such support can come unilaterally, or through interagency groupings. Sometimes an NGO's specialised mandate makes it logical for that NGO to deal with a particular ministry or agency in government. NGOs' involvements in these kinds of actions have often been for a limited time only, ending, for instance, when a policy is put in place or a system or structure institutionalised.

There are also situations where governments may opt to mainstream children's rights within overall developmental planning and implementation. This means that children's rights must automatically be considered as part and parcel of any policy being made within government. Mainstreaming children's rights is about bringing something from the margin into the mainstream – that is, making it acceptable to the majority. It means getting

institutions that have so far ignored children's rights to incorporate them into their institutional agendas. It is a process of applying a child-sensitive lens when planning, implementing and monitoring policies and programmes, and ensuring that children are continually visible at the heart of all development endeavours. Mainstreaming is about extending the development debates to include children's rights until such a point as these rights are fully integrated in the development discourse. Its aim is to change dominant mindsets and institutionalise a broader perspective beyond a narrow focus on the impacts of specific services for children.

Very broadly, the choice of a coordination model will be determined by a number of factors including the intended outcomes of coordination, the political and administrative fabric of the country, the level at which coordination is to take place, and which role-players are to participate in the coordinated initiative. Any one particular model used by a country might be a response to meeting the needs of the specific national case.

A number of these factors are considered in the following sections, followed by an overview of their strengths and challenges.

3.3 Selected attributes of effective national coordination

The national coordinating body, which the Committee on the Rights of the Child describes as essential, is required to possess certain attributes. Its choice may reveal a good deal about the manner in which any one government is focusing on the needs of children, as well as the style of that government. The creation of a single overall coordination body (the need for which is emphasised repeatedly by the CRC Committee in its Concluding Observations on states party reports) represents a singular means of resolving the problems highlighted above. Although not exhaustive, the following sections of this document discuss some of the attributes of effective coordination, and corresponding examples from across the continent.

3.3.1 An effective institutional locus

Whatever strategic choice is made, the children's rights coordination function needs to be housed within a government structure with the capacity and resources to support collective planning and oversight, and to monitor and report progress in realising children's rights. Some countries designate a particular ministry or department with a dedicated mandate as the coordinating body for the implementation of children's rights; in other cases, the coordination mandate is co-located within a lead ministry or department that also has a number of other responsibilities.

Some countries, though, have multiple, highly specialised structures for coordinating children's issues. As shown in Table 3.1, countries such as Chad, Guinea, Kenya and Zambia not only have ministries responsible for children's issues, but also additional councils and commissions. These structures can enhance accountability and political commitment to children; but in situations where there are many such bodies, a super-coordinating agency might be required to facilitate coordination among them.

Table 3.1: Selected countries with multiple child rights coordination mechanisms

Country	Coordination body/structure with a mandate related to children
Burkina Faso	<ul style="list-style-type: none"> - Ministry of Social Action and National Solidarity - Ministry of the Promotion of Human Rights - Parliamentary Commission for Child Rights - National Council for the Promotion of Children
Chad	<ul style="list-style-type: none"> - Ministry of Women, Children and Social Affairs - General Secretariat of the President's Office - National Committee for the Coordination and Implementation of the Objectives of the National Programme of Action on Chadian Children
Kenya	<ul style="list-style-type: none"> - Ministry of Home Affairs - Department of Children's Services in the Office of the Vice-president - Secretary of Children's Affairs under the Ministry of Gender and Children's Affairs - National Council of Children's Services
South Africa	<ul style="list-style-type: none"> - Ministry of Social Development
Tunisia	<ul style="list-style-type: none"> - Ministry of Women, Family, Children and Elders - The Prime Minister's Office - the Higher Council for Childhood - National Council for Children
Zambia	<ul style="list-style-type: none"> - Ministry of Youth, Sports and Child Development - Ministry of Community Development, Mother and Child Health - Office of the Commissioner for Children under Zambian Human Rights Commission

Source: Tagwireyi 2012

Such arrangements usually work via a coordinating structure, such as an inter-ministerial committee, which can be seen more or less as a leader within a network structure and which may be given a degree of authority to bring together relevant actors. The difficulty, however, is that ministries are typically not seen as honest brokers by other participants in the coordination structure. As they have their own ministerial priorities, the perception can arise that they will use coordination as a means of protecting and expanding their 'turf' rather than fulfilling their coordinating function. Some of these options are explored in more detail in the following paragraphs.

Ministerial coordination

Perhaps the simplest way of addressing coordination for children's issues is to create a ministry that bears primary responsibility for coordinating implementation of children's policy. Such ministries will not necessarily deliver the services needed, but can simply monitor them and press for cooperation by those ministries – such as health and education – which do deliver them. These ministries serve as focal points for policies that support children's rights and wellbeing. However, as noted earlier, it is more common for children's affairs to be appended to ministries of family, women, welfare, sports, youth, disability, culture or maternal matters, where children's issues can receive limited attention.

The status that such a coordinating ministry enjoys in the overall state apparatus is also crucial. If the ministry lies at the margins of government priorities, it cannot discharge its assigned responsibility effectively. This is why the CRC Committee has emphasized the view that a coordinating body for children's rights must be visible and stand 'close to the heart of government'. The African Committee of Experts on the Rights and Welfare of the Child (ACERWC) also notes with concern that ministries responsible for children's affairs are in most cases too broad to be effective in ensuring the comprehensive coordination of child rights implementation across all sectors and between national and regional levels.

The other challenge in such mechanisms occurs when the child rights coordination function is allocated insufficient resources for the relevant ministries to fulfil their mandate – sadly this is true in most cases. This inadequacy is aggravated when the assigned institutional base for children's affairs is a low-visibility ministry with limited political power.

In situations where there are no dedicated ministries to promote the wellbeing of children, governments may have to rely on ministers without direct departmental commitments to children to provide coordination. Several types of political executives fit that general classification. Firstly, some governments use ministers without portfolio to provide coordination, whether for children or other purposes. The term 'ministers without portfolio' refers to those with no cabinet status, or at least with a definite position in the government, but no department to manage. That freedom from departmental responsibilities not only gives them more time to devote to coordination but also enables them to function as honest brokers between other ministers who have to defend the interests of their own ministries.

Ministers without portfolio may have a variety of titles and functions. For example, in Angola the Vice President is a member of a cabinet, and in several other cases there may be a deputy prime minister who can be a coordinator. Botswana has a minister of the State President who can also function in that coordinating capacity. The crucial question is whether those officials will actually devote their time and energy to child rights coordination, or whether they will see other issues as more important.

Junior ministers (*ministre délégué* in Francophone countries) are a second type of non-departmental minister capable of playing a significant role in coordination. They are generally not formal members of the cabinet, but do have executive responsibility. For example, a ministry responsible for women, children and families may have a junior minister with primary responsibility for children. Although junior ministers are linked to a particular ministry, they have more latitude than the minister and therefore are able to work better with other ministries. Furthermore, not having as much direct managerial and political responsibility, a junior minister may have more time to engage in coordination activities than a minister responsible for managing a department.

Child rights councils, commissions and committees

An increasing number of African countries have a child rights council, commission or committee, a semi-autonomous body usually established as a legal entity to perform certain child rights-related functions.

Table 3.2: Examples of child rights coordinating committees, commissions and councils

Country	Coordination mechanisms
Angola	National Council of Children (CNAC)
Burkina Faso	National Council for the Promotion of Children
Egypt	National Council for Childhood and Motherhood
Ghana	Ghana National Commissions on Children
Guinea-Bissau	National Council for Childhood
Kenya	National Council of Children's Services
Nigeria	National Child Rights Implementation Committee
Sierra Leone	National Commission for Children
Sudan	National Council for Child Welfare
Togo	National Committee on the Rights of the Child
Tunisia	National Council for Children
Uganda	National Council for Children

Source: Tagwireyi 2012

Although there are differences in the functions of child rights councils across countries, the following common functions are noteworthy. The first is the provision of intersectoral coordination, policy-making, planning, and advice. In countries where there is no ministry with a specific division or department focusing on children, this function of the council features quite strongly.

Secondly, child rights councils perform an advocacy function, either as part of the coordinating, advisory or policy-making function, or in some cases independently. This includes advocating for a child-centred approach to the formulation and implementation of laws and budgets and entering into collaborative partnerships with local and international organisations interested in promoting children's rights. Child rights councils also raise awareness; conduct fundraising and manage the funds raised; provide training to personnel involved in children's affairs; and offer direct services to children.

These councils often exist alongside other lead ministries responsible for coordinating child rights implementation. They cannot be seen as wholly autonomous because they are established and funded mainly by the government to carry out specific functions under a framework that requires close collaboration with the executive branch of government. The main advantage that child rights councils have over ministerial coordinating bodies is that they are specifically established to exercise inter-departmental or inter-ministerial coordination functions. In some cases, these councils or committees include NGOs as members, thus creating a platform for a government-NGO interface in implementing children's rights.

Box 3.1: A multi-sectoral national child rights council: what we can learn from Kenya

In Kenya, the National Council of Children's Services (NCCS) was established as an intersectoral mechanism for coordinating both formulation and implementation of policy pertaining to children. The Kenyan Children's Act mandates the NCCS to ensure the full implementation of Kenya's international and regional obligations to children, and provide appropriate reports.

Its aims include designing and formulating policy on the planning, financing and coordination of child welfare activities; determining child welfare priorities in the government's socioeconomic policies; planning, supervising and coordinating public education programmes on the welfare of children; and coordinating and controlling the disbursement of funding for child-related activities.

The Council is chaired by a knowledgeable eminent person who has contributed to the promotion of child rights and welfare. Other members are six permanent secretaries respectively drawn from ministries responsible for children, education, local authorities, health, finance, and labour; the Attorney General; the Commissioner of Police; six persons representing NGOs focusing on child welfare; three persons from religious groups; two persons from the private sector appointed by the Minister; and the Director of Children's Services.

Sources: Sections 31(1) and 32 of the Kenyan Children Act, 2001

Angola established its National Council for Children (CNAC) to coordinate the child policies, strategies and action plans of all ministries and other institutions involved in child related issues at all levels of government. Provincial Councils for Children operate in all provinces, and many provinces have municipal Councils for Children too.

The membership and method of composition of a child rights council are crucial to its effectiveness. Some such councils are constituted by a fairly transparent and participatory process. For these, the eligibility criteria of council members are clear, and demonstrate an intention to create professional bodies with a measure of independence. For instance, in Botswana, the chairperson of the NCC is supposed to be a person outside government, appointed by the President, who has expertise in children's rights. Other members are three Permanent Secretaries from the ministries of local government, labour and education; the Attorney General or his or her representative; and six representatives, appointed by the Minister, from NGOs that represent children's rights and interests (referred to in the Children's Act, 2009).

3.3.2 High-level authority

It is well-recognised that effective coordination requires the adoption of coordination strategies, processes and mechanisms that secure high-level political authority and accountability for government-wide realisation of children's rights. One manifestation of high-level political authority is the position of the coordinating function within the overall government hierarchy. A national coordination body should ideally occupy a high place in government and have access to decision making structures at the top, so that it can easily hold line ministries to account and be effective in enforcing relevant laws and policies. Such a body should not only remain functional at the central level, but should also have uniform outreach to local levels. Examples include coordination through cabinets or cabinet committees, the President's office and other high-level and politically authoritative coordination bodies.

Cabinets and cabinet committees

Given that all ministers of the government meet to decide the government's overall policy, the cabinet should be a space where the multiple organisations that impact on children's wellbeing can integrate their policies. Use of cabinet committees can advance coordination by convening smaller numbers of ministers to work on specialised policy areas. However, various challenges are associated with cabinets or cabinet committees coordinating the implementation of child rights.

First, coordination might not occur if there are no procedures to support interaction among cabinet members. For example, in some cabinet systems the entire cabinet must make all decisions on behalf of the government; in others, individual ministers have substantial latitude to make policies in their own area of work. In the latter case, there are fewer opportunities for coordination than in the former. If ministers can put items on an agenda with little or no prior notice, other members of the cabinet do not have time to consider the implications for their own policies.

Specifically, if issues relevant to children are introduced by other ministers, the ministry with responsibility for children cannot consider the consequences for its clients and attempt to mobilise political support for or against the proposal. This may be especially important for ministries of children and families, given that these often have a lower status in government than, for example, ministries of finance, foreign affairs or health. This means that those responsible for such ministries have to work harder to garner the necessary political support.

Secondly, the cabinet may be, or at least may believe itself to be, concerned with matters that seem more pressing than children's issues. In a situation where they have to contend with issues of national security on the one hand, and social and economic development issues (which also tend to be especially politically sensitive) on the other, cabinet ministers may afford less priority to matters concerning children and families. Another difficulty arises if there are no ministers, or other officials with cabinet status, directly or solely responsible for the wellbeing of children.

Thirdly, for the coordination function to be effective, an advocate may need to be present in the cabinet to press for policy integration. Finally, in multi-party governments in which ministries relevant to the lives of children are held by different parties, coordination may be limited by political mistrust.

Presidential and prime-ministerial offices

The offices of presidents, vice-presidents, prime ministers or deputy prime ministers can play a central role in policy coordination, and have symbolic importance in elevating children's issues to higher status. At the centre of government, these institutions not only have information about all programmes in the public sector but also the authority to bring about greater policy integration (Dahlstrom, Peters and Pierre 2011). However, their ability to be effective coordinators depends largely on how they are organised and their capacity to focus attention on children's rights and services. For example, the governments of Angola and Senegal have an office within the Office of the President that is directly responsible for

issues related to children and families. Operating at the highest level of government, the incumbents of office should be able to impose or negotiate national priorities for children.

As well as housing specialised organisations within the Office of the President or Prime Minister, some countries have a chief of staff and/or deputy empowered to play a coordinating role. The chief of staff is a central official responsible for managing and coordinating across government as a whole. In addition, chiefs of staff and their equivalents can speak with considerable authority within the public sector, and should be able to encourage greater levels of cooperation among ministries.

Most African governments have officials of this sort. For example, Ghana has a Chief of Staff, while Morocco has a Secretary General for the Government that performs these central management tasks. The actual performance of these officials in achieving coordination on behalf of children will depend upon their personal commitment, and that of their governments.

Box 3.2: Children in Senegal: close to the heart of government

Senegal has created a number of structures for coordinating child rights implementation. Two of them stand out in particular for their political visibility and position in the government hierarchy. The first is the Child Protection Support Unit (Cellule d'Appui à la Protection de l'Enfance – CAPE) under the Office of the President of the Republic, which was set up to raise the political stakes for children's issues in Senegal. It plays a lead role in harmonising national laws with international standards and advocating for children before the President, including for the allocation of more explicit and concrete budgets for implementing children's rights. It gives technical and administrative support to other actors and spearheads the state's engagement with national and international actors.

The second is the Intersectoral National Committee for Child Protection (Comité Intersectoriel National de Protection de l'Enfant) set up under the Prime Minister's office. This committee, established in 2014, is responsible for:

- Directing the development of public policies for the protection of children
- Coordinating the implementation of the national strategy on the protection of children
- Mobilising state and non-state actors and technical and financing partners to realise the national strategy for the protection of children
- Appraising the results of the implementation of the national strategy for the protection of children, the national framework for combating child labour, the national plan for combating human trafficking, and other programmes related to child protection.

The Committee is composed of representatives of relevant ministries, the Child Protection Support Unit under the President's Office, the National Assembly, local authorities, the Children's Parliament, CSOs, the private sector, technical and financing partners and the Economic, Social and Environmental Council. The Committee has structures at national, regional and local levels.

Although these structures are a recent phenomenon in Senegal, they are a good indicator of the country's political commitment to the cause of children. Besides generating greater visibility and recognition for children at the highest political level, such structures set an example for lower levels of government that children's issues are a national priority, and give impetus to the replication of such practices.

Source: ACPF 2016e

3.3.3 Involvement of non-state actors in coordination

Treaty bodies often require States Parties to cooperate with civil society in implementing children's rights. This is especially important in the African context, where much service delivery occurs through non-state actors and private bodies rather than government agencies.

Networks are often used to involve non-state actors in coordination. One feature of effective networks is the members' recognition of the significance of the shared objective, and willingness to compromise on their ideas and ways of working in the interests of that shared cause.

Networks are, however, subject to a number of issues. Networks of CSOs are often criticised for excluding government, and for being ad hoc and lacking permanence. These factors, along with growing mistrust of NGO operations in some countries that makes collaboration difficult and impacts on NGOs' independence, can limit the systemic and sustained impact of collective planning.

As noted in their Concluding Observations, the ACERWC and UN Committee on the Rights of the Child comment on the level of CSOs involvement in the implementation of children's rights. The ACERWC, for example, lauded the formation of the Child Protection Working Group (CPWG) in Liberia which is comprised of government and non-government stakeholders to deal with children affected by the neighbouring Ivorian crises. The UN Committee has also expressed its concern to the delegates of Angola that despite the fact that 18 members of the CNAC (the country's coordinating structure) are from civil society, the space for their participation was not meaningful. The Committee encouraged the Government of Angola to work together with civil society to ensure the latter's strong participation in the CNAC, as well as in Councils for Children at provincial and municipal level. Similarly, the recommendation of the ACERWC to South Africa is worth noting:

[T]he Committee is concerned [about] the limited involvement of the CSOs in the coordinated implementation of laws and policies of relevance to the Charter. The Committee recommends that the State Party devise a more inclusive and participatory process to involve CSOs in the development and implementation of policies, laws, budgets and programmes that affect the realization of children's rights.

It was also observed that coordinating mechanisms at regional, local and municipal levels need formally to include traditional and religious leaders. The Committee emphasised that these leaders are critically important for effective local implementation of the CRC and Child Rights Act, and expressed its concern that they are insufficiently engaged. In Nigeria, there is constructive engagement with traditional leaders (sultans, emirs and chiefs). In Sierra Leone, attempts have been made to bring informal traditional actors into child rights implementation structures (see Box 3.3).

However, despite years of fruitful cooperation between government and CSOs, there is growing concern about the shrinking political space for CSO involvement caused by overly

restrictive laws and policies. With regard to Kenya, for example, the ACERWC noted the following:

The Committee appreciates the State's effort in strengthening its collaboration with CSOs and the vibrant CSO community in the country. But the Committee is concerned that the Public Benefit Organisations amendments to the 2013 Act might reduce the engagement of CSOs and therefore encourages the State Party to undertake a continuous review of the Act. Even though the purpose of limiting the fund is to keep the CSOs accountable, it should be taken into account that it has implications on their tasks and the support they render to the government as well as the society as a whole.

Similarly, Ethiopia's position on civil society attracted criticism from both the ACERWC in 2014 and the UNCRC Committee in 2015. The ACERWC called upon the State Party to 'create a smooth environment in which CSOs and NGOs can collaborate with the Government for the better protection of children's rights'.

Box 3.3: Formal-informal coordination linkages: what we can learn from Sierra Leone

To ensure that the coordination of child rights implementation involves informal and traditional actors, the Sierra Leone Child Rights Act requires a Chiefdom Child Welfare Committee to be set up by the Paramount Chief, with the assistance of a social welfare officer and an officer of the ministry responsible for local government.

The Committee comprises a social welfare officer nominated by the minister; a traditional leader elected at a meeting of tribal authorities in the chiefdom; a man and woman representing parents, elected by the various village or ward child welfare committees in the chiefdom; one female child or young person, facilitated by the Ministry; three service providers, elected from a list of service providers nominated by the basic social services ministries; two representatives (representing both sexes) of NGOs or community-based organisations in the chiefdom; other chiefdom stakeholders, facilitated by a social welfare officer; and three persons representing the religious sector in the chiefdom, elected in a specially convened forum facilitated by a social welfare officer (with not all three representatives belonging to a single religion or being of the same sex).

The Committee is tasked with, among other things:

- Rendering advice to village or ward Child Welfare Committees in the chiefdom
- Receiving and attending to cases and questions referred via the Chiefdom Child Welfare Committees by villages or wards
- Monitoring the enjoyment of child rights within the chiefdom
- Referring to the district council any matters relating to child welfare that the Chiefdom Welfare Committee is unable to deal with
- Submitting regular observations, reports and concerns about child welfare in the Chiefdom District Council to the Ministry.

Source: Child Rights Act 2007, Sierra Leone

Despite these challenges, CSO networks have the potential to strengthen implementation. This potential could be better unlocked if CSO and government networks and role-players worked more closely with each other – and in particular if government ministries ensured

systematic engagement of CSO networks in their structures and processes for developing, implementing and overseeing coordinated policies. This would open the door for more inclusive policy development, and a means for governments to leverage CSOs resources to improve coordination and delivery of services to children.

3.4 Transnational coordination

Transnational coordination refers to a complex process of cooperation across disparate legal, political and linguistic boundaries (Save the Children International 2012), and requires government-to-government measures of implementation. Such coordination becomes inevitable in the context of child rights issues with a cross-border nature, such as trafficking, intercountry adoption and child-sex tourism, as well as in regard to child protection in armed conflict and cross-border displacement.

Some of these issues are explicitly addressed in the CRC (Articles 21, 22, 34 and 35). This includes child protection provisions, among which are the requirements that States Parties take all appropriate national, bilateral and multilateral measures to protect children from sexual exploitation and abuse; that they prevent the abduction or sale of, or traffic in, children; that they ensure that inter-country adoption is carried out only by competent authorities; and that they ensure appropriate protection for children seeking refugee status, or who are considered refugees.

Transnational coordination takes place less frequently and less effectively than required. Given that it is transnational, it is often used as an excuse by countries to justify their failures to protect children affected by cross-border issues. This may be due partly to the absence of common understanding between States Parties as to which child rights and protection issues are involved; but countries may also lack the capacity to coordinate efforts across their linguistic, legal and geographical borders (Save the Children International 2012).

At times, countries take a unilateral route to addressing an issue of transnational nature, something to which their legislative frameworks can make them predisposed. South Africa is one such country: its Sexual Offences Act has legislative provision related to extraterritorial jurisdictions, notwithstanding that it is unclear what kind of cooperation is needed with other countries in order to implement it. At other times, countries sign cooperation agreements with neighbouring states to bring perpetrators of violence to justice in their respective countries; for instance, Burkina Faso signed several multilateral cooperation agreements with its neighbours and set up vigilance and supervision committees. This resulted in increased numbers of children being intercepted, and trafficking offenders being brought to justice.

Another example is the cross-border coordination mechanism – in the form of cross-border coordination working groups – established between South Africa, Mozambique and Zimbabwe to protect children on the move. The working groups, comprising state and non-state actors, are responsible for identifying and implementing measures to return and reintegrate children on the move; for ensuring that children involved in irregular migration receive effective help; for establishing more effective communication between social workers and law enforcement agencies on both sides of borders; for improving the protection of children during transit; and for improving protocols and guidelines for family tracing, reunification, and psychosocial support both for children in shelters and for those who have recently returned to their families (Save the Children International 2012).

3.5 Obstacles to effective coordination

Governments face many obstacles to effective coordination of child rights implementation. First of all, they have limited capacities and resources, which predisposes them to put greater focus on managing individual programmes than on addressing coordination. Secondly, coordination may be affected by whether or not a country has a comprehensive National Plan of Action. If it has, cross-sectoral coordination becomes easier. Similarly, thematic action plans are conducive to thematic sectoral coordination. The possibility of sectoral plans is considered in General Comment No. 5: 'The comprehensive national strategy may be elaborated in sectoral national plans of action – for example for education and health – setting out specific goals, targeted implementation measures and allocation of financial and human resources' (UNCRC 2003).

Thirdly, there is the lack of political will to ensure coordination of children's issues, given the fact that children are generally not politically powerful. Political actors may be more willing to ignore the needs of children than those of other, more powerful groups. Also, as already noted, there is generally a narrow concept of the scope of services that are important for children, and so the full range of coordination within government that is needed for children may not be developed. There is the issue, too, of the coordinating function's position within the government hierarchy, and its ability to mobilise multi-sectoral interfaces.

Fourthly, coordination involves investment of money and time by people in the public sector and their partners; but budgetary allocations require political commitment from higher levels of government, which is lacking in many countries. Even where relatively adequate financial resources are available, finance ministries' limited engagement with child rights issues can mean that funds are prioritised for visible public works and projects.

Box 3.4: Policy coordination: the reality in Ghana

The UNICEF Office of Research recently undertook a case study of coordination bottlenecks in Ghana. It focused on the birth registration system, partly to examine the factors behind its apparent stagnation and explore the wider context for this, including policy coordination at various administrative levels.

It was noted that the level of policy coordination in the government of Ghana is generally weak, and that there is little collaboration between departments. As observed by a senior official, the ministries are mandated with numerous responsibilities that leave little time for working with others or effectively executing a coordinating function. For instance, the Ministry of Finance, potentially the most important coordinator in government, is overburdened with tasks that rule out the possibility of coordination. Likewise, the Ministry of Gender, Children and Social Protection, which should play a major role in coordinating programmes for children, appears to be a relatively weak ministry for bringing about effective coordination.

Local level policy coordination is even weaker. Such coordination as there is happens largely on the basis of personal ties rather than organisational linkages. There also appears to be little central direction from government organisations that might be expected to attempt to coordinate action on behalf of children. It was noted, too, that the many opportunities for greater cooperation among governmental and non-governmental actors are not being seized often enough.

Source: Peters and Mawson 2015

A few countries have recognised the role of finance ministries and taken action to involve them in child rights implementation. For instance, in Kenya the Framework for the National Child Protection System for Kenya (2011) spells out the role of the Ministry of Finance, which includes ensuring adequate allocation of financial resources to child protection; ensuring through audits that resources are prudently used for the intended purposes; controlling inflation so as not to hinder the realisation of children's rights through high cost of living; and ensuring the long-term protection of children from an unreasonable national debt burden (National Council for Children's Services 2011).

Fifthly, challenges can arise from the way governments are structured. Inadequate uniformity, linkages and communication across different levels of government inhibit coordination and equitable delivery of quality services within a coherent national framework (see Box 3.5).

Box 3.5: Decentralising child rights implementation: the case of Nigeria

Implementation of children's rights in Nigeria is hampered by disconnection and lack of communication at the interfaces between national, sub-national and grassroots levels. The various tiers are independent in nature and do not draw funding from the coordinating ministry. As a result, the effectiveness of coordination across levels is limited.

The federal/state system allows for a degree of independence with regard to the design, implementation and focus of action on child rights. For instance, while Lagos State has enacted the Child Rights Act, which incorporates the CRC, other states have failed to do so. States fund their ministries for women's affairs and their child rights programmes, and the federal ministry responsible for coordination lacks budgetary influence over state-level implementation of child rights.

Coordination is further complicated by lack of uniformity in the legislative framework applicable across states. In areas where legislation has not been domesticated, there is no statutory basis for coordination of child rights implementation. For instance, the 2003 Child Rights Act (CRA) has not been implemented across the board by all states of the Federation: only 24 states have child rights laws to give legal effect to the CRA and achieve enforcement in the courts at state and local government level. Some of the states have child rights laws that do not reflect the letter and spirit of the CRA, and which depart from international child rights benchmark standards, or weaken them to various degrees.

The lack of domestication in some states means that the CRA is not a key legal consideration and its legal effect is at best weak. It also means there is no holistic legal framework on which to base actions concerning child rights implementation in all states.

Source: ACPF 2016d

Sixthly, coordination becomes difficult if there are multiple policy frameworks requiring numerous, distinct coordinating bodies. Tanzania is an example of a country where two different ministries, in mainland Tanzania and Zanzibar, are responsible for coordinating children's rights issues. Moreover, the country is faced with a proliferation of coordinating bodies, and the lead ministry responsible for overall coordination is unable to fulfil that responsibility (see Box 3.6).

Box 3.6: Proliferation of coordination mechanisms: the case of Tanzania

In Tanzania, issues related to child rights are non-union matters, and separate ministries are responsible for children's affairs in mainland Tanzania and Zanzibar. There are also separate policy frameworks for children, and many different coordination mechanisms at work. Each ministry coordinates those aspects of child rights relevant to its own sector or mandate, while also inviting other ministries, departments, agencies and CSOs to participate in the programme or plan.

In addition, many other national plans impact on or involve children but are coordinated by different Ministries, Departments and Agencies (MDAs). These include the Tanzania Commission on AIDS (TACAIDS), the Tanzania Social Action Fund (TASAF), and the Commission for Human Rights and Governance (CHRAGG), which is responsible for the National Human Rights Action Plan.

The Department of Social Welfare in the Ministry of Health and Social Welfare (MoHSW), which has now moved to the MHCDGEC, also has broad responsibilities for child rights, particularly in relation to child protection. Furthermore, child labour has its own National Action Plan and a Child Labour Monitoring System under the Ministry of Labour and Employment (MoLE), which is responsible for the enforcement of child labour laws.

At sub-national level, with the partial exception of the TASAF, which is directly under the President's Office, all programmes fall ultimately under the aegis of the Prime Minister's Office-Regional Administration and Local Government (PMO-RALG). The latter is responsible for governance at regional, district and community level, and all sectors and coordinators of programmes at district level report to the District Executive Director (DED).

A further challenge is that some of the plans are coordinated only at national level (for example the Anti-Trafficking Forum and Child Justice), whereas the newly developed National Plan of Action to End Violence Against Women and Children (2016–2021), its predecessor the NCPA II which was implemented under the MoHSW, the national plan of action for gender-based violence (GBV NPA), the female genital mutilation (FGM) and Early Marriage Forum and the Child Labour Programme all have coordinating committees at district, ward and village levels. What this means is that at these three levels, there are three or four multi-sectoral committees, often consisting of the same people. At village level, the same people often sit on all the various committees.

Source: ACPF 2016f

Finally, coordination is not adequate to improve implementation unless it is complemented by effective accountability of multiple role-players for a shared vision. Effective coordination depends on strong government-wide accountability for the realisation of children's rights. This issue is discussed in detail in the following chapter.

3.6 Conclusion

In light of the large number of child rights instruments African governments have ratified, there is growing awareness at higher political levels of the need to coordinate implementation efforts among different ministries and other actors. Given that the needs of children in Africa may be more acute than those of children elsewhere, the provision of integrated services is all the more pressing.

Coordination mechanisms come in different shapes and sizes. Some are unilaterally handled by a particular ministry with a mandate on the issue, while in other cases ministries join hands through inter-ministerial committees. In some countries, a specialised committee is created by law and may take the form of a commission or council, either enjoying a relatively powerful position close to the heart of government or placed at the periphery of power and hierarchy with little budget and human resources. It is also common practice in Africa for NGOs and/or CSOs to form networks and support governments in their coordination function. But the question remains: What factors contribute to effective coordination?

First and foremost, the ACERWC notes that a coordination system needs to be permanent, stable, effective, and placed sufficiently high in the government decision-making structure. It stresses the need for such a structure to be participatory and accountable for the adequate realisation of child rights standards set out in the ACRWC. States Parties should also ensure that its decisions are fully informed by research and made in the best interests of children, and that they are taken with the objective of fully realising and monitoring the rights and duties laid out in the Charter.

Secondly, since no single ministry can fully ensure the spectrum of children's rights, collaboration with non-governmental actors becomes essential. They have a lot to offer, ranging from providing an evidence base for change and assisting governments to put in place laws and policies, to directly supporting implementation. It is important for governments to open up the political space for CSOs to operate within their countries, and to ensure friendly, constructive government/NGO engagement. Similarly, and particularly at local level, the overarching coordination structure must involve traditional leaders, to deal with issues that are culturally sensitive and which require community mobilisation for the necessary change to occur.

Thirdly, effective coordination requires mechanisms for ensuring accountability. If multiple organisations and their resources are involved in providing a range of services to children or any other client group, it may be difficult to determine who is responsible for the outcomes. While that is a problem for government, it is more of a problem for citizens. Those citizens need to understand who is making and implementing policies, and to be able to hold them accountable for their actions.

Fourthly, the type of coordination mechanism that is put in place is dictated by the political system and context and the needs of children within that context. For instance, a country's national poverty level and scarcity of resources may make it difficult to invest money and time in coordination.

Finally, while improved coordination is crucial for protecting and promoting the wellbeing of children, we must be aware that it is not a panacea. For coordination to bear fruit, the programmes being implemented within each individual ministry or agency have to be adequate. If programmes in health, education and child protection are not adequate, coordinating them effectively will not solve the bigger problem of children deprived of their basic rights to life, development, protection and participation.

4

MONITORING AND ACCOUNTABILITY IN CHILD RIGHTS IMPLEMENTATION

'[T]he human rights community [in Nigeria] remains ever tireless in working for a better future where accountability for perpetrators and redress to victims is universal.'

– **Professor Bem Angwe**, Executive Secretary, Nigerian Human Rights Commission (ACPF 2016d)

4.1 Introduction

The previous edition of this report explored accountability from a child rights perspective. This chapter examines it in relation to the implementation of those rights, with a focus on how effective monitoring and accountability mechanisms are in Africa. The background research and in-depth case studies for the report were instrumental in helping ACPF to understand the context in which these mechanisms operate, and the factors that help or hinder their effectiveness. The studies also brought to light specific practices exemplifying what can be done to achieve better child wellbeing outcomes by strengthening accountability mechanisms.

The word 'accountability' has become ubiquitous and loose in meaning, but when used in the context of public powers and responsibilities, it entails three specific elements: answerability, responsiveness and enforceability (Bernell 2008; Hyden 2010). The power-holder must explain and justify how it exercises its powers and is answerable to those it serves; and enforceability is key to making this process more effective. In other words, sanctions should be imposed when performance by government officials is not satisfactory, and they fail to be transparent and answerable.

Accountability for implementation of children's rights therefore refers to a process in which state organs and agents are transparent and responsive, and strive to fulfil their obligations and improve their performance. It is a process in which they justify the resources they have used and achievements they have made, and in which they are subject to oversight, censure and correction. Key stakeholders, including the media, can play an active role in exposing poor performance and violations of rights, so as to influence legal, policy and administrative measures for improving the effectiveness of child rights implementation.

For a long time, accountability for international human rights has been narrowly understood as a matter of domesticating international norms through legislative review, and making the laws subject to judicial scrutiny and adjudication. However, there has been a shift to a broader vision of accountability following the recognition that accountability extends beyond the courtroom and encompasses non-judicial mechanisms for holding States Parties accountable for the implementation of human rights. Such mechanisms include peer review, state reporting, inquiries, on-site investigations, and special procedures (UN 2006; Gaer 2006; Alfredsson, Grimheden, Ramcharan & Zayas (eds) 2001).

Although courts remain important accountability mechanisms, full accountability for rights implementation requires a multi-faceted approach that includes non- and quasi-judicial mechanisms. Indeed, states are no longer held accountable for violations of human rights only *after* the fact (retrospectively), but also *beforehand* (prospectively). That is to say, states are accountable not just for domesticating treaties to make them justiciable, but also for their integrated effort to review and reform existing legislation; formulate and implement child sensitive policies and programmes; and establish new (or strengthen existing) mechanisms, institutions and practices for realising all human rights.

Taking this broader view of accountability as its departure point, this chapter examines the systems in place for national monitoring of child rights implementation. While the report recognises the significant role played by global and regional child rights treaty bodies, namely the UNCRC Committee and ACERWC, the focus here is on domestic accountability systems, given their direct relevance to the implementation process at national and sub-national levels. The report also highlights the contribution of non-state actors to enhancing compliance with child rights commitments through informal mechanisms.

4.2 Formal accountability mechanisms

The state's duty to establish accountability mechanisms for the implementation of human rights in general, and children's rights in particular, has two interrelated legal bases:

- The general obligations stipulated in national, regional and international laws
- The entitlement of rights-holders to an effective remedy when their rights are violated.

The states' general obligations are set out in articles 4 and 1 of the CRC and ACRWC respectively, as well as the UNCRC Committee's General Comment No. 5. The task of holding relevant state institutions to account should be performed both internally and externally – that is to say, by state institutions responsible for devising and implementing measures as well as by independent agencies overseeing the discharge of this responsibility. The UNCRC Committee recommends that accountability mechanisms take three broad forms:

- Self-monitoring
- Independent monitoring
- Judicial process.

The following section examines the strengths and weaknesses of these domestic mechanisms with reference to various country experiences.

4.2.1 Self-monitoring

Self-monitoring, or internal, mechanisms of accountability are located within the state machinery associated with the executive branch of government. Their main role is to devise laws, policies and practices that enable them to effectively monitor the performance of implementing agencies and hold them accountable for the results achieved vis-à-vis resources used with respect to national development goals and overall contributions to the realisation of all human rights.

The task of implementing children's rights is vested in several state actors and requires the involvement of many government departments. Ensuring that these actors work in a coordinated manner and with a great sense of accountability is critical for an effective implementation process. In view of this, the CRC Committee emphasises that self-monitoring, which is inherent in the hierarchical structure of government, is an obligation that cannot be delegated to another institution. This internal accountability process enables state agencies charged with the responsibility to implement children's rights to evaluate their performance regularly against national benchmarks as well as regional and international goals and standards.

Reliable in-built accountability systems, adhered to by all stakeholders, are rare commodities in Africa, where they are limited to very few countries, such as South Africa, that rank relatively highly in accountability rankings (World Governance Indicators Project 2014). The case studies reinforce this reality and show that self-accountability systems are generally ineffective in influencing the performance of government bodies, ministries and departments responsible for children's affairs.

In Nigeria, for example, federal and state administrations have built-in mechanisms for monitoring human rights and holding relevant bodies accountable. Nigerians are increasingly using these mechanisms to seek redress and demand accountability from elected government officials, especially at the federal level (though less so at state and local government levels) (UNCT 2012). In Tanzania, all ministries, departments and agencies responsible for children's affairs have built-in self-monitoring and accountability mechanisms. Officials and technicians in these agencies are accountable to their supervisors, who in turn report to the Principal Secretaries of Ministries and the agencies' Directors.

At higher level, parliaments oversee the work of executive bodies and hold them accountable for unfulfilled commitments. In Egypt, for example, the new constitution gives Parliament the power to enact legislation, approve socioeconomic policies, budgets and national development plans, and oversee the work of the executive body (ACPF 2016g). Parliament's monitoring mandate is protected by law, and the Supreme Constitutional Court ensures that law is enforced. In addition, Parliament has the power to withdraw confidence in the government when such a motion is supported by the majority of its members. But this power is seldom put into practice to check and balance as well as ensure accountability of the executive body.

With regards to budget, in many African countries ministries of finance and the offices of the Auditor General are respectively responsible for enacting budget laws and monitoring their proper use. In Nigeria, the Federal Ministry of Finance is responsible for reviewing budget requests and disbursing approved budgets for all government agencies, including ministries, departments and agencies working on issues related to children. Although it has a budget surveillance system for ensuring transparency and accountability in the budget and expenditure process, compliance has generally been poor. As a result of accountability deficit, public service delivery, including to children, remains poor (ACPF 2016d; UNCT 2012). The main challenges include: institutional capacity; political interference; lack of authority and capacity of overseeing bodies to impose sanctions; absence of linkage with enforcement bodies; and limited engagement with citizens.

Box 4.1: Transparency without accountability: the case of Tanzania

Some countries in Africa tend to misinterpret the nature of transparent governance, emphasising certain components of the accountability system and downplaying others.

The case of Tanzania shows that its accountability system can be characterised as 'transparency without accountability'. For example, the Controller and Auditor General regularly expose negligence, fraud and embezzlement on a large scale in their annual report; but little action is taken against the perpetrators, and not much has been done to change the system. The media also reveals major financial scandals, but in most cases those exposed remain in office.

While transparency is an important component of an effective accountability system, it has limited impact without appropriate action to redress problems. The full cycle of accountability needs to be followed if governance is to be effective. Where there is evidence of particular bodies performing poorly or misusing power, sanctions must be imposed on them, irrespective of their standing in the government hierarchy.

There are now encouraging developments where effort is being made by the new government to strengthen the accountability system and enhance overall effectiveness of public service delivery for citizens including children and other vulnerable groups.

Source: ACPF 2016f

At local level, officials are usually accountable to Heads of Department and Directors of local government agencies. In many cases, though, this has not proven effective in improving performance, and this remains a major concern in many countries (ACPF 2016f). Community members often express frustration with the practice of government representatives and the lack of accountability at local level. For example, parents in Mwanza, Tanzania, cited repeated demands from school administrators and teachers for parental contributions to building school laboratories or other utilities that have not materialised (ACPF 2016f). They also mentioned cases where officials were found guilty of abusing children physically and sexually, but were not prosecuted.

Public service reforms have been initiated in a number of African countries to enhance the efficiency and effectiveness of the civil service – a fulcrum of public service delivery – at national and sub-national levels. In many cases these initiatives have not been implemented effectively. In Nigeria, civil service inefficiency across the board has led to a state of crisis that is typified, in the words of former President Olusegun Obasanjo, by the combined evils of inefficiency and corruption. This crisis impedes implementation of the government's policies and commitments (UNCT 2012). The same problem is also grave at state level. Box 4.2 below provides insight into practices at sub-national level.

Box 4.2: Accountability mechanisms at sub-national levels: the case of the Nigerian state Bauchi

At state level, the monitoring and accountability mechanisms for child rights implementation in Nigeria are more or less replicas of those in the country's overarching federal structure. Ministries at state level are primarily accountable to the Executive Governor and the State Parliament. These ministries compile their respective reports to the state Governor usually when the Governor delivers a public address marking his or her 100 days or 1,000 days in office. As one of the directors explained in an interview, 'Whatever achievement we have, goes into what the Governor reports as an achievement of the state, and is disseminated through public media.'

However, proper systemic accountability to the public in general, and to children in particular, is missing in most Nigerian states. This hinders the achievement of better child wellbeing outcomes and contributes to huge disparity in child wellbeing among states. The problem is worse in states like Bauchi, which have not adopted the Child Rights Act and which use the Nigerian Constitution at state level and Sharia Law at grassroots level.

Lack of funds has been noted as a major barrier to promoting accountability at state level. Officers working in these agencies mentioned that their hands are tied as they cannot collect information, visit local government staff, or undertake other tasks relevant to their mandate. Moreover, statutory bodies such as the State Child Rights Implementation Committee are not functional (ACPF 2016d). When asked about measures being taken to enhance accountability systems and improve performance, most respondents echoed what a senior Social Welfare Officer in Bauchi State said: 'Nothing. The Government is not doing anything.'

There is a need to address such frustrations, observed across the board, by taking concrete measures to strengthen existing built-in mechanisms technically and financially. Other necessary measures include setting targets, improving monitoring activities, enhancing transparency and involving the media and citizens (including children) in actively helping to improve the performance of the governance system. The justice system should also be strengthened so that it can play an active role in enhancing accountability mechanisms and addressing the sense of impunity that prevails among public officials, particularly at state level.

Source: ACPF 2016d

4.2.2 Independent monitoring

Independent monitoring mechanisms are essential for ensuring accountability. For them to be effective, the main precondition is that they live up to their names: that is, that they can carry out their work independently and seek remedies for violations of rights.

National human rights institutions (NHRIs) are a typical form of independent monitoring mechanism. Although called by different names, NHRIs exist in a growing number of African countries, including Algeria, Cameroon, Cabo Verde, Chad, Egypt, Ethiopia, Kenya, Malawi, Mauritania, Mauritius, Nigeria, Rwanda, Seychelles, Senegal, Sierra Leone, Sudan, Tanzania, Togo, Tunisia, Uganda, Zambia and Zimbabwe (UNICEF 2013b).

One of the main advantages of NHRIs is that they are more accessible to the public than courts are. Their procedures are informal, flexible and short, and hence better than judicial remedies at responding to individual and systemic human rights violations both proactively

and retrospectively. Since they operate as a horizontal accountability mechanism, NHRIs are well-placed to work closely with state organs to address human rights concerns and other accountability problems (ACPF 2016a; Chirwa and Nijzink 2012). Their other advantage is their role in undertaking in-depth studies and investigations, gathering evidence from a wide range of sources over long periods of time to determine systemic, gross and isolated causes or patterns of human rights violations. They can then propose short-, medium- and long-term recommendations to redress and prevent them. Their position as state institutions, albeit less independent than the courts, makes it possible for NHRIs to engage in dialogue with governments and forge partnerships to resolve human rights problems in a spirit of cooperative governance.

NHRIs should operate in accordance with the Paris Principles to ensure their constitution, mandate, capacity and working methods, and their independence of the legal establishment. These Principles require that NHRIs be established by law with a clear human rights mandate and powers that allow them to carry out their functions effectively. The Paris Principles require further that NHRIs are comprised of persons who are independent and competent, appointed in a credible and transparent process, and given sufficient resources to carry out their mission. NHRIs themselves are expected to operate in a transparent and accountable manner and to allow for public participation in all their activities. As such, these institutions can operate as a medium by which the state is held directly accountable both to other state institutions and to the public.

An increasing number of countries, including Ghana, Kenya, Malawi, Mauritius, South Africa, Uganda, Tanzania, Zambia and Zimbabwe, have adopted laws that grant their respective human rights institutions the competence to receive human rights petitions or complaints, including those concerning children (ACPF 2016a). However, the practice in most African countries is that these bodies receive complaints from the general public, and that complaints regarding child rights are not spelt out. For this reason, the UNCRC Committee recommends that states make efforts to ensure that children's rights receive the attention they deserve. This can be done by, for example, establishing a unit within such institutions, or designating a commissioner, with a clear mandate to receive and address complaints of alleged violations of children's rights (UNCRC 2002).

As a result of persistent urging by treaty bodies, some countries, such as Ethiopia, Malawi, Tanzania and Zambia, have established child rights directorates, divisions or desks in their respective human rights commissions (ACPF 2016a). The Tanzanian Commission for Human Rights and Good Governance (CHRAGG), for instance, is an independent government institution established in 2001 for the promotion and protection of human rights, which serves as a watchdog on the observance of principles of good governance (ACPF 2016f). It has seven human rights commissioners, one of whom is responsible for children's rights. The mandate of the Special Children's Desk is broad and includes receiving and investigating child rights complaints, providing legal aid services, inspecting detention facilities, monitoring child rights, sensitising decision- and policy-makers, and providing advice to the government on issues relating to child rights.

Unfortunately, however, the Special Children's Desk does not have the financial capacity or human resources to fulfil its mandate, and often depends on external funding, particularly

from UNICEF, to undertake its core activities. These include investigating complaints, most of which are brought by CSOs (ACPF 2016f). The alternative report on Tanzania, submitted by CSOs to the CRC Committee, commented that the Commission is not an effective mechanism to monitor the implementation of the CRC countrywide, because of its capacity limitations (Tanzania Child Rights Forum 2014). This was underscored when a representative of the Commission noted in an interview that it is severely under-funded, receives only half its allocated budget, and lacks human resources (ACPF 2016f).

The ACPF's assessment also noted that the Commission's budget had declined over the previous three years and that its limited funds are divided internally among the various departments. Even within the Commission, child rights are not seen as a priority area, and hence receive a lower share of the budget compared to other departments (*Ibid.*).

Countries like Nigeria, on the other hand, are increasingly taking concrete measures to strengthen their NHRIs. In addition to reforming laws and broadening the NHRIs' mandates, they are putting financing mechanisms in place to ensure their independence. For example, the National Human Rights Commission (Amendment) Act of Nigeria of 2010 has enhanced the powers of the Commission with respect to the promotion and protection of human rights, the investigation of alleged human rights violations, and enforcement of decisions (National Human Rights Commission of Nigeria 2010). The amendment enables the Commission to draw funds directly from the Consolidated Revenue Fund of the Federation. Most importantly, it gives the Commission's recommendations the weight of High Court decisions.

The Amended Act also makes it difficult for the executive body of the government to oust Executive Secretaries of the Commission, which often happens after they issue statements to which the government takes exception. The amended law now requires a two-thirds majority vote from the Senate in order to force the Executive Secretary of the NHRC to step down (ACPF 2016d). These amendments are crucial to ensuring the institution's independence and strengthening its credibility and influence on the human rights practices of executive and law enforcement bodies. There is a great deal that other countries can learn from Nigeria's example in terms of enhancing the effectiveness of independent human rights institutions. What is required is the political will to support human rights causes, especially in fulfilling the rights of the most vulnerable and voiceless groups, such as children.

To ensure that monitoring and accountability systems work properly, the necessary legal and policy frameworks have to be in place. What is more, the systems need expertise and commitment; if these ingredients are missing, they will not be able to carry out their mission effectively. Box 4.3 below uses the experience of a human rights officer to illustrate what these ingredients mean on the ground and how they contribute to the implementation of children's rights.

Box 4.3: A day in the life of a human rights officer: the case of Nigeria

On 14th May 2015, Mrs Ronke Odeleye* filed a complaint against the father of her eight-year-old daughter, Mr Balarabe, alleging that he had taken their child away and would not allow her to have contact with the child. Mr Balarabe moved to the United States with their daughter in 2013, removing the child from her mother's custody in the process. He returned to Nigeria for a visit with the child, and was accommodated by an influential Nigerian official.

Officer Mariam Dauda from the National Human Rights Commission of Nigeria obtained an order of access and requested that police officers enforce it. When they got to the home of the influential official, they were denied access, and further uniformed officers were deployed to intimidate the police officers and Officer Dauda. The police officers accompanying Officer Dauda submitted to the pressure of the opposing uniformed officers and left the premises. Officer Dauda, however, stood her ground and persisted in attempting to enforce the access order. She resisted intimidation because she had confidence in the power of the law and was passionate about her work. Access was eventually granted to her, and the National Human Rights Commission was then able to mediate between the parents in the best interests of the child.

Enforcement of children's rights is about ensuring that the rule of law prevails. It entails vesting powers in entities mandated to hold relevant bodies accountable, and building their capacity to fulfil their duties. The experience of Officer Dauda demonstrates what independent institutions could accomplish when given power and capacitated to be persistent. It is an inspirational example from which many others can learn.

This encounter illustrates that what we broadly refer to as 'the implementation of child rights' involves exercising persistence and courage in difficult environments and challenging situations.

** Pseudonyms have been used to conceal the identity of all persons involved in the case.*

Sources: Interview with the Officer at the National Human Rights Commission of Nigeria who was involved in the case in Abuja; ACPF 2016d

Two distinct practices have evolved in Africa regarding the accountability role of NHRIs in relation to the courts:

- Many states allow commissions to receive and investigate complaints of human rights violations, but limit their remedial or enforcement powers (ACPF 2016a). In countries where commissions have no authority to make binding decisions, they often represent the complainant(s) and sue in their own name or in the name of the complainant(s).
- By contrast, a small group of states gives their commissions binding remedial powers. In Zambia, for example, an authority or person that does not comply with a recommendation of the Commission, as stipulated in sections 4 and 5 of the Human Rights Commission Act, is deemed to have committed an offence. In Uganda, a remedy recommended by the Commission is deemed to have the same effect as a court order (ACPF 2016a). In Sierra Leone, the Commission has the power to issue orders to enforce its decisions and refer any person to the High Court for contempt if he or she refuses, without justification, to comply with a

decision, direction or order it has made. What is unclear, though, is how the courts in these countries interpret legislative provisions in the light of the courts' monopoly on adjudication.

Despite these differing trends, almost all the Concluding Observations made by the UNCRC Committee on African countries since 2010, along with the annual reports of the human rights commissions of some countries, reveal that NHRIs are chronically under-funded, lack infrastructure and do not have adequate or qualified personnel to perform their functions (ACPF 2016c).

It was also noted that their relationship with state organs is crucial to their effectiveness, as they rely on political will for their recommendations to be fulfilled.

In some countries this relationship is breaking down. In South Africa the Public Protector's relationship with Parliament has become increasingly acrimonious (Kruger 2014; Tamukamoyo, Mofana and Newham 2013). In other countries, the problem has simply been a lack of interest from Parliament in the NHRIs' annual reports. For example, the Malawi Human Rights Commission has complained that Parliament neglects to integrate the Commission's reports into its oversight functions, meaning that much of what the Commission does is unacknowledged and its recommendations are not enforced (Malawi Human Rights Commission 2011).

4.2.3 Judicial remedies

The expansion of accountability mechanisms as a way of fulfilling human rights does not mean that judicial remedies lose importance. Ensuring accountability through the judiciary is a strategy that ought to be given prominence in view of its effectiveness in redressing rights violations. The judiciary can be seen as a means by which the government is held horizontally accountable by other organs of state, and vertically accountable by victims of human rights violations.

For judicial mechanisms to work effectively in holding government accountable, courts must be empowered to receive and adjudicate cases involving alleged violations of, or non-compliance with, human rights. It is also essential that human rights are protected as justiciable rights in the constitution or in domestic legislation. Judicial remedies make it possible for an individual to hold the state directly accountable for rights violations. Through judicial proceedings, the state may justify its conduct or be ordered to redress the violation. Unlike other accountability mechanisms, judicial remedies are binding on the state. Failure to abide by court orders often results in negative national and international publicity for the state.

Courts are, however, generally inaccessible to most people in Africa (ACPF 2016a; Penal Reform International 2000). Children are particularly disadvantaged in this respect because of their vulnerability, their dependence on adults and the state, and the formal nature of the courts. Noting the difficulties that children experience in using the judicial system and accessing other relevant institutions, the UNCRC Committee recommends child-friendly procedures, special courts and programmes offering assistance and support for children to improve their access to justice (UNCRC 2003).

The courts are important not just to ensure the redress of violations of human rights: they also interpret and clarify standards, as well as the child rights obligations of various duty-bearers (see Box 4.4 for examples from Egypt). Almost all African governments now recognise human rights in their constitutions, although there is a bias towards civil and political rights (Heyns and Kaguongo 2006).

Box 4.4: Courts in action for children: what we can learn from Egypt

In March and April 2015 the Supreme Administrative Court and the Administrative Court in Alexandria gave verdicts that took into account the best interests of the child.

On 19 April 2015 the Supreme Administrative Court of Egypt gave recognition to a customary marriage contract presented by a mother, ordering the Interior Ministry to include the child's name in the Civil Status Department and provide the child with national identification. It also ordered the Ministry of Education to accept the child in a school convenient for the child. The Court based its ruling on the Egyptian Constitution and the Child Law, particularly its Article 4. In Egypt, customary marriage contracts are neither commonly authorised by public officials nor recognised in courts to prove paternity, making the decision by the Supreme Administrative Court a milestone in allowing children of such marital unions to register in civil records, enrol in school, and access other public services.

In another case, the Administrative Court of Alexandria issued a ruling in March 2015 that for the first time guaranteed a mother that her child must be registered and provided with a birth certificate. Birth registration is normally done through the father of the child, or his or her uncle, grandfather or other close male relative.

The ruling is significant as it allows mothers to have their children registered and obtain a birth certificate without needing the approval of the child's father or father's family. The court stressed that marital disputes should not prevent the child from establishing his or her legal identity and registering his or her birth.

Source: ACPF 2016g

While a total of 34 countries expressly provide for the rights of children in their constitutions, few address children's socioeconomic rights (Sloth-Nielsen; Chirwa 2008). The most commonly recognised socioeconomic rights of children are the right to protection from abuse and exploitation, and the right to education. Countries whose constitutions recognise children's socioeconomic rights with greater specificity are Kenya, South Africa, South Sudan and Zimbabwe (ACPF 2016a).

When children's rights are not fully recognised in constitutions, governments may not be held fully accountable via the judiciary. Governments are increasingly adopting consolidated laws on children to fill gaps in legislation. The extent to which these laws domesticate children's rights determines the degree to which the courts may be used to compel state institutions to implement them.

Furthermore, given concerns that the inaccessibility of domestic courts is a central barrier preventing duty-bearers from being held to account for children's rights, a growing number of African states have adopted children's statutes that take innovative approaches to adjudicating matters concerning these rights. For instance, Botswana, Ghana, Kenya,

Malawi, Nigeria, Sierra Leone, South Africa and Uganda, among others, have sought to reconfigure ordinary courts as children's courts, child justice courts or family courts (ACPF 2016a). This approach allows the establishment of child-specific courts at the level of the subordinate or magistrate's court.

Box 4.5: Upholding the best interests of the child in courts: the experience in Ethiopia

The Children's Legal Protection Centre in Ethiopia was established by the African Child Policy Forum (ACPF) in 2005 to provide legal advice, judicial representation and psychosocial support to children in need. The Centre also engages in advocacy for law and policy reform to ensure adequate legal protection of children and uphold their best interests in laws and enforcement practices.

In 2007, the Federal Supreme Court of Ethiopia, in a court litigation handled by the Centre, passed a landmark decision and set a precedent for Article 3 of the CRC, regarding the best interests of the child, to be the principal consideration for cases concerning children. In this case, the Centre was assisting a 15-year old child and his aunt who has been looking after him since infancy, in litigation concerning guardianship filed by the father following the death of the child's mother, who left behind a large amount of money and property. The court automatically granted guardianship to the father, who was married to another woman and who had been absent for many years, because the law did not provide other individuals with any legitimate grounds to become guardians if either of the child's parents was alive. In such cases, the courts examine only the hierarchy of relationship with the child, and not the child's best interests.

After a reckless squandering of assets left by the child's deceased mother, the Centre complained to the same court about the irresponsible actions of the father, but the court was not willing to entertain the complaint. The Centre then took the case on successive appeals all the way to the Federal Supreme Court, where the Cassation Bench reversed the decisions of the lower courts on the basis of the principle of the best interests of the child. The child's aunt was assigned legal guardianship. This decision resolved any ambiguity regarding direct application of the CRC in Ethiopian courts.

As the Centre embodied good practice in promoting and enforcing child-friendly laws, it was re-established within the Child Justice Project Office of the Federal Supreme Court of Ethiopia. It has continued providing legal representation and psychosocial services to children in contact with the law, and has engaged in publicity activities to improve awareness of children's rights to protection. This model serves as a good example of bridging the gap between laws and policies and their effective implementation.

Sources: ACPF 2013d; ACPF 2008

Some countries have gone even further, creating entirely new courts or quasi-judicial forums to complement ordinary or specialised children's courts. For example, in Ghana, Child Panels have been established to mediate in civil matters concerned with the rights and welfare of the child and parental duties. They also conduct victim-offer mediation in minor criminal matters involving child welfare where the circumstances of the offence are not aggravated. The Family Tribunal in Ghana sits above the Child Panels, and has the power to make orders relating to parentage, guardianship, access, custody and child maintenance.

In Uganda the Family and Children Court (a magistrates' court) is comprised of Village Executive Committees with both criminal and civil jurisdiction specified in the Ugandan National Council for Children Act. The orders these Committees can make are restricted to reconciliation, compensation, restitution, apology, caution, and guidance orders (ACPF 2016a). In Sierra Leone, the child rights court structure has Village Welfare Committees at the bottom. These are followed by Chiefdom Child Welfare Committees, then by Child Panels, and then by Family Courts. In all of these cases, at least three concerns are worth highlighting.

First is the problem of creating a great distance between the High Court and the local adjudication forums. In Uganda, for instance, an appeal from the Village Executive Committee has to go through a Parish and Sub-County Executive Committee Court, the Family and Children Court and the Chief Magistrates Court before it can get to the High Court, the Court of Appeal, and the Supreme Court. Given that there are no clear provisions for training personnel in the lower tiers of this court structure and considering the complexities of adjudicating children's rights, this arduous court process may be counter-productive.

Secondly, the jurisdictional parameters of each adjudicatory forum still need to be clearly demarcated.

Thirdly, while there is a clear emphasis on transforming the lower courts into child-friendly courts, this is generally not the case in the higher courts. Thus, when children's rights cases come before the High and Supreme Courts, ordinary procedures apply with minor modifications or none at all.

There are also functions that courts are unable to perform. Jurisprudence has shown that there is a limit to how far courts can hold states accountable for states' positive obligations. As noted earlier, since children's rights concern autonomy, prevention, protection and provision, states are obligated not only to respect these rights and retrospectively address violations, but also to take preventative measures and ensure that all children have access to the basic goods and services necessary for their survival and development.

In South Africa, for example, the courts developed clear standards regarding the enforcement of positive obligations in relation to socioeconomic rights. These revolve around the reasonableness of the state's measures and for the failure to take any measures at all. The court cases *Government of the Republic of South Africa and Others versus Grootboom and Others* and *Minister of Health and Others versus Treatment Action Campaign and Others* are good examples that put the issue of whether or not socioeconomic rights are justiciable beyond question. But these cases also showed the difficulty of enforcing socioeconomic rights through the judiciary (Constitutional Court of South Africa 2000; Bilchitz 2003).

The South African jurisprudence on the enforcement of the state's positive obligations has received international approval through article 8(4) of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, adopted in 2008 during the sixty-third session of the UN General Assembly and entered into force in May 2013. The Optional Protocol states that:

...when examining communications under the present Protocol, the Committee shall consider the reasonableness of the steps taken by the State Party in accordance with Part II of the Covenant. In doing so, the Committee shall bear in mind that the State Party may adopt a range of possible policy measures for the implementation of the rights set forth in the Covenant.

In a different case, the Constitutional Court of South Africa emphasised that due diligence requires the state to *'take reasonable steps to prevent human rights violations and to use the means at its disposal to carry out a serious investigation of violations committed within its jurisdiction, to identify those responsible, to impose appropriate punishment and ensure that the victims are adequately compensated'*. These standards have also been adopted and applied by the African Commission on Human and Peoples' Rights in a number of cases (Chirwa 2010; 2004).

In general, courts are good at providing retrospective redress in cases involving individuals or an identifiable group of people. They are not good at proactively addressing systemic violations, firstly because of the difficulties of determining fault and causation, and secondly because of the procedural and evidential barriers that adversarial litigation presents, especially in common law systems. Courts also face institutional constraints related to the separation of powers and how far they can go in demanding that the state takes more or better measures to implement rights.

Finally, courts do not have expertise in policy-making, and as an unelected branch of the government, cannot easily set aside policies prioritised by the government.

4.3 Informal accountability mechanisms

The various mechanisms discussed above qualify as formal mechanisms for holding governments accountable. They have merits and demerits. Often, formal mechanisms lack the independence and authority to impose sanctions on governments, even in situations where there are outright violations of basic rights (ACPF 2013b). In response to such gaps in the effectiveness of formal accountability systems, there are also informal mechanisms initiated by non-state actors – including civil society organisations, UN agencies and other international and regional NGOs – to hold governments accountable and improve their performance.

In most cases these informal mechanisms use innovative ways of assessing, comparing and publicising the performance of governments in realising human rights, particularly those of children, women and other vulnerable groups. They focus on promoting action to improve government responsiveness to citizens' needs, and they involve initiatives aimed at exposing malpractice, identifying bottlenecks, and proposing solutions. They have been effective in drawing public attention and influencing law, policy, and administrative procedures, actions which in turn have resulted in the delivery of better services and an improvement in children's wellbeing.

Generally, the diminishing space for civil society engagement, particularly on matters perceived as 'sensitive' such as governance, has limited both the scope and coverage of informal mechanisms of accountability in many African countries. However, the initiatives

that have been undertaken provide insights from which other countries can learn. Box 4.5 highlights some of the informal mechanisms used in various African countries to promote greater government accountability for children.

Box 4.6: Key informal tools to promote government accountability for child rights

There are both built-in and external formal monitoring mechanisms to track progress in realising children's rights and influencing relevant actors in fulfilling their obligations to children. These formal mechanisms have varying degrees of effectiveness. Independent monitoring bodies such as national human rights institutions, as noted earlier, lack the power and capacity to impose sanctions on governments even when there are outright violations of rights.

These situations make informal accountability initiatives by non-state actors helpful in sparking public debate and pressurising governments to take measures to improve their performance and – in the case of child rights – achieve better child wellbeing outcomes.

Generally, there are very limited systematic interventions in Africa that aim at promoting greater accountability to children. Some of these initiatives are highlighted below to provide insight to other practitioners and encourage them to adopt similar approaches in promoting accountability for child rights implementation at national and sub-national levels.

The District League Table of Ghana

In an effort to strengthen accountability and improve governance, the Ghana Center for Democratic Development (CDD) and UNICEF-Ghana jointly developed a social accountability tool, the District League Table (DLT), that is intended to enhance the responsiveness of the Government of Ghana and citizens' engagement in issues affecting their lives. Since its establishment in 2014 the DLT has created increased momentum to strengthen service delivery and improve communication and reporting among key stakeholders, which in turn has had significant impact on the implementation and realisation of children's rights.

The DLT uses indicators from six key sectors: health, education, sanitation, water, governance, and security. It then compiles a single score for each district and ranks them on the basis of this combined score value. The ranking enables the DLT to identify districts that are doing well and those that are not. This helps with planning and the allocation of resources to districts that need more assistance.

The DLT has also created an opportunity for engagement and feedback between citizens and the state, which has significant implications for strengthening accountability and improving performance in service delivery. Effective child rights implementation and compliance with child rights standards is about continuous effort to improve services and reach out to those who need them most by enhancing mechanisms for coordination and efficiency. It is also about soliciting feedback from rights-holders to devise strategies that fulfil children's rights and improve their lives.

The South African Child Gauge

The South African Child Gauge is an annual publication of the Children's Institute of the University of Cape Town that tracks South Africa's progress in realising children's rights. It critically examines the links between the state's commitment to children's rights and the reality on the ground, through evidence-based analyses of the status of children and the legal, policy and implementation environment at various levels of administration.

continued to next page ...

This annual publication bridges the gap between data generators, who often lack the expertise to provide in-depth analysis on children, and policy-makers, who need such detailed information to make informed decisions.

The South African Child Gauge targets multiple audiences, including policy-makers, programme planners and practitioners in government and non-government sectors; academics; civil society working on children's issues; the media; and human rights institutions. Its users recognise that the evidence and analyses in the report provide them with unbiased and independent perspectives on issues facing children in South Africa and measures that need to be taken to address their problems.

Much can be learnt from The South African Child Gauge in terms of systematically and independently monitoring the state of child rights and wellbeing using the most recent available data and information at national and sub-national levels; providing analysis of gaps; and proposing solutions to fill them.

The Child-Friendliness Index (CFI)

The Child-Friendliness Index (CFI) is a quantitative framework for assessing and promoting accountability to children that was developed by ACPF. It serves as an advocacy tool to promote action to enhance compliance and improve the wellbeing of children. Although designed to assess and compare the performance of governments in realising the rights of children at regional level, this framework can be adapted to assess and compare government performance at national and sub-national levels as well.

Its applicability at the lower administrative levels was demonstrated by its adaptation and use by the Centre for Child Rights (HAQ) of India to assess and compare the performance of states and examine the overall national situation of children with regards to the implementation of their rights.

The CFI also serves as a framework to compile and analyse evidence of the state of child rights and wellbeing vis-à-vis national and regional targets and goals. Practitioners in both government and non-government sectors could adapt the CFI for use as a framework for monitoring child rights implementation and promoting action to strengthen accountability to children.

Sources: UNICEF-Ghana and Center for Democratic Development of Ghana 2015; ACPF 2014b; Centre for Child Rights India (HAQ) 2011

The experiences highlighted above clearly show that there are gaps in accountability, and underline the need for an integrated system that is functional and which takes into account the strengths and weaknesses of existing mechanisms. The following section describes the main elements of such a system, drawing on the practices of countries that are doing relatively well in this regard.

4.4 An integrated system of accountability

From the outset, it is important to note that the involvement of a multiplicity of actors in the implementation of children's rights creates at least three problems. The first relates to situations where those with the responsibility to implement these rights deny that responsibility when called to account, pointing instead to other departments or agencies. The second problem concerns overlapping responsibilities and duplicated powers. The third is the problem of how various actors may effectively be held accountable.

As explained in previous sections, different mechanisms of monitoring and accountability have their advantages and disadvantages. The internal accountability offered by self-monitoring, coupled with the promotional and protective functions of NHRIs and other independent monitoring mechanisms, could increase the impact on practices at various levels. Initiatives by non-state actors could also contribute to improving the effectiveness of formal accountability mechanisms.

A more conducive environment for collaboration among the various bodies mandated to monitor and promote accountability would create better opportunities to integrate activities and enhance synergies. Such integrated approaches are crucial for putting pressure on governments to take measures that ultimately translate into better service delivery. For example, national human rights institutions require the support of parliament and the judiciary to be effective. On the other hand, parliaments could benefit from the work of human rights institutions, including the results of investigations and assessments by non-state actors, to fulfil their oversight role effectively.

In the same vein, informal accountability initiatives by non-state actors could provide valuable input on practices in areas often neglected by mainstream information sources. Collaboration with these actors and the media also avoids duplication of effort, synchronising messages to governments.

The political legitimacy and authority of the body responsible for coordinating child rights implementation is more relevant in cases where this body has to hold other ministries, departments, units and divisions of government, as well as non-state actors, to account for their role in the implementation process. A coordinating body has to have extra-departmental or ministerial authority to demand accountability from other government and non-government bodies, in addition to having adequate authority over its own subordinates. The challenge in almost all African countries is that, as noted in Chapter 3, ministries dealing with social services are not highly regarded because they are seen as not contributing directly to revenue generation for the state. Especially in contexts where the rights-based approach to social services is not entrenched, recipients of free or subsidised public social services are often looked down upon as ‘parasites’ on the state.

As noted in Chapter 3, an increasing number of African countries have child rights councils or commissions that are semi-autonomous, established specifically for inter-departmental or inter-ministerial coordination, and mandated to carry out particular functions under a framework requiring close collaboration with the executive branch of government and other non-state actors. Such broad-based councils or commissions have great potential to create an integrated system of accountability by drawing on both formal and informal mechanisms, as well as by engaging with the media. However, while these structures enjoy the advantage of a clear inter-ministerial coordinating function, the fact that they are separate from the executive body can weaken their authority and ability to hold government departments accountable. As the UNCRC Committee has emphasised, the importance of the political and legal status of the councils has to be seen in this context.

For these councils to fulfil their mandates effectively, adequate financial and human resources are also needed. The UNCRC Committee has decried the lack of financial and

human resources afforded to them (ACPF 2016c). The Committee has also expressed concern about lack of transparency in selection processes, particularly for civil society participation, and limited accountability to non-member NGOs, and has urged governments to strengthen collaboration with CSOs at all levels of administration.

As targets and agents in child rights implementation efforts, children also need to be given space to contribute meaningfully to promoting accountability. Both the CRC and ACRWC entitle them to such engagements. Countries like Nigeria and South Africa have given legal effect to children's right to participation in their domestic laws. Nigeria, in particular, has taken legal and institutional steps to give effect to this right by establishing the Children's Parliament (ACPF 2016d), which serves as a public forum for children to express views on matters affecting them. It is also an important space to highlight issues that have been neglected and which require further action, and to integrate them into public initiatives that target children. These child-led bodies operate at various levels and hold great potential to influence implementation practices. The Nigerian Children's Parliament can integrate its work on accountability initiatives into federal, state and local government administrative structures, and so promote action to improve the living conditions of children throughout the country (ACPF 2016d).

4.5 Child-related data collection, analysis and dissemination

Functional systems of data collection, compilation and analysis are accountability mechanisms that are gaining recognition around the world; but most countries in Africa still have to establish and maintain comprehensive and coherent systems of data collection. A number of ministries, often those of education, health, and social welfare, are setting good examples in gathering and compiling data relating to children. Some countries have also attempted to develop child-specific indicator systems (UNCRC 2012b; 2013a); for example, in 2008 Angola established the Angolan Child Indicator System (SICA), a system based on 11 commitments made at the Third National Forum on Children; the CRC; and the MDGs (UNCRC 2010b).

In many cases, national agencies for statistics have been given the responsibility to collect data on various socioeconomic issues, including indicators relating to children; but these agencies often pay limited attention to data concerning children. For example, in 2014 Uganda conducted a national population and housing census, but the provisional results released by the Uganda Bureau of Statistics were not disaggregated to show the composition of the child population (Uganda Bureau of Statistics 2014). Improving data collection as a key accountability mechanism requires strengthening the capacity of national statistical agencies and enhancing their collaboration with government bodies responsible for coordinating child rights implementation.

Through its Renewed Call for Action on the Implementation of the Plan of Action Towards Africa Fit for Children, the African Union has urged governments to establish national child rights observatories for effective child rights monitoring. The rationale for establishing observatories is to set up regular, systematic mechanisms of data collection, compilation, analysis and dissemination on issues relating to children. The products of this process are crucial to evaluating the effectiveness of implementation efforts and to advocating for

action to improve accountability and performance. Mauritius and a few northern African countries have established such observatories; Egypt, for example, has created a National Child Rights Observatory within the National Council of Childhood and Motherhood. However, this observatory has weakened in recent years due to the country's political instability and constant restructuring of ministries (ACPF 2016g). Efforts are now being made to reactivate it.

Governments must learn from the experience of countries that have established these observatories. They must make maximum use of available data and information on children from national surveys, censuses and other sources to monitor progress and improve performance.

4.6 Conclusion

The understanding of human rights implementation has undergone a major transformation since the international system for protecting human rights was established. This transformation has been informed by the substantive and procedural evolution of human rights. Substantively, it is now understood that human rights comprise not only civil and political, but also economic, social and cultural rights. Procedurally, the emergence of non-judicial and quasi-judicial mechanisms of enforcing human rights, such as state reporting, country studies, special rapporteurs, on-site investigations, peer review mechanisms and state complaints procedures, has demonstrated that judicial remedies alone are insufficient to ensure the holding to account of those mandated to implement and respect human rights.

The question of accountability for the implementation of children's rights is, in most African countries, considered largely in isolation rather than holistically. As a result, links between various accountability measures are not made, often leading to duplication of responsibilities and gaps in the accountability mechanisms. As has been argued, an integrated system has to have an appropriate mix of self-monitoring and evaluation, independent monitoring and judicial remedies, and must make provision for procedures and activities that allow duty-bearers to be held accountable: not just horizontally to fellow state institutions, but also directly to citizens. Importantly, the accountability mechanisms themselves have to be transparent and accountable. Such an integrated system has to be grounded in legislation for it to work effectively.

Informal initiatives by non-state actors for promoting accountability play a significant role in stirring debate and putting pressure on governments to take measures to improve their performance. Such initiatives are usually effective in exposing malpractice, particularly in areas where conventional systems and mechanisms do not reach. They also influence improvements in service delivery to marginalised groups that are often overlooked in mainstream public programmes and facilities.

The media is an important actor in strengthening accountability and improving good governance. In addition to mainstream media, social media plays an ever stronger role in influencing change and combating poor governance. The Egyptian revolution has shown the significance of internet and social media in increasing public awareness and exposing poor governance and violations of rights.

In conclusion, accountability is a key component of the progressive realisation of all children's rights. The major concern about the accountability mechanisms that have already been established in many countries is around the lack of commitment from public officials to make them work. These mechanisms are grossly under-funded, with very limited capacity to exercise their mandate; they often operate in silos, with little or no synergy; and the reports they produce are not taken seriously by legislative or executive bodies.

An integrated system of accountability therefore needs to be established, with vested power and functional mechanisms to engage key stakeholders and impose sanctions. Where systems already exist but are ineffective, they need to be strengthened, and their independence assured. Without such effective accountability systems, it will not be possible to enhance the implementation of children's rights and improve children's wellbeing.

5

THE STATE OF CHILD RIGHTS AND WELLBEING IN AFRICA: AN OVERVIEW

'We must move from rhetoric to action: an action that translates into making Africa a better place for all children.'

– **President Joaquim Chissano**, President of Mozambique (1986-2005) and former Chairperson of the International Board of Trustees, ACPF (2012-2014)

5.1 Introduction

Previous chapters explored various aspects of child rights implementation and examined factors impeding the achievement of better results in child protection and access to quality services. This chapter presents an overview of the state of child rights and wellbeing in Africa.

Together with the discussion in previous chapters, which dealt primarily with issues of *process*, the analyses in this chapter look at the *product* of those processes. They provide a fuller picture of implementation efforts, the concrete results achieved so far, and the major gaps that remain.

The following sections examine efforts to fulfil children's rights by analysing the various dimensions of governments' obligations based on the most recent data and information available. These analyses identify strengths and weaknesses and also serve as inputs into the design of interventions that address gaps in laws and policies and their enforcement.

5.2 Legal protection of children: progress and challenges

The CRC and ACRWC provide children with adequate protection, in laws and practices, against all forms of violence, and oblige governments to take the necessary measures to fulfil these entitlements. In this section, efforts made to ensure children's legal protection are examined by looking at the comprehensiveness of the laws and policies in place and, where data and information are available, assessing efforts to enforce these laws and policies. A number of indicators are used to assess these aspects including the prohibition of corporal punishment; existence of a policy for free primary education; and the ratification of relevant international and regional child rights instruments. Further indicators relating to implementation include the existence of juvenile justice systems; national plans of action for child survival, development and protection; and the existence of a coordinating body within the government mandated to ensure effective coordination among the various sectors and facilitate child rights implementation.

It is clear from discussion in earlier chapters that, while significant progress has been made to enhance child protection, there are numerous gaps in laws, policies and systems providing that protection, particularly for the most vulnerable groups. Much remains to be

done to strengthen child protection systems in most parts of Africa through ensuring comprehensiveness of laws and policies as well as devising appropriate mechanisms to effectively implement them.

Current state of ratification of international and regional child rights treaties

As elaborated in Chapter 1, ratification and domestication of relevant child rights instruments are important stages in the implementation of children's rights. Eight key international and regional treaties are considered in the assessment of governments' efforts to realise children's rights:

- The ACRWC
- The Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Pornography
- The Optional Protocol to the CRC on Involvement of Children in Armed Conflict
- The ILO Convention on Minimum Age of employment (No. 138)
- The ILO Convention on the Worst Forms of Child Labour (No. 182)
- The UN Convention on Rights of Persons with Disabilities
- The Hague Convention on Inter-country Adoption
- The CRC. As all countries have ratified the CRC, it was not considered in the analysis.

Most member states of the AU have ratified the ACRWC. The exceptions are Central African Republic, Democratic Republic of Congo, São Tomé and Príncipe, Somalia, South Sudan and Tunisia. Following intensified campaigning by the ACERWC, these countries are being lobbied to ratify the Charter and ensure its universal ratification in Africa.

The two Optional Protocols of the CRC are important instruments that enhance child protection in the areas of child prostitution, pornography and involvement of children in armed conflict. A number of countries have not ratified these optional protocols, despite their significance in enhancing child protection against sexual abuse and exploitation. These include Cameroon, Ghana, Kenya, Liberia, São Tomé and Príncipe, Somalia, South Sudan and Zambia. Eleven countries have not yet ratified the Optional Protocol on Involvement of Children in Armed Conflict: Central African Republic, Comoros, Equatorial Guinea, Gambia, Guinea, Liberia, Mauritania, São Tomé and Príncipe, Somalia, South Sudan, and Zambia.

The ILO Conventions 138 and 182 have near universal ratification, with only Eritrea and Liberia yet to ratify Convention No. 182 and Convention 138, respectively.

In view of the growing number of cases of inter-country adoption, the Hague Convention on Inter-Country Adoption has also become an important instrument for promoting the best interests of the child, and fostering cooperation between countries in this regard. Despite its importance, the majority (37) of African countries have not ratified this Convention. Those that have are Burkina Faso, Burundi, Cabo Verde, Côte d'Ivoire, Guinea, Kenya, Lesotho, Madagascar, Mali, Mauritius, Rwanda, Senegal, Seychelles, South Africa, Swaziland, Togo, and Zambia.

Eleven countries are yet to ratify the UN Convention on the Rights of Persons with Disabilities. These include Botswana, Cameroon, Central African Republic, Chad, Comoros, Equatorial Guinea, Eritrea, Libya, São Tomé and Príncipe, Somalia, and South Sudan (see details in Annex 2, Table A2.3).

Adequacy of provisions in national laws for child protection against trafficking, sexual exploitation and harmful practices

Fifty African countries have either separate legislation or a special law that prohibits child trafficking. The domestic laws of Chad, São Tomé and Príncipe, Somalia, Tunisia and Zimbabwe do not provide adequate protection from trafficking for children. Pornography and sexual exploitation of children are prohibited by law in all African countries except Somalia and South Sudan. In Angola, Benin, Central African Republic, Egypt, Kenya, Lesotho, Namibia, Sierra Leone, Tanzania and Zimbabwe, separate laws deal exclusively with sexual offences or other acts of cruelty for adults and children. In particular, the laws of Angola, Botswana, Kenya, Ethiopia, Madagascar, Morocco, South Africa and Uganda criminalise child pornography and prostitution (ACPF 2013b).

Some 41 countries have domestic laws against harmful practices. For instance, Benin, Cameroon, Central African Republic, Chad, Cote d'Ivoire, Eritrea, Kenya, Niger, Nigeria, Senegal and Togo have separate laws or policies on the prohibition of female genital mutilation or other harmful practices (ACPF 2013b). However, harmful practices are not criminalised in countries such as Botswana, Burundi, Cabo Verde, Comoros, Congo, Gabon, Gambia, Madagascar, Mozambique, Sierra Leone, Swaziland, and Libya.

Corporal punishment is not prohibited in most countries of Africa. It is a widely practiced phenomenon, often in severe forms (ACPF 2014a). Only Benin, Cabo Verde, Congo, Kenya, South Sudan, Togo, and Tunisia have outlawed corporal punishment in all settings (at school, in the home and in the penal system). Corporal punishment in schools is prohibited in only 28 countries and almost half of African countries have prohibited the practice as a disciplinary measure. It is fully proscribed as a criminal sentence in 47 countries. The only countries that have not yet outlawed corporal punishment as a criminal sentence are Botswana, Libya, Mauritania, and Zimbabwe (see Annex 2, Table A2.4).

Following the Millennium Declaration, significant progress has been made in primary education: most countries have policies for free and compulsory primary education. Assessment of policies in this respect showed that primary education is free in all African countries except Botswana, Cote d'Ivoire, Mozambique, Somalia, South Africa and Zimbabwe. Education is provided as a substantive right in the constitutions of a large majority of African countries. In Benin, Ethiopia, Lesotho, Liberia and Nigeria, it is constitutionally recognised as a duty of the state (ACPF 2013b).

Consistency of minimum ages of marriage, employment, and criminal responsibility with recommended ages

The UNCR Committee recommends, in its General Comment No. 10, that the minimum age of criminal responsibility should not be below the age of 12 years. It is unacceptable to set the age of criminal responsibility below this recommended minimum. In Africa, the

minimum age of criminal responsibility set by different countries ranges from as low as seven to 17 years of age. Fourteen countries have set the minimum age of criminal responsibility below the recommended minimum of 12 years. These are: Cameroon, Cote d'Ivoire, Ethiopia, Kenya, Lesotho, Malawi, Mauritania, Namibia, Nigeria, Seychelles, South Africa, Tanzania, Zambia and Zimbabwe.

With regards to child workers, all children of school-going age should be in school and do not have to engage in any employment or work that jeopardises their schooling. In reality, however, about 20 per cent of children in Africa are employed against their will in farms, stone quarries or mines. It is also estimated that 59 million children between the ages of 5 and 17 are involved with hazardous work (ILO-IPEC 2013). The ILO Convention No. 138 sets the minimum age for admission to employment or work at 15 years (13 for light work) and the minimum age for hazardous work at 18 years (16 under certain strict conditions). It also provides for the possibility of initially setting the general minimum age at 14 years (12 for light work) where the country's economy and educational facilities are insufficiently developed, as is the case in most countries in Africa. A review of laws shows that the minimum age of admission to employment across Africa ranges from 12 to 16 years. The only three countries that set the minimum age below 14 years are Kenya, Sierra Leone and Uganda.

Child marriage is another form of child rights violation with implications for multiple deprivations and risks to survival, development and protection. Article 21(2) of the ACRWC provides that child betrothal and marriage shall be prohibited and that effective action shall be taken to ensure that the minimum age of marriage is 18 years. Accordingly, many African governments have harmonised their laws to reflect these required minimum standards. Thirty-one countries have set 18 years as a minimum age of marriage for girls and boys. Malawi sets 15 years for both girls and boys, Zambia and Guinea Bissau set 16, and Sudan sets the age at 10 years. Others, such as Burundi, Cameroon, Chad, DRC, Gabon, Mali, Senegal, Tanzania, and Zimbabwe, have set a discriminatory age of marriage that allows girls to marry before the age of 18. On the other hand, Lesotho, Rwanda, Algeria and Libya have set the minimum age of marriage above the age of 18.

Child marriage is currently receiving regional and international attention. The campaigns to end child marriage led by the African Union and the Elder Groups, and joined by several other global and regional child rights organisations including ACPF, are good examples of this positive development. While these initiatives are promising, there is a long way to go to ensuring that no child gets married in Africa. Integrated interventions are required to break social, economic and attitudinal barriers that contribute to the perpetuation of the practice.

There is also a need for countries with domestic laws that have discriminatory provisions and which allow marriage below the recommended minimum age to harmonise their laws with the required standards, ensure consistency for girls and boys, and strengthen enforcement of these provisions to prevent children from being forced into marriage.

In general, what gives meaning to the aforementioned provisions and standards is effective implementation.

Efforts made to enforce and implement laws and policies relating to children

The assessment of efforts made to enforce child related laws and policies was based on selected indicators for which data and information are available. One of the indicators relates to the existence of child-friendly courts, reflecting the measures that governments have taken to put in place an appropriate system to cater for children in contact with the law.

Children in contact with the law and those in the custody of law enforcement bodies should be treated with care, sensitivity, fairness and respect throughout any legal proceeding or case before the courts. Special considerations need to be made of their situation, specific needs and overall wellbeing. Court and law enforcement procedures need to be undertaken with full respect for children's physical and psychological integrity, adherence to the principles of the best interests of the child, and consideration of their views and perspectives. Such sensitive treatment should be given to children regardless of the way in which they are involved in judicial proceedings.

Forty-four African countries have sought to deal with this issue by establishing children's courts. However, the fact that a fifth of countries in Africa do not have such child-friendly mechanisms in their justice systems is a cause of major concern and signals the need to put more effort into ensuring that children receive maximum protection when accessing the justice system. Countries with no child-friendly mechanisms in their justice system include Burundi, Cabo Verde, Djibouti, Equatorial Guinea, Gabon, Namibia, Rwanda, São Tomé and Príncipe, Somalia and South Sudan.

The other important aspects relevant to the implementation of child rights are the existence or not of a national body within the government structure that is responsible for coordinating national programmes targeting children; and whether or not countries have developed a National Plan of Action for Children that guides national activities to realise all children's rights. These issues have been elaborated in greater detail in Chapter 2, and the assessment clearly shows that almost all African countries have a national coordinating body and a national strategy for children, but that the efficiency and effectiveness of these vary greatly from country to country.

As elaborated earlier, national strategies and plans of action for children are seldom accompanied by adequate funding for implementation, and essentially fail to serve their purpose in most countries. In combination, these factors have affected implementation of children's rights, reducing the likelihood of better child wellbeing outcomes.

The following section deals with outcomes of implementation efforts which shed light on their effectiveness in achieving the ultimate objective of improving the overall wellbeing of all children.

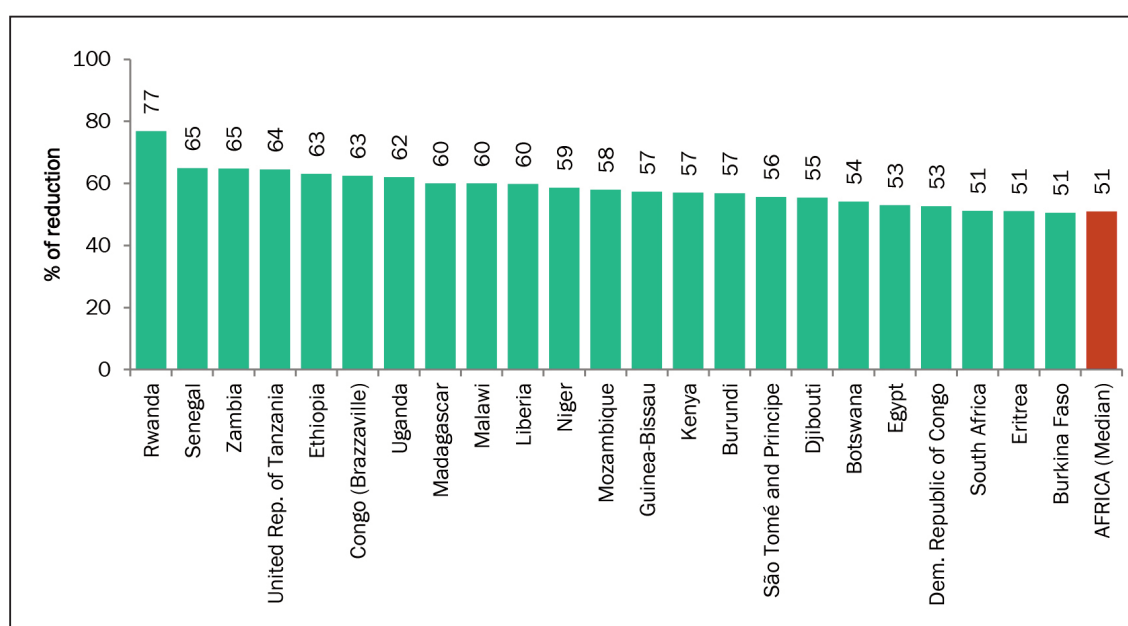
5.3 Effort made to provide basic services for children

The ultimate objective of all efforts geared towards child rights implementation is to improve children's access to basic services and improve every aspect of their wellbeing. A number of indicators were used to assess effort in this regard, including children's access

to essentials such as early childhood development, health-care and education services, and sanitation and drinking water sources. Other maternal and child health services such as antenatal care, skilled birth attendance and immunisation have also been considered. Further outcome indicators relating to access to food and nutrition, as measured through the percentage of underweight children and child mortality rates, were also examined.

Significant reductions in child morbidity and mortality have been noted in most parts of Africa over the last few years, as a result of increased immunisation coverage. The rate of reduction varies by country and ranges from 13 per cent in Comoros to 77 per cent in Rwanda. The median rate of reduction for Africa stands at about 51 per cent over the period 2000-2015 (see Chart 5.1). However, large numbers of children across the continent still die of preventable causes: on average, the current under-five mortality rate for Africa stands at 67 deaths per 1,000 live births, the highest regional rate in the world and a major violation of children's fundamental right to life.

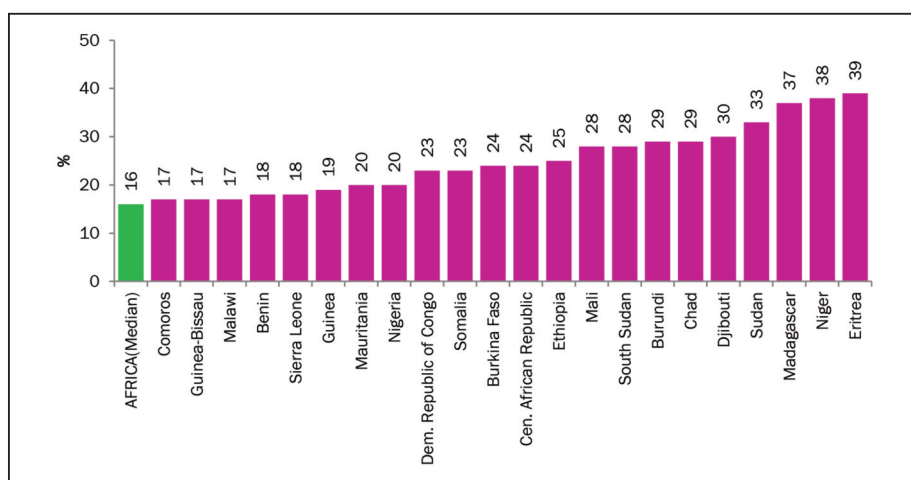
Chart 5.1: Countries with significant reduction of under-five mortality over the period 2000-2015



Source: Based on data from UNICEF 2016

The level of child malnutrition is the other outcome indicator used to assess effort to ensure children's access to adequate food and nutrition. As indicated in Chart 5.2, the most recent data show that about 16 per cent of children under five years of age in Africa were underweight (low weight-for-age). Underweight prevalence is highest in Eritrea (39 per cent), followed by Niger (38 per cent), Madagascar (37 per cent), Sudan (33 per cent), and Djibouti (30 per cent). The prevalence is low in North African countries compared to the rest of Africa: only two per cent of children under five in Tunisia, and three per cent in Morocco and Algeria, are malnourished.

Chart 5.2: Percentage of underweight children for countries with values above the median for Africa^{6,7}

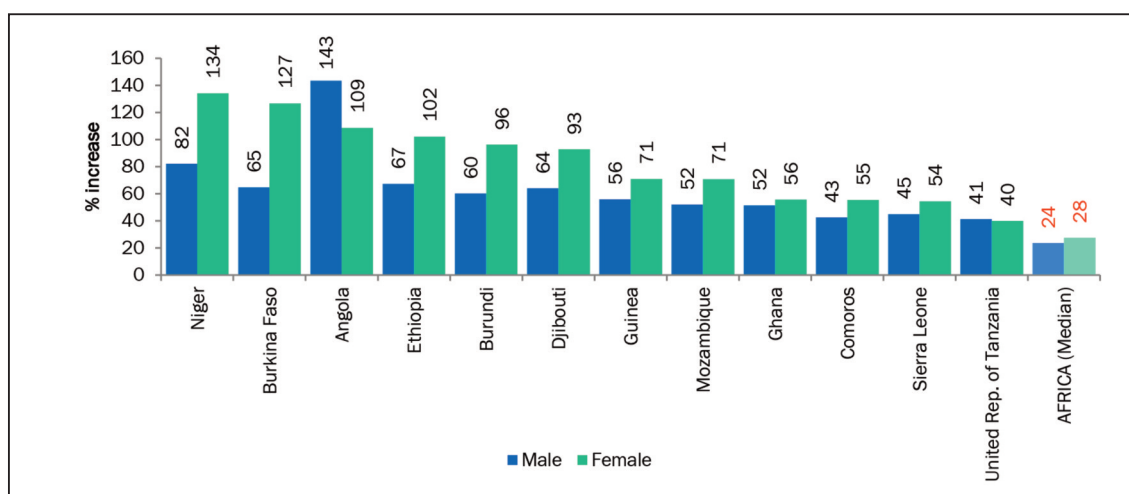


Source: Based on data from UNICEF 2016

The other area where significant progress has been made in Africa is access to education, particularly at primary level. As shown in Chart 5.3, the median net enrolment rate in primary schools for Africa increased by 24 per cent for boys and 28 per cent for girls between 2000 and 2014. There has been notable progress over the same period in countries such as Niger, Burkina Faso, Angola, Ethiopia and Burundi (see Annex 2, Table A2.8).

Despite these positive developments, there are countries where the net enrolment ratio is still very low. For example, net enrolment for primary education for boys is as low as 39 per cent in Liberia, followed by Eritrea (43 per cent), South Sudan (47 per cent), and Sudan (52 per cent). The newly formed state of South Sudan has the lowest enrolment rate for girls at 34 per cent, followed by Liberia (37 per cent) and Eritrea (38 per cent).

Chart 5.3: Countries with significant progress in the primary net enrolment rate over the period 2000-2014



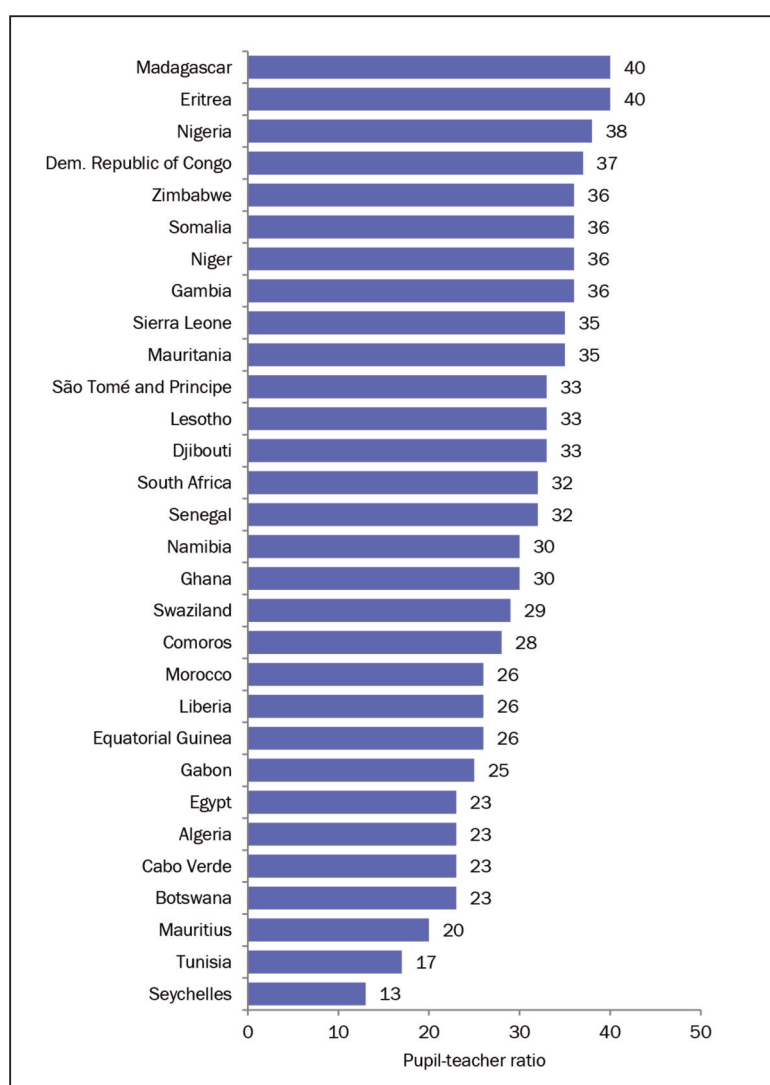
Source: Based on data from UNESCO Institute for Statistics 2016b

⁶ See Annex 2, Table A2.6 for the other countries.

⁷ Data refers to the most recent year available during the period 2010-2015.

Quality of education has a direct impact on children's skills acquisition and overall cognitive development. The drive to achieve the MDG goal of universal primary education did not come without a cost in quality of learning. Overcrowding is one of the main impediments to quality education – with overcrowded classrooms defined as those where the pupil-teacher ratios (PTR) exceed 40:1 (UNICEF 2012a). As shown in Chart 5.4 below, PTR is less than or equal to the recommended level of 40:1 in more than half of African countries. PTR varies significantly across Africa, ranging from 13:1 in the Seychelles to 80:1 in the Central African Republic. While there have been improvements over the years, PTR still remains very high in Ethiopia (54:1), Mozambique (55:1), Kenya (57:1), Rwanda (60:1), Chad (62:1) and Malawi (69:1).

Chart 5.4: Countries that reached the recommended pupil-teacher ratio (PTR)⁸ in primary education⁹



Source: Based on data from the World Bank 2015

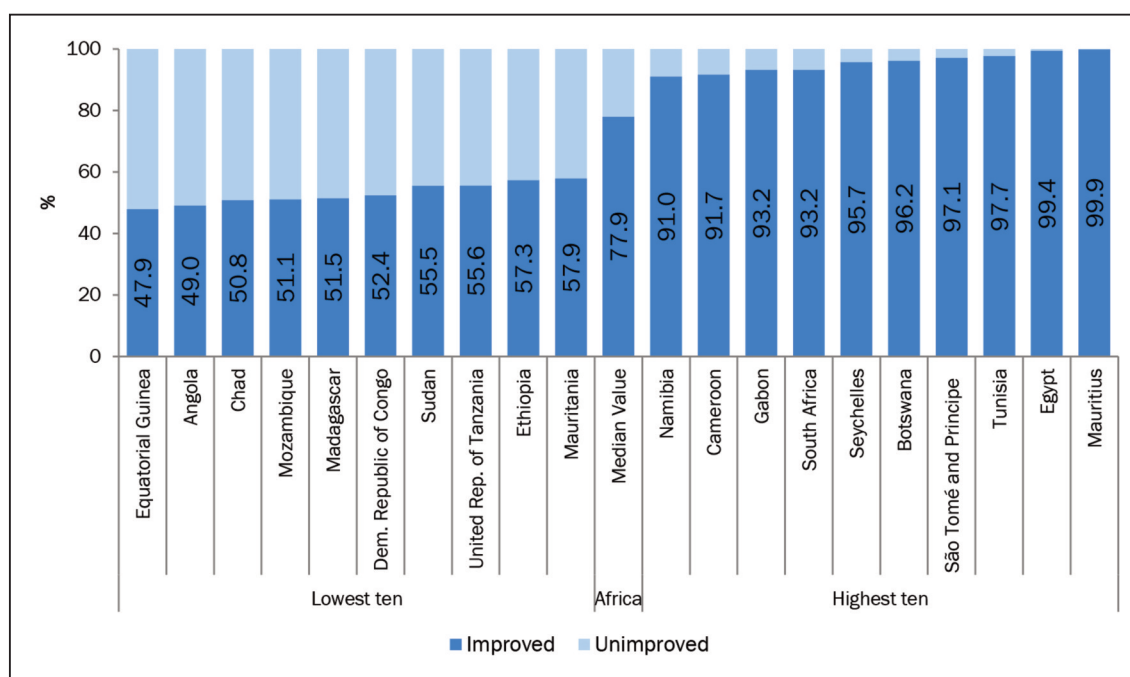
⁸ See Annex 2, Table A2.8 for the other countries.

⁹ The data refers to the most recent year available during the period 2010-2014.

Given their significance in improving the overall health of children, access to adequate sanitation and clean drinking water are considered important indicators of child wellbeing. Africa still struggles with lack of access to improved sanitation facilities, with only 35 per cent of the continent’s population enjoying access to such facilities. Furthermore, over half of the population in most African countries has no access to improved sanitation facilities.

The percentage of people accessing clean drinking water has increased from 65 per cent in 2000 to 77.9 per cent in 2015, with coverage of more than 90 per cent in 13 countries (Mauritius, Egypt, Tunisia, São Tomé and Príncipe, Botswana, Seychelles, South Africa, Gabon, Cameroon, Namibia, Malawi, Gambia, and Comoros). However, these high rates are not the case in most other countries, and considerable portions of the African population still do not have access to clean drinking water (see Chart 5.5).

Chart 5.5: Countries with lowest and highest proportion of the population using improved drinking water sources, 2015¹⁰



Source: Based on data from UNICEF and WHO 2016

The analyses above show that African governments have made significant efforts to fulfil children’s rights to protection and access to essential services, and improve their overall wellbeing. To achieve these, many of them have put in place appropriate laws, policies and structures to implement children’s rights.

¹⁰ See Annex 2, Table A2.7 for the other countries.

However, there are still loopholes in a number of countries with respect to laws and policies for the protection of children. There are also challenges in service delivery and outreach, with a considerable proportion of children denied access to essential services such as vaccines for childhood illnesses, clean drinking water, and sanitation facilities. Gaps in realisation of children's rights exist in both low and high income countries, showing that income is not the only factor: fulfilling obligations to children requires commitment in all spheres including political leadership, institutional management and coordination, and establishment of mechanisms for efficient use of resources.

In conclusion, effective child rights implementation requires continuous effort to identify problems affecting children, and adjust existing structures and mechanisms to address them and respond to children's changing needs. It also requires the commitment of adequate resources to structures and programmes targeting children. Functional accountability systems with appropriate mechanisms for monitoring progress and the power to impose sanctions at times when an actor's performance is unsatisfactory are also essential. It is only by satisfying these conditions that governments can fulfil their obligations to children and in so doing lay the foundation for a skilled, productive workforce that sustains socio-economic development and improves the living conditions of all citizens, including children.

6

CONCLUSIONS AND PRIORITY AREAS FOR ACTION

'It is extremely important to do whatever we can to better children's lives and free them from hunger, ignorance, oppression and all sorts of violence.'

– **Dr Salim A. Salim**, Secretary General of OAU (1989-2003); Prime Minister of Tanzania (1984-85); Chairperson of the International Board of Trustees, ACPF (2003-2012)

6.1 Conclusions

This report supports the idea that Africa is rising: it recognises and welcomes the social, economic, political and infrastructural transformations that the continent is undergoing, all of which have a powerful impact on children, both positively and negatively.

African governments' national development plans are recognising and responding to children's rights, and their needs for care and protection. These developments have brought about significant change, with remarkable progress in, for instance, children's access to basic needs and services. In the same vein, gender disparity in access to basic services is declining, especially compared to the situation in the 1990s. This trend is evidenced by, among other things, considerable growth in the proportion of girls attending school and accessing health services.

These are welcome developments and give good reason to celebrate. But they are not enough, and there is plenty of room for improvement.

In the last two or so years, consultations with different segments of the global community on the post-2015 agenda have identified gaps in implementation as a core challenge to human development and the fulfilment of human rights, including child rights. This was echoed in regional consultations held in Africa. A deficit in implementation was also the main issue highlighted in the stocktaking and reflections that took place on the twenty-fifth anniversaries of the CRC and the ACRWC.

The present report is a response to this concern and to the call for the creation, at all levels, of enabling environments for effective implementation of sustainable development goals and human rights – particularly those of highly vulnerable groups such as children. Informed by case studies and thematic research, the report explores implementation efforts in various countries and contexts, attempting to understand the underlying factors affecting them and identify exemplary practices. It has analysed aspects of the implementation process, drawn lessons, and suggested measures for improving current practices and enhancing effectiveness in achieving better child wellbeing outcomes.

Following the entry into force of the CRC and ACRWC in the 1990s, steps were taken at international, regional and national levels to expedite child rights implementation and give meaning to the provisions of these treaties. In those early years, the focus was on

ratification and setting up structures for coordinating national efforts to implement child rights laws. This also involved developing strategies and plans of action to guide implementation and, most importantly, to bring about attitudinal change and have children recognised as rights-holders and active members of society. Although these efforts bore fruit, they have been unsatisfactory in the African context, particularly with regard to the implementation of the rights of vulnerable and marginalised groups of children.

After 25 years of interventions to realise children's rights, it is unacceptable that the majority of children in Africa do not enjoy access to services essential to the development of their full potential. Two-thirds of children experience multiple deprivations that are detrimental to their survival and development. These include levels of stunting of up to 50 per cent of children under the age of five in the poorest performing countries; widespread failure to access some of the most affordable and effective measures to prevent child deaths, such as immunizations; the near universal lack of birth registration in some countries; and inequitable access to school, especially at a secondary level for marginalised children.

The scale and scope of deprivations are the result of a failure to take the decisions and allocate the resources necessary to create systems that support effective implementation. For example, millions of children experience physical, emotional and sexual abuse and exploitation without any functional child protection system or access to psychosocial and legal services. Programmes and structures set up for children remain at the tail-end of resource prioritisation, and often lack the capacity and power to exercise their mandate.

Turning the tide requires a review and strengthening of underlying structures, systems and mechanisms supporting the implementation of rights, allowing us to learn from what is working and what is not. Improving implementation requires more than focussing on child rights policies, systems and structures. It requires reforming and enhancing the performance of public service delivery systems characterised, in many African countries, by inefficiency and lack of accountability.

Recognising that child rights implementation cannot be undertaken in isolation, this report has focused on structures and mechanisms in place to coordinate national programmes targeting children. It has examined how accountability systems function, and their effectiveness in holding responsible bodies accountable. The enquiry is premised on the fact that, while significant effort has been made to implement children's rights and encouraging results have been achieved, numerous loopholes within structures, systems and mechanisms need to be fixed to achieve better results – and fixed incrementally, now, without waiting for grand reform initiatives to be undertaken.

The experience of countries that have made relative advances in promotion of child rights shows that effective child rights implementation rests on a clear national shared vision for children, and continuous efforts to achieve it. It is about having an effective system for identifying problems that prevent children from enjoying all their rights, and taking timely legal, administrative and budgetary measures to address them. Their experience emphasises the need for functioning structures and mechanisms to deliver on their mandates and expedite implementation to bring about concrete changes in the lives of

children. It also underscores the need to give adequate capacity to these structures, providing human and financial resources that enhance their effectiveness. These countries' experiences show that effective implementation is about having functional accountability systems with appropriate mechanisms for monitoring progress and imposing sanctions in times of unsatisfactory performance. Only then can better results for children be achieved.

Despite pressing implementation challenges, most African countries have made very limited efforts to explore process-related issues. The background research undertaken to inform this report, has, however, been instrumental in bringing these unexplored dynamics to light. As such, the analyses developed in the preceding chapters point to a series of facts that demand closer attention and require measures to change the status quo.

Most African countries lack a well-articulated and shared vision for children.

While many governments express their goodwill to children and strive to fulfil their rights, most lack a clear shared vision for children that takes into consideration their current needs and future engagement in the overall socioeconomic development of the nation. Such a vision is essential, as it provides a roadmap for all role-players for achieving the short-, medium- and long-term objectives of policies and programmes relating to children.

In the absence of such a vision for children, national responses are often marked by a lack of coherence, fragmented sectoral strategies and plans of action, limited resources, ineffective coordination, and inadequate monitoring of, and accountability for, the realisation of children's rights. Without such a vision, it is also difficult to locate children's rights within national development policies, something that is essential to ensuring government-wide commitment to prioritising them.

Making children's rights central to a national development vision requires country-wide recognition of the fundamental link between the two. It requires recognition that implementation failures and ensuing child deprivations are detrimental to sustainable development. Forging a human rights-based development framework with children at the centre is necessary to lay the foundation for commitment and accountability by all role-players in taking the policy, planning, budgetary and monitoring and reporting steps necessary for universal, systemic, integrated implementation of children's rights.

In most cases, national plans of action for children are not an integral part of the national development picture. Instead, they tend to be ad hoc exercises that have been more effective in initiating dialogue, notably during formulation, than in attracting funds and providing an operational guide for implementation. Often they also lack monitoring and evaluation mechanisms, and serve more as advocacy documents drawing attention to what is needed for children, than as the effective planning and accountability instrument they should be.

These fundamental gaps lie at the heart of the failure, in many countries, to mainstream child rights in government activities. A clear and shared national vision for children that is centrally located within the broader national development plan will facilitate the process of mainstreaming children's rights in all policies and programmes of governments. This in turn is necessary for ensuring sustained and systemic solutions to the implementation deficits identified in this report.

Almost all African countries face chronic budgetary constraints.

Despite slight improvements over the years, there is a serious general funding shortfall for implementation of children's services and rights in most African countries. A huge mismatch exists between, on the one hand, the policies, goals, and standards that countries adopt in relation to children, and, on the other, the resources available and allocated to implement them. Budgetary constraints have tied the hands of many structures and mechanisms established to coordinate child rights implementation and monitor progress. Many have been unable to finance their operations and have remained generally ineffective in delivering the services for which they were established. These conditions have sent them into a downward spiral in which their relevance and existence are questioned because of the limited results they have achieved.

Structures responsible for children's affairs have severe capacity limitations.

In a number of countries, child rights implementation and coordination have weak institutional authority and capacity. These deficits, combined with inadequate financial and human resources, impair the ability to implement and coordinate national programmes for children.

Coordination mechanisms are proliferating, but weakening.

Coordination is key to child rights implementation. Despite its importance, it is rarely effectively established because of inadequate recognition of its value, and the resources required to sustain it effectively. Even at local level it requires political commitment and tangible investment. There is a misconception that coordination requires no additional human or financial resources; inevitably, this means coordination activities are not planned and resourced well enough to be effective.

Coordination practices in Africa vary from country to country. While some give a particular ministry or department a general mandate as the coordinating body for children's rights, others establish child rights councils, commissions or committees comprising relevant stakeholders from both governmental and non-governmental sectors. The case studies reveal that the choices made are key to determining whether the structures will have, or will be able to attract, the levels of political authority and resources required for effective coordination.

As noted above, structures responsible for children's issues are largely sidelined and lack the authority and resources needed to initiate and maintain coordination. In a number of countries there is a disconnection and lack of communication between national, sub-national and grassroots functions in implementing children's rights.

However, the case studies showed the value of establishing a higher level inter-ministerial body with a clear mandate and sufficient authority to coordinate all sectors at national, regional and local levels. Such measures are particularly relevant to addressing the accountability deficit that affects coordination at all levels. This is especially so in countries with a federal government structure where vertical accountability is weak and the interaction of implementing agencies at various levels of administration is limited.

One symptom of a lack of clear vision for children is a situation in which there are multiple policy frameworks, each with a specific focus, but with limited synergy and requiring distinct coordinating bodies. The absence of a holistic policy and strategic framework for children is a barrier to the effective overall coordination of children's rights. There is a need to mitigate the proliferation of coordinating committees focussed on specific issues, as this significantly hinders the lead ministry from exercising its overall coordination mandate and ensuring coherence of activities across ministries and implementing agencies.

Traditional and religious leaders are also crucial in mobilising communities and influencing attitudes, cultural norms and practices. Their involvement in child rights implementation will have significant impact, particularly at lower levels of administration and in community-based interventions. Studies show that informal processes at the point of implementation are fundamentally important in understanding how a system works and how it can be strengthened. It is therefore important to take these realities into account when setting up mechanisms for effective coordination, and to adopt deliberate measures to ensure the active engagement of community leaders in these mechanisms.

Serious accountability deficits undermine implementation.

Encouraging efforts are being made to enhance transparency and accountability in Africa. A number of countries are strengthening their accountability mechanisms and increasingly engaging citizens in the governance system to enhance its effectiveness. In Nigeria, for example, citizens are using such mechanisms to demand better services from elected officials at all levels. However, a lack of good governance lies at the heart of the failure to fulfil human rights obligations and achieve better development outcomes.

Inbuilt accountability systems vary from country to country both in their structure and in their effectiveness in influencing the executive body. The main factor contributing to the ineffectiveness of these mechanisms is lack of independence and power to impose sanctions. Other factors that weaken them relate to institutional capacity and operational linkages with enforcement bodies.

Several countries have established national human rights institutions, some of which have special units or departments for children. The major constraint on these is that they depend on government for funds and other administrative support, and thus cannot act independently to promote greater accountability. The example of Nigeria is instructive in showing other countries what legal and administrative measures can be taken to broaden and strengthen national human rights institutions and ensure their financial and operational independence.

Children have little involvement in the implementation process.

With very few exceptions, there is a striking absence of effective mechanisms and processes to solicit the views of children in the process of implementing their rights. Listening to children's voices is not just a matter of ad hoc consultation at strategic points in the planning or implementation cycle, but a permanent mechanism to solicit their input as key actors in the process. Children's involvement at all levels, from planning through implementation and monitoring to holding responsible bodies accountable, improves the effectiveness of the process and helps ensure that interventions respond to children's needs. Experience has shown that interventions where children are engaged have a better chance of being effective.

6.2 Priority areas for action

The experience and lessons of the last 25 years of child rights implementation show that a business-as-usual approach does not work and that fundamental change is required – change that creates an attitudinal, structural and operational environment with functional accountability mechanisms that is conducive to child rights implementation. The analysis and findings in this report indicate numerous bottlenecks impeding the smooth functioning of implementation in most African countries. Action is long overdue and urgent measures must be taken to fix the problems.

Furthermore, policy-makers and practitioners in the child rights sector frequently underestimate the enormous challenges and complexities of implementing child rights in the African context. Many fail to appreciate that it is a protracted process that demands unwavering commitment, and there is little awareness of what constitutes effective implementation and the input needed to achieve it. Implementation requires sustained political and budgetary support over a long period of time before any substantial progress can be made or concrete results achieved.

In light of these considerations, six priority actions are required to enhance performance in child rights implementation in Africa.

1. Governments need to articulate a holistic and shared vision for children that can serve as overarching national frameworks for action, and which enjoy strong political support and sustained commitment for their materialisation.

Lack of a clear vision for children is an impediment to the progressive realisation of their rights. Governments need to develop a well-articulated, holistic and long-term vision for children that can guide the legal, policy and administrative actions needed to give effect to all children's rights.

Such a vision must be based on a thorough assessment and analysis of the state of child rights and wellbeing in the country, with a focus on the situation of vulnerable groups. It also needs to identify, in consultation with children themselves, the special care and protection needs of various groups of children at various stages of their growth and development. The vision should serve as a basis for defining short-, medium- and long-term measures to achieve political, economic and social benefits. It should provide a common plan of action for children across the country that is part and parcel of the broader national development framework and enhance coordination of implementation efforts at all levels towards achieving the envisaged goals.

Understanding the complexity and underlying challenges of the process and the cost and resources required to make it happen is a critical foundational step. This awareness helps policy-makers make adequate preparations before embarking on reforms for addressing the problems. Costing and resource mobilisation have to be integral to the planning process. Functional evaluation mechanisms need to be put in place to ensure regular monitoring of the implementation of the planned activities, and enhanced accountability.

2. Concrete measures need to be taken to strengthen the capacity of government bodies mandated to implement and coordinate child rights at all levels.

The capacity of government bodies responsible for children's affairs, and how well they are funded to perform their mandates, strongly affects the progress that can be made in child rights implementation. Governments thus need to enhance the capacity of these structures and give them the authority and resources to develop plans of action and effectively coordinate national programmes that target children.

Deliberate measures need to be taken to elevate the political profile and credibility of ministries and agencies for children so as to reverse the current negatively reinforcing cycle in which they get an inadequate portion of the budget because they are seen as ineffective.

Additional resources must be mobilised and allocated to meet the needs of the child population in all countries. Key challenges include limited resources to support coordination and the limited supply of practitioners qualified to deliver services. Coordinated measures must be taken to address the deficit of professionals in the field of child rights and to retain those in service by creating a conducive working environment, introducing attractive remuneration and benefit packages, and recognising how their services contribute to national development.

3. Cross-sectoral and hierarchical mechanisms dedicated to coordinating child rights implementation efforts must be established at national and sub-national levels.

The multidimensional nature of children's rights means that effective coordination is needed to drive implementation at all levels. Although there is no single model for coordinating child rights implementation, lessons from current practices show that effective mechanisms hinge on factors relating to the level of authority of the coordinating body; the availability of financial and technical resources; leadership; effective accountability mechanisms; and the participation of stakeholders from governmental and non-governmental sectors – including children.

Governments should revise their coordination mechanisms to ensure that they are fit for the purpose. More specifically, the coordinating body should:

- Have a dedicated and clear mandate, conferred by law
- Have adequate political authority through its position in the government's decision-making hierarchy
- Be integrated into government-wide decision-making and accountability structures, to ensure continuity and accountability for implementation across the political and administrative spectrum
- Include representation from all line ministries to ensure their commitment and accountability to the national vision through appropriate sectoral policies, plans, budgets and reporting mechanisms
- Have regional and sub-regional reach and be able to coordinate between national, state and local levels
- Have adequate human and financial resources for its operations
- Have clear modes of collaboration with supra-national bodies, including in cross-country collaboration.

The overarching coordination structure must also involve traditional leaders as key actors to deal with culturally sensitive issues and address practices inconsistent with children's rights.

On their part, governments must strengthen efforts to raise awareness of these rights, influence attitudes and cultural norms (particularly among community leaders), and promote practices that respect child rights at all levels.

4. Accountability systems at all levels of governance must be strengthened by building their capacity, investing in data collection and dissemination, enhancing monitoring, and empowering independent human rights institutions and the media.

A functional monitoring and accountability system is critical in order to track progress towards realisation of the national vision.

Governments must put in place effective, integrated horizontal and vertical accountability systems and mechanisms that facilitate internal self-monitoring and quality improvement processes, as well as external monitoring, reporting and effective enforcement in the case of inadequacies.

Governments should ensure the development and resourcing of adequate internal data collection, performance management, monitoring and evaluation, and quality improvement systems within government structures. They should also ensure adequate political, financial and administrative authority and resources for independent accountability mechanisms, in order to enable their effective operationalisation.

Furthermore, governments need coordinated information collection and management systems to ensure that disaggregated data on children are collected, disseminated and used systematically to monitor progress, inform accountability systems, and ultimately to engage in evidence-based planning for improved implementation.

As is evident from those few countries with national child rights observatories, these mechanisms are effective for monitoring purposes and for enhancing accountability systems. National child rights observatories provide useful input both to a self-monitoring system that measures the impact on child wellbeing from within government, and to independent monitoring structures such as national human rights institutions and other mechanisms dedicated to the cause.

5. Further commitment is needed to increase budget allocations to structures, sectors and programmes benefiting children, and to ensure that these budgets are used efficiently.

Ensuring adequate investment in children is critical to achieving the implementation of their rights. Governments are urged to improve implementation by ensuring that adequate resources are allocated for effective planning, implementation, coordination, monitoring and accountability at all levels of governance.

Corruption and malfeasance are commonplace in many countries in Africa. These malpractices, together with weak public service delivery systems, severely limit the

efficient use of resources, which are often already limited. Combating them should be an integral part of the national effort to implement children's rights. Governments must take measures to control corruption and strengthen public service systems. In so doing, they can free up resources for children that would be lost otherwise; be more efficient in using those resources; and achieve better child wellbeing outcomes.

6. Measures must be taken to enhance children's involvement in the implementation of their rights.

Governments must put in place systemic functional mechanisms for the routine involvement of children in decisions that impact on them. This will ensure more efficient, effective and responsive implementation of child rights.

Finally, implementing children's rights demands unwavering long-term commitment to take legal, policy, budgetary and administrative actions, and to change the status quo. Compliance with child rights obligations is not simply about having the structures, systems and mechanisms necessary for implementation; it is about ensuring that these structures and systems work together towards a common goal – realising children's rights. Urgent action must be taken to shake up the status quo and bring about enabling legal, policy, administrative and operational environments that can help governments meet the standards required by the ACRWC and CRC, and achieve the Sustainable Development Goals they have pledged to realise.

The sustainability of ongoing development endeavours depends greatly on how much we invest in today's children, to prepare them to carry progress into the future. This entails ensuring the capacity and effectiveness of the structures, systems and mechanisms that play this role. Urgent and incremental actions must be taken, starting now, to transform how these institutions and systems function, making them efficient and effective. In this way only will they deliver on their main mandate: progressively realising all children's rights; improving children's overall wellbeing; and ensuring children's active engagement in the social, economic and political endeavours of their countries.

The achievements of the last few decades have created the momentum for governments to do even better in transforming Africa. The last two years, especially in the context of the post-2015 development agenda, have provided impetus for further reflection and strengthening of the aspiration to grow, develop and prosper. The African Union's initiative to set the Agenda 2063 and build 'The Africa We Want' is a good example of the resolve to mobilise people, institutions and resources to make it happen. But such a grand agenda requires conscious effort at all levels to enhance implementation capacity and strengthen accountability systems.

Improving the performance of structures and systems relating to children's issues is absolutely essential to any such grand initiative. It is an imperative task with great moral, political, social and economic significance. It is a task to which all stakeholders, particularly governments, must pay close attention to get things right for children.

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ANNEX 1: APPROACH TO THE ASSESSMENT OF CHILD RIGHTS IMPLEMENTATION

Over the last ten years, significant strides have been made in developing a conceptual framework for assessing progress in the implementation of human rights.^{11,12} These developments have contributed to a better understanding of human rights implementation and the various factors affecting it. In the context of child rights in Africa, however, there is limited information on process-related issues compared to indicators on child wellbeing outcomes.^{13,14} This made data collection a crucial aspect of this report.

Intensive data collection, from both primary and secondary sources, was carried out to inform this report. In-depth country case studies were undertaken in five countries (Nigeria, Egypt, Tanzania, Senegal and Guinea-Bissau) and thematic papers were prepared that focussed on the key aspects of child rights implementation (coordination, monitoring and accountability). These were the main sources of primary data. These data were complemented by large volumes of evidence collected from a wide range of secondary sources, as well as an extensive review of treaty body resources, including State Party reports, Concluding Observations and alternative reports by non-state actors. In combination, these sources allowed ACPF to gather a rich store of data and information, particularly on those three key aspects of child rights implementation.

The case studies were based on a solid conceptual and analytical framework that was validated by senior experts in the field. They were based on the principles of child rights and the recommendations of treaty bodies – particularly General Comment No. 5 on general measures of implementation and General Comment No. 2 on the role of independent national human rights institutions. Figure 1 summarises the analytical framework and its main elements.

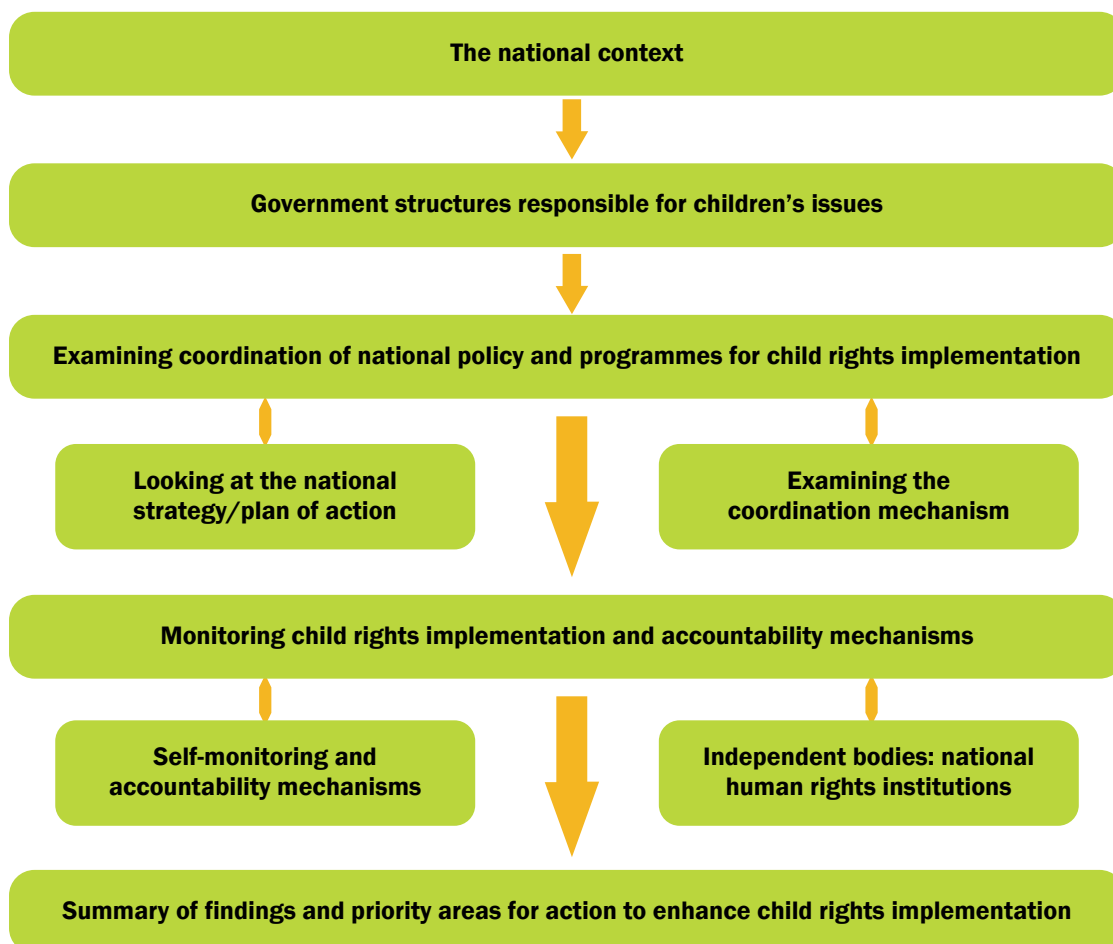
¹¹ OHCHR (2012). Human Rights Indicators: A Guide to Measurement and Implementation. Document No. HR/PUB/12/5. Geneva: Office of the High Commission for Human Rights.

¹² Malhotra, R. and Fasel, N. (2005). Quantitative Human Rights Indicators - A Survey of Major Initiatives. A background paper for the expert meeting on human rights indicators held in March 2005 in Finland. Human Rights Impact Resource Centre. Accessed in December 2014 at: http://www.humanrightsimpact.org/resource-database/publications/resources/view/100/user_hria_publications/

¹³ OHCHR (2014a). Concluding Observations of the UN Committee on the Rights of the Child. Accessed in December 2014 at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=5&TreatyID=10&TreatyID=11&DocTypeID=5

¹⁴ UNICEF (2007). Implementation Handbook for the Convention on the Rights of the Child. Fully Revised Third Edition. New York: United Nations Children's Fund (UNICEF).

Figure A1.1: Analytical framework



The selection of countries for the case studies was based on a combination of criteria including administrative structure; institutional set-up of government bodies responsible for children's affairs; child population; geographic representation; and ranking in the ACPF Child-Friendliness Index. These criteria allowed inclusion of a diverse range of contexts in terms of administration, size, and level of performance in realising child rights. Considering implementation practices in diverse contexts improves understanding of the different processes and the factors affecting them. It also helps identify lessons and good practices. These can be fed into the design of strategies and systems to enhance the effectiveness of implementation efforts.

ANNEX 2: STATISTICAL TABLES

Table A2.1 Population

Table A2.2 Economy

Table A2.3 Ratification of international and regional legal instruments on children

Table A2.4 National laws, policies, mechanisms and child labour indicators

Table A2.5 Government expenditure

Table A2.6 Maternal and child health indicators

Table A2.7 Access to basic services

Table A2.8 Education indicators

Table A2.9 HIV/AIDS and related indicators

Table A2.1 Population

COUNTRY	Total population (thousands)	Child population (<18) (thousands)	Children (<18) as % of total population child population [2]/ total population [1]	Land area (thousands of sq km)	Population density (people per sq km)	Fertility rate* (births per woman)	Population annual growth rate (%)
	2015	2015	2015	2015	2015	2015	2015
	1	2	(2/1)*100	3	(1/3)	4	5
SUB-SAHARAN AFRICA	1,001,415	496,044	49.5	24,285	41	...	...
Angola	25,022	13,598	54.3	1,247	20	6	3.2
Benin	10,880	5,312	48.8	113	96	4.7	3.1
Botswana	2,262	856	37.8	567	4	2.8	2
Burkina Faso	18,106	9,475	52.3	274	66	5.4	2.9
Burundi	11,179	5,685	50.9	26	430	5.9	2.8
Cameroon	23,344	11,472	49.1	473	49	4.6	2.6
Cabo Verde	521	186	35.7	4	130	2.3	1.7
Central African Republic	4,900	2,242	45.8	623	8	4.2	2
Chad	14,037	7,671	54.6	1,259	11	6.1	3.4
Comoros	788	368	46.7	2	394	4.4	2.6
Congo (Brazzaville)	4,620	2,259	48.9	342	14	4.8	2.6
Côte d'Ivoire	22,702	11,193	49.3	318	71	4.9	2.5
Democratic Republic of Congo	77,267	40,639	52.6	2,267	34	5.9	3.2
Djibouti	888	344	38.7	23	39	3.1	1.6
Equatorial Guinea	845	383	45.3	28	30	4.7	3.2
Eritrea	5,228	2,562	49.0	101	52	4.2	2
Ethiopia	99,391	48,448	48.7	1,000	99	4.3	2.9
Gabon	1,725	748	43.4	258	7	3.8	2.4
Gambia	1,991	1,051	52.8	10	199	5.7	3.1
Ghana	27,410	12,330	45.0	228	120	4.1	2.5
Guinea	12,609	6,196	49.1	246	51	4.9	2.9
Guinea-Bissau	1,844	871	47.2	28	66	4.8	2.2
Kenya	46,050	22,234	48.3	569	81	4.3	2.7
Lesotho	2,135	921	43.1	30	71	3.1	1.2
Liberia	4,503	2,203	48.9	96	47	4.6	3
Madagascar	24,235	11,776	48.6	582	42	4.4	3
Malawi	17,215	8,949	52.0	94	183	5	2.4
Mali	17,600	9,526	54.1	1,220	14	6.1	2.9
Mauritania	4,068	1,890	46.5	1,031	4	4.5	2.8
Mauritius	1,273	304	23.9	2	637	1.5	0.7
Mozambique	27,978	14,589	52.1	786	36	5.3	3
Namibia	2,459	1,063	43.2	823	3	3.5	2.2
Niger	19,899	11,332	56.9	1,267	16	7.6	3.7
Nigeria	182,202	91,855	50.4	911	200	5.6	2.6
Rwanda	11,610	5,532	47.6	25	464	3.8	1.9
São Tomé and Príncipe	190	94	49.5	1	190	4.5	2.1
Senegal	15,129	7,596	50.2	193	78	5	2.8
Seychelles	96	27	28.1	0.5	192	2.3	1.2
Sierra Leone	6,453	3,166	49.1	72	90	4.5	2
Somalia	10,787	5,787	53.6	627	17	6.4	2.1
South Africa	54,490	19,084	35.0	1,213	45	2.3	1.6
South Sudan	12,340	6,028	48.8	644	19	4.9	3
Sudan	40,235	18,954	47.1	2,376	17	4.3	2.8
Swaziland	1,287	569	44.2	17	76	3.2	1.6
Togo	7,305	3,553	48.6	54	135	4.5	2.6
Uganda	39,032	21,473	55.0	200	195	5.7	3.2
United Republic of Tanzania	53,470	27,611	51.6	886	60	5.1	3
Zambia	16,212	8,535	52.6	743	22	5.3	2.8
Zimbabwe	15,603	7,504	48.1	387	40	3.9	1.6
NORTH AFRICA	183,085	64,585	35.3	5,738	32	...	...
Algeria	39,667	13,067	32.9	2,382	17	2.8	1.7
Egypt	91,508	35,095	38.4	995	92	3.3	1.9
Libya	6,278	2,187	34.8	1,760	4	2.4	1.4
Morocco	34,378	11,121	32.3	446	77	2.5	1.3
Tunisia	11,254	3,115	27.7	155	73	2.1	1.3
ALL AFRICA	1,184,500	560,629	47.3	30,024	39	...	...

Source			Notes Children = under 18 years of age ... = Data not available
1	Total population, United Nations Population Division	UNICEF, The State of the World's Children Report 2016, accessed at: http://www.unicef.org/sowc2016/	
2	UNICEF, The State of the World's Children Report 2016	Accessed at: http://www.unicef.org/sowc2016/	
3	World Development Indicators 2015, The World Bank	Accessed at: http://data.worldbank.org/news/release-of-world-development-indicators-2015	
4-5	UNICEF, The State of the World's Children Report 2016	Accessed at: http://www.unicef.org/sowc2016/	

Table A2.2 Economy

COUNTRY	GDP, current prices (billion USD)		GDP per-capita (Current USD)	
	2000	2014	2000	2014
	1	2	3	4
SUB-SAHARAN AFRICA	2.67	12.5	359	1,025
Angola	9.14	138.4 a	639	5,901 a
Benin	2.38	9.6	339	903
Botswana	5.65	15.8	3,573	7,123
Burkina Faso	2.61	12.5	220	713
Burundi	0.71	3.1	110	286
Cameroon	10.05	32.1	635	1,407
Cabo Verde	0.54	1.9	1,211	3,641
Central African Republic	0.92	1.7	248	359
Chad	1.39	13.9	164	1,025
Comoros	0.20	0.6	374	810
Congo (Brazzaville)	3.22	14.2	1,061	3,147
Côte d'Ivoire	10.45	34.3	603	1,546
Democratic Republic of Congo	4.32	33.1	85	442
Djibouti	0.56	1.6	755	1,814
Equatorial Guinea	1.24	15.5	2,372	18,918
Eritrea	0.71	2.6 b	172	544 b
Ethiopia	7.90	55.6	125	574
Gabon	5.10	18.2	4,109	10,772
Gambia	0.42	0.9 a	323	484 a
Ghana	4.98	38.6	255	1,442
Guinea	3.11	6.6	371	540
Guinea-Bissau	0.23	1.0	165	568
Kenya	12.32	60.9	406	1,358
Lesotho	0.78	2.2	415	1,034
Liberia	0.53	2.0	199	458
Madagascar	3.88	10.6	254	449
Malawi	1.74	4.3	150	255
Mali	2.67	12.0	242	705
Mauritania	1.08	5.1	421	1,275
Mauritius	4.52	12.6	3,766	10,017
Mozambique	4.18	15.9	234	586
Namibia	3.91	13.0	2,080	5,408
Niger	1.67	8.2	162	427
Nigeria	46.14	568.5	369	3,203
Rwanda	1.72	7.9	218	696
São Tomé and Príncipe	0.08	0.3	..	1,811
Senegal	4.69	15.7	474	1,067
Seychelles	0.74	1.4	7,579	15,543
Sierra Leone	0.64	4.8	150	766
Somalia	...	5.7	...	543
South Africa	132.96	350.1	3,020	6,483
Sudan	12.37	13.3	354	1,115
South Sudan	...	73.8	...	1,876
Swaziland	1.55	4.4	1,380	3,477
Togo	1.30	4.5	253	635
Uganda	6.20	27.0	254	715
United Republic of Tanzania	10.19	48.1	266	955
Zambia	3.24	27.1	309	1,722
Zimbabwe	6.07	14.2	594	931
NORTH AFRICA (Median)	38.23	110.0	1,794	4,421
Algeria	54.75	213.5	1,796	5,484
Egypt	99.16	286.5	1,423	3,199
Libya	38.23	41.1	6,453	6,573
Morocco	37.02	110.0	1,301	3,190
Tunisia	19.47	48.6	2,033	4,421
ALL AFRICA (Median)	3.23	13.1	367	1,091

Source			a= Data for 2013 b= Data for 2011
1	IMF, World Economic Outlook Database, October 2009 Edition	Accessed at: http://www.imf.org/external/pubs/ft/weo/2009/02/weodata/weorept.aspx?sy=2000&ey=2009&scsm=1&ssd=1&sort=country&ds=.&br=1&c=&pr.y=7#download	
2	IMF, World Economic Outlook Database, April 2012 Edition	Accessed at: http://www.imf.org/external/pubs/ft/weo/2012/01/weodata/download.aspx	
3	The World Bank	http://data.worldbank.org/data-catalog/world-development-indicators Last updated 17-Feb-2016	

Table A2.3 Ratification of international and regional legal instruments on children

RATIFICATION OF INTERNATIONAL LEGAL INSTRUMENTS								
[1 = Ratified/Acceded, 0 = Not Ratified/Acceded. As at 10 Feb 2016 unless stated]								
COUNTRY	UNCRC	ACRWC	Optional Protocol to CRC on Sale of Children, Child Prostitution and Pornography	Optional Protocol to CRC on Involvement of Children in Armed Conflict	ILO Convention No. 138 (Minimum age for employment)	ILO Convention No. 182 (Worst forms of child labour)	UN Convention on the Rights of Persons with Disabilities	Hague Convention on Inter-country Adoption
	1	2	3	4	5	6	7	8
SUB-SAHARAN AFRICA (Number: Ratified/Acceded)	49	44	42	38	48	48	39	18
Angola	1	1	1	1	1	1	1	0
Benin	1	1	1	1	1	1	1	0
Botswana	1	1	1	1	1	1	0	0
Burkina Faso	1	1	1	1	1	1	1	1
Burundi	1	1	1	1	1	1	1	1
Cameroon	1	1	0	1	1	1	0	0
Cabo Verde	1	1	1	1	1	1	1	1
Central African Republic	1	0	1	0	1	1	0	0
Chad	1	1	1	1	1	1	0	0
Comoros	1	1	1	0	1	1	0	0
Congo (Brazzaville)	1	1	1	1	1	1	1	0
Côte d'Ivoire	1	1	1	1	1	1	1	1
Democratic Republic of Congo	1	0	1	1	1	1	1	0
Djibouti	1	1	1	1	1	1	1	0
Equatorial Guinea	1	1	1	0	1	1	0	0
Eritrea	1	1	1	1	1	0	0	0
Ethiopia	1	1	1	1	1	1	1	0
Gabon	1	1	1	1	1	1	1	0
Gambia	1	1	1	0	1	1	1	0
Ghana	1	1	0	1	1	1	1	0
Guinea	1	1	1	0	1	1	1	1
Guinea-Bissau	1	1	1	1	1	1	1	0
Kenya	1	1	0	1	1	1	1	1
Lesotho	1	1	1	1	1	1	1	1
Liberia	1	1	0	0	0	1	1	0
Madagascar	1	1	1	1	1	1	1	1
Malawi	1	1	1	1	1	1	1	0
Mali	1	1	1	1	1	1	1	1
Mauritania	1	1	1	0	1	1	1	0
Mauritius	1	1	1	1	1	1	1	1
Mozambique	1	1	1	1	1	1	1	0
Namibia	1	1	1	1	1	1	1	1
Niger	1	1	1	1	1	1	1	0
Nigeria	1	1	1	1	1	1	1	0
Rwanda	1	1	1	1	1	1	1	1
São Tomé and Príncipe	1	0	0	0	1	1	0	0
Senegal	1	1	1	1	1	1	1	1
Seychelles	1	1	1	1	1	1	1	1
Sierra Leone	1	1	1	1	1	1	1	0
Somalia	1	0	0	0	1	1	0	0
South Africa	1	1	1	1	1	1	1	1
South Sudan	1	0	0	0	1	1	0	0
Sudan	1	1	1	1	1	1	1	0
Swaziland	1	1	1	1	1	1	1	1
Togo	1	1	1	1	1	1	1	1
Uganda	1	1	1	1	1	1	1	0
United Republic of Tanzania	1	1	1	1	1	1	1	0
Zambia	1	1	0	0	1	1	1	1
Zimbabwe	1	1	1	1	1	1	1	0
NORTH AFRICA (Number: Ratified/Acceded)	5	3	5	5	5	5	4	0
Algeria	1	1	1	1	1	1	1	0
Egypt	1	1	1	1	1	1	1	0
Libya	1	1	1	1	1	1	0	0
Morocco	1	...	1	1	1	1	1	0
Tunisia	1	0	1	1	1	1	1	0
ALL AFRICA (Number: Ratified/Acceded)	54	47	47	43	53	53	43	18

Source		Notes
1, 3, 4 & 7	United Nations Treaty Collections-Status of treaties	Accessed at: http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&lang=en
2	African Union	Accessed at: http://www.africa-union.org/root/au/Documents/Treaties/Treaties.htm
5 & 6	International Labour Organization, Database of International Labour Standards	Accessed at: http://www.ilo.org/ipec/facts/ILConventionsonchildlabour/lang-en/index.htm
8	HCCH Status table	Accessed at: http://www.hcch.net/index_en.php?act=conventions.status&cid=69 Last update: 6-1-2014.

... Not Applicable
 UNCRC = United Nations Convention on the Rights of the Child
 ACRWC = African Charter on the Rights and Welfare of the Child
 ILO = International Labour Organization

Table A2.4 National laws, policies, mechanisms and child labour indicators

COUNTRY	National laws and mechanisms [1 = Yes, 0 = No]			Juvenile justice system [1 = Yes, 0 = No]	National Plans of Action (NPA) and a coordinating body for children [1 = Yes, 0 = No]	
	Existence of domestic laws on child trafficking	Existence of domestic laws on sexual exploitation of children and pornography	Existence of domestic laws on harmful traditional practices	Existence of child-friendly courts (nationwide)	Existence of national plan of action for children	Existence of coordination for children
	9	10	11	12	13	14
SUB-SAHARAN AFRICA (Count of "Yes")	46	47	37	39	47	48
Angola	1	1	1	1	1	1
Benin	1	1	1	1	1	1
Botswana	1	1	0	1	1	1
Burkina Faso	1	1	1	1	1	1
Burundi	1	1	0	0	1	1
Cameroon	1	1	1	1	1	1
Cabo Verde	1	1	0	0	1	1
Central African Republic	1	1	1	1	1	1
Chad	0	1	1	1	1	1
Comoros	1	1	0	1	1	1
Congo (Brazzaville)	1	1	0	1	1	1
Côte d'Ivoire	1	1	1	1	1	1
Democratic Republic of Congo	1	1	1	1	1	1
Djibouti	1	1	1	0	1	1
Equatorial Guinea	1	1	1	0	1	1
Eritrea	1	1	1	1	1	1
Ethiopia	1	1	1	1	1	1
Gabon	1	1	0	0	1	1
Gambia	1	1	0	1	1	0
Ghana	1	1	1	1	1	1
Guinea	1	1	1	1	1	1
Guinea-Bissau	1	1	1	1	1	1
Kenya	1	1	1	1	1	1
Lesotho	1	1	1	1	1	1
Liberia	1	1	1	1	1	1
Madagascar	1	1	0	1	1	1
Malawi	1	1	1	1	1	1
Mali	1	1	1	1	1	1
Mauritania	1	1	1	1	1	1
Mauritius	1	1	1	1	1	1
Mozambique	1	1	0	1	1	1
Namibia	1	1	1	0	1	1
Niger	1	1	1	1	1	1
Nigeria	1	1	1	1	1	1
Rwanda	1	1	1	0	1	1
São Tomé and Príncipe	1	1	1	0	1	1
Senegal	1	1	1	1	1	1
Seychelles	1	1	1	1	1	1
Sierra Leone	1	1	0	1	1	1
Somalia	0	0	1	0	0	0
South Africa	1	1	1	1	1	1
South Sudan	1	0	1	0	0	0
Sudan	1	1	1	1	1	1
Swaziland	1	1	0	1	1	1
Togo	1	1	1	1	1	1
Uganda	1	1	1	1	1	1
United Republic of Tanzania	1	1	1	1	1	1
Zambia	1	1	1	1	1	1
Zimbabwe	0	1	1	1	1	1
NORTH AFRICA (Count of "Yes")	4	5	4	5	5	5
Algeria	1	1	1	1	1	1
Egypt	1	1	1	1	1	1
Libya	1	1	0	1	1	1
Morocco	1	1	1	1	1	1
Tunisia	0	1	1	1	1	1
ALL AFRICA (Count of "Yes")	50	52	41	44	52	53

Source	
9-14	<ul style="list-style-type: none"> • UNIAP (The United Nations Inter-Agency Project on Human Trafficking) - International Trafficking in Person laws • UNCRC Recommendations • Reports to 2nd Pan African Forum on the Africa Common Position for Children: Mid-term Review 29 Oct-2nd Nov 2007 Cairo, Egypt • National laws • United Nations Secretary-General's Study on Violence against Children • In the Best Interests of the Child: Harmonising laws in Eastern and Southern Africa, The African Child Policy Forum, report and background reports. • State party reports submitted to the CRC <p>Accessed at: http://www.no-trafficking.org/resources_int_tip_laws.html</p> <p>See: http://www.un.org</p> <p>Accessed at: http://www2.ohchr.org/english/bodies/crc/study.htm</p> <p>Accessed at: http://www.africanchild.info/documents.asp [search word: "harmonisation"]</p>

Table A2.4 National laws, policies, mechanisms and child labour indicators (continued)

COUNTRY	Prohibition of corporal punishment (April 2016) [1 = Yes; 0.5 = Partial; 0 = No]			
	Home	School	Penal system	
			As sentence for crime	As disciplinary measure
	15	16	17	18
SUB-SAHARAN AFRICA (Count of "Yes")	6	25	44.5	28
Angola	0	0	1	0
Benin	1	1	1	1
Botswana	0	0	0	0
Burkina Faso	0	0.5	1	1
Burundi	0	1	1	0
Cameroon	0	1	1	1
Cabo Verde	1	1	1	1
Central African Republic	0	0	1	0
Chad	0	1	1	1
Comoros	0	0	1	0
Congo (Brazzaville)	1	1	1	1
Côte d'Ivoire	0	0	1	1
Democratic Republic of Congo	0	1	1	0
Djibouti	0	1	1	0
Equatorial Guinea	0	0	1	0
Eritrea	0	0	1	0
Ethiopia	0	1	1	1
Gabon	0	1	1	1
Gambia	0	0	1	0
Ghana	0	0	1	0.5
Guinea	0	0	1	0
Guinea-Bissau	0	1	1	1
Kenya	1	1	1	1
Lesotho	0	0	1	1
Liberia	0	0	1	1
Madagascar	0	1	1	0
Malawi	0	1	1	1
Mali	0	1	1	1
Mauritania	0	0	0	0
Mauritius	0	1	1	0
Mozambique	0	0	1	1
Namibia	0	1	1	1
Niger	0	0	1	0
Nigeria	0	0	0.5	0.5
Rwanda	0	1	1	1
São Tomé and Príncipe	0	1	1	1
Senegal	0	0.5	1	1
Seychelles	0	0	1	0
Sierra Leone	0	0	1	1
Somalia	0	0.5	0.5	0.5
South Africa	0	1	1	1
South Sudan	1	1	1	1
Sudan	0	0.5	1	0
Swaziland	0	0	1	0
Togo	1	1	1	1
Uganda	0	0	1	1
United Republic of Tanzania	0	0	0.5	0.5
Zambia	0	1	1	1
Zimbabwe	0	0	0	0
NORTH AFRICA (Count of "Yes")	1	3	4	3
Algeria	0	1	1	0
Egypt	0	0	1	1
Libya	0	1	0	0
Morocco	0	0	1	1
Tunisia	1	1	1	1
ALL AFRICA (Count of "Yes")	7	28	48.5	31

Source		Notes
15-19	Ending legalised violence against children, Global progress to April 2016, Save the Children Sweden, Global Initiative to End All Corporal Punishment of Children	Global progress to April 2016 accessed at: http://www.endcorporalpunishment.org/progress/countdown.html

Table A2.4 National laws, policies, mechanisms and child labour indicators

COUNTRY	Policy of free education	Proportion of children in child labour (5-14 years)^		Minimum age for marriage		
	Free = 1 Not free = 0	2005-2015*	Minimum age for admission to employment	Minimum age for criminal responsibility	Male	Female
	20	21	22	23	24	25Female
SUB-SAHARAN AFRICA	43^c	25.5^m	15^M	13^m	18^m	18^m
Angola	1	24x	14	16	18	18
Benin	1	15	14	13	18	18
Botswana	0	9x,y	14	14	18	18
Burkina Faso	1	39	16	13	20	17
Burundi	1	26	16	15	21	18
Cameroon	1	47y	14	10	18	15
Cabo Verde	1	6y	14	16	18	18
Central African Republic	1	29	14	13	18	18
Chad	1	26	14	13	18	17
Comoros	1	22	15	13	18	18
Congo (Brazzaville)	1	23y	16	13	21	18
Côte d'Ivoire	0	26	14	10	20	18
Democratic Republic of Congo	1	38y	16	14	18	15
Djibouti	1	8x	16	13	18	18
Equatorial Guinea	1	28x	14	16	18	18
Eritrea	1	-	14	12	18	18
Ethiopia	1	27	14	9	18	18
Gabon	1	13	16	13	18	15
Gambia	1	19	16	12	18	18
Ghana	1	22y	15	12	18	18
Guinea	1	28	16	13	18	18
Guinea-Bissau	1	38	14	16	16	16
Kenya	1	26x	13	8	18	18
Lesotho	1	23x	15	10	21	21
Liberia	1	21x	16	16	18	18
Madagascar	1	23y	15	13	18	18
Malawi	1	39y	14	10	15	15
Mali	1	21	15	13	18	16
Mauritania	1	15	14	7	18	18
Mauritius	1	-	16	14	18	18
Mozambique	0	22x	15	16	18	18
Namibia	1	-	14	7	18	18
Niger	1	31	14	13	18	15
Nigeria	1	25	14	7	18	18
Rwanda	1	29	16	14	21	21
São Tomé and Príncipe	1	26y	14	17	18	18
Senegal	1	15	15	13	18	16
Seychelles	1	-	15	7	18	15
Sierra Leone	1	37	13	14	18	18
Somalia	0	49x	15	15	18	18
South Africa	0	-	15	10	18	18
South Sudan	1	-	14	12	18	18
Sudan	1	25y	14	12	10	10
Swaziland	1	7	15	14	18	18
Togo	1	28y	15	14	18	18
Uganda	1	16y	12	12	18	18
United Republic of Tanzania	1	29y	14	10	18	15
Zambia	1	41x,y	15	8	16	16
Zimbabwe	0	-	15	7	18	16
NORTH AFRICA	5^c	6^m	15^m	13^m	18^m	18^m
Algeria	1	5	16	13	19	19
Egypt	1	7y	15	12	18	18
Libya	1	-	15	14	20	20
Morocco	1	8x	15	12	18	18
Tunisia	1	2	16	13	18	18
ALL AFRICA	48^c	24.5^m	15^m	13^m	18^m	18^m

Source		Notes
20	ACPF, The African Reports on Child Wellbeing, 2008-2013	Statistical Tables in the reports
21	UNICEF, The State of the World's Children Report 2016	Accessed at: http://www.unicef.org/sowc2016/
22-25	<ul style="list-style-type: none"> UNCRC Recommendations National laws ACPF, Child Law Resources, UNSTATS Table 3a. Legal age for marriage (Dec 2011) 	See: http://www.un.org Accessed at: http://www.africanchild.info/documents.asp Accessed at: http://unstats.un.org/unsd/demographic/products/indwm/tab2a.htm Accessed at: http://www.right-to-education.org

c = Count of 'free'
 x = Data refer to years or periods other than those specified in the column heading m = Median value
 y = Data differ from the standard definition or refer to only part of a country.
 n/a = Not applicable
 ^ Not included in calculation of Index

Table A2.5 Government expenditure

COUNTRY	Total public expenditure on education as % of GDP		General health expenditure as % of total government expenditure		Military expenditure as % of GDP	
	2000	2008 - 2014	2000	2013	2000	2006 - 2014
	1	2	3	4	5	6
SUB-SAHARAN AFRICA (Median)	4.0	4.4	8.2	10.3	1.7	1.5
Angola	3	3.4	3.2	7.7	6.4	5.2
Benin	3	4.4	11.0	10.7	0.6	1.0
Botswana	8	9.6	7.7	8.8	3.6	2.0
Burkina Faso	...	4.5	9.0	13.5	1.2	1.3
Burundi	4	5.4	2.1	13.7	6	2.0
Cameroon	3	3.0	9.5	8.5	1.3	1.3
Cabo Verde	...	5.0	9.6	10	...	0.6
Central African Republic	...	1.2	10.0	15.9	...	2.5
Chad	2	2.9	13.1	5.9	1.9	6.6
Comoros	...	5.1	9.5	7.6	...	...
Congo (Brazzaville)	6	6.2	4.8	8.7	...	5.6
Côte d'Ivoire	5	4.7	5.2	8.5	...	1.7
Democratic Republic of Congo	...	2.2	0.9	12.9	1	2.0
Djibouti	...	4.5	14.5	14.1	4.7	3.7
Equatorial Guinea	2	...	7.7	7	...	1.0
Eritrea	...	...	4.8	3.6	32.7	...
Ethiopia	5	4.5	8.9	16.4	9.6	0.7
Gabon	5	...	13.9	7.2	1.8	1.4
Gambia	3	2.8	7.9	13	0.6	1.6
Ghana	4	6.0	9.4	10.6	1	0.7
Guinea	2	3.5	4.0	6.8	1.5	3.8
Guinea-Bissau	...	2.4	2.3	7.8	4.4	1.8
Kenya	6	5.5	11.4	5.9	1.3	1.7
Lesotho	8	13.0	9.7	14.5	3.6	2.2
Liberia	...	2.8	5.7	13.2	...	0.8
Madagascar	3	2.1	7.2	11.8	1.2	0.7
Malawi	4	6.9	7.3	16.2	0.7	0.9
Mali	3	4.3	9.5	12.3	2.2	1.4
Mauritania	4	3.3	6.4	5.5	3.5	3.8
Mauritius	4	5.0	6.8	9.5	0.2	0.3
Mozambique	3	6.5	12.9	8.8	1.3	1.0
Namibia	...	8.3	12.3	13.9	2.7	4.6
Niger	3	6.8	10.9	10	1.2	1.0
Nigeria	...	...	4.2	6.5	0.8	0.4
Rwanda	3	5.0	8.2	22.3	3.4	1.1
São Tomé and Príncipe	...	3.9	7.6	5.6	...	...
Senegal	3	5.6	8.6	7.6	1.3	1.5
Seychelles	8	3.6	6.8	9.6	1.7	1.1
Sierra Leone	...	2.8	7.6	11.4	3.7	0.6
Somalia	...	...	...	...	...	...
South Africa	6	6.1	10.9	14	1.6	1.2
South Sudan	...	0.8	...	4	...	9.3
Sudan	0	2.2	7.2	11.4	4.8	3.4
Swaziland	...	8.6	11.6	18.1	1.6	2.2
Togo	5	4.8	6.9	15.4	...	1.6
Uganda	2	2.2	9.2	24.3	2.5	1.3
United Republic of Tanzania	...	3.5	11.2	11.2	1.5	1.3
Zambia	...	1.1	9.4	12.6	...	1.8
Zimbabwe	11	2.0	7.4	8.9b	4.7	2.7
NORTH AFRICA (Median)	6.5	4.8	6.9	6	3.1	3.7
Algeria	...	4.3	9.0	9.4	3.4	5.4
Egypt	...	3.8	7.5	5.5	3.2	1.7
Libya	...	...	6.9	4.3	3.1	6.2
Morocco	6	5.3	4.3	6	2.3	3.7
Tunisia	7	6.2	6.8	13.3	1.7	1.8
ALL AFRICA (Median)	4.0	4.4	7.8	10	1.9	1.6

Source		Notes
1	- UNESCO, Education for All Global Monitoring Reports, 2008, 2009, 2010, 2011 - World Development Indicators 2009, The World Bank - African Economic Outlook 2009	Table 9 and Table 11 in the UNESCO report Table 2.9 in The World Bank reports Table 18 from the African Economic Outlook report
2	UNESCO, Institute of Statistics (UIS)	Data extracted on 14 Jun 2016 09:17 UTC (GMT) from http://www.data.uis.unesco.org/
3	ACPF, African Reports on Child Wellbeing 2008 & 2011	Page 171 of the 2008 report and Page 166 of the 2011 report
4	WHO, Global Health Observatory data repository, Health expenditure ratios, all countries, selected years Estimates by country	Accessed at: http://www.apps.who.int/gho/data/node_main.75?lang=en , Extracted on 28 June 2016
5-6	Stockholm International Peace Research Institute (SIPRI), Military Expenditure Database 2014	Accessed at: http://www.milexdata.sipri.org

Table A2.5 Government expenditure (continued)

COUNTRY	Percentage of routine EPI vaccine cost financed by government	
	2001	2009 - 2013
	7	8
SUB-SAHARAN AFRICA (Median)	33	16
Angola	13	100
Benin	55	17
Botswana	100	100a
Burkina Faso	0	39
Burundi	6	7
Cameroon	35	13
Cabo Verde	100	100a
Central African Republic	0	2
Chad	100	24
Comoros	...	8
Congo (Brazzaville)	0	11
Côte d'Ivoire	65	26
Democratic Republic of Congo	0	11
Djibouti	85	0
Equatorial Guinea	0	100a
Eritrea	0	3
Ethiopia	18	8
Gabon	100	100
Gambia	57	16
Ghana	100	11
Guinea	20	0
Guinea-Bissau	0	0c
Kenya	3	57a
Lesotho	39	42a
Liberia	0	8
Madagascar	16	4
Malawi	2	36b
Mali	100	12
Mauritania	100	15
Mauritius	100	100
Mozambique	10	30
Namibia	100	100
Niger	33	14a
Nigeria	100	71b
Rwanda	0	8
São Tomé and Príncipe	...	8
Senegal	100	27
Seychelles	100	60
Sierra Leone	0	2a
Somalia	...	0
South Africa	100	100
Sudan	...	0
South Sudan	25	1
Swaziland	100	100c
Togo	0	25
Uganda	75	19a
United Republic of Tanzania	10	25
Zambia	0	19a
Zimbabwe	100	0b
NORTH AFRICA (Median)	100	100
Algeria	100	100
Egypt	100	100
Libya	2	100c
Morocco	100	100c
Tunisia	100	100
ALL AFRICA (Median)	37	19

Source			Notes
7-8	UNICEF, The State of the World's Children Reports 2003, 2014 & 2015	Table 3 in the reports	... = Data not available a = Data for 2011 b = Data for 2010 c = Data for 2009

Table A2.6 Maternal and child health indicators

COUNTRY	Percentage of pregnant women attending ANC service	Percentage of deliveries attended by skilled health worker	Percentage of HIV positive pregnant women who received ARVs for PMTCT ^a	Percentage of children underweight for age	
	2010-2015	2010-2015	2014	2010-2015	2010-2015
	1	2	3	4	5
SUB-SAHARAN AFRICA (Median)	53.5	61.5	67	16	50
Angola	...	47d	45	16d	...
Benin	59	77	53	18	23
Botswana	73d	95d	91	11d	14d
Burkina Faso	34	66	75	24	56
Burundi	33	60	78	29	55
Cameroon	59	65	66	15	28
Cabo Verde	72d	92	...	...	...
Central African Republic	38	54	47	24	30
Chad	31	24	25	29	26
Comoros	49	82	-	17	38
Congo (Brazzaville)	79	94	17	12	28
Côte d'Ivoire	44	59	80	16	38
Democratic Republic of Congo	48	80	47	23	42
Djibouti	23	87	20	30	94
Equatorial Guinea	67	68	74	6	54
Eritrea	57	34	52	39	45
Ethiopia	32	16	73	25	27
Gabon	78	89	69	7	68
Gambia	78	57	53	16	68
Ghana	87	71	81	11	56
Guinea	57	45	...	19	37
Guinea-Bissau	65	45	83	17	34
Kenya	58	62	67	11	66
Lesotho	74	78	72	10	63
Liberia	78	61	52	15	51
Madagascar	51	44	4	37d	41
Malawi	45	87	64	17	68
Mali	35d	49d	26	28d	38d
Mauritania	48	65	11	20	43
Mauritius	...	100	...	...	...
Mozambique	51	54	91	16	50
Namibia	63	88	>95	13	68
Niger	38	40	...	38	59
Nigeria	51	38	29	20	35
Rwanda	44	91	>95	9	54
São Tomé and Príncipe	84	93	-	9	69
Senegal	48	59	53	13	42
Seychelles	...	...	...	...	...
Sierra Leone	76	60	...	18	72
Somalia	6d	33d	3	23d	13d
South Africa	87d	94d	>95	9d	65d
South Sudan	17	19	18	28	48
Sudan	51	23	5	33	48
Swaziland	76	88	>95	6	60
Togo	57	59	87	16	49
Uganda	48	57	92	12	79
United Republic of Tanzania	43	49	90	13	71
Zambia	56	64	86	15	70
Zimbabwe	70	80	78	11	59
NORTH AFRICA (Median)	75	97	30	3	67
Algeria	67	97	...	3	66
Egypt	83	92	8	7	68
Libya	...	100d	...	6d	...
Morocco	55	74	52	3	70
Tunisia	85	99	...	2	60
ALL AFRICA (Median)	56.5	65	66	16	54

Source			Notes
1-2	UNICEF: The State of the World's Children reports 2016	Accessed at: http://www.unicef.org/sowc2016/	Data refers to the most recent data from the range in the column heading, unless specified. ... = Data not available ANC = Antenatal Care PMTCT = Prevention of Mother to Child Transmission ARV = antiretroviral therapy Estimated percentage of HIV-infected pregnant women who received ARVs for PMTCT: Calculated by dividing the reported number of HIV-infected pregnant women who received ARVs for PMTCT by the estimated un-rounded number of HIV-infected pregnant women in 2013 (based on UNAIDS/WHO methods) d = Data refer to years or periods other than indicated in the column heading.
3	UNICEF: Monitoring the situation of children and women – Statistical Update 2015	Accessed at: http://data.unicef.org/hiv-aids/emtct	
4-5	UNICEF: The State of the World's Children reports 2016	Accessed at: http://www.unicef.org/sowc2016/	

Table A2.6 Maternal and child health indicators (continued)

COUNTRY	Measles immunization coverage (%)	
	2000	2014
	6	7
SUB-SAHARAN AFRICA (Median)	69	80
Angola	41	85
Benin	72	63
Botswana	90	97
Burkina Faso	59	88
Burundi	75	94
Cameroon	49	80
Cabo Verde	80	93
Central African Republic	36	49
Chad	28	54
Comoros	70	80
Congo (Brazzaville)	34	80
Côte d'Ivoire	73	63
Democratic Republic of Congo	46	77
Djibouti	50	71
Equatorial Guinea	51	44
Eritrea	86	96
Ethiopia	52	70
Gabon	55	61
Gambia	85	96
Ghana	84	92
Guinea	42	52
Guinea-Bissau	71	69
Kenya	75	79
Lesotho	74	92
Liberia	52	58
Madagascar	56	64
Malawi	73	85
Mali	49	80
Mauritania	62	84
Mauritius	84	98
Mozambique	71	85
Namibia	69	83
Niger	34	72
Nigeria	35	51
Rwanda	74	98
São Tomé and Príncipe	69	92
Senegal	48	80
Seychelles	97	99
Sierra Leone	37	78
Somalia	...	46
South Africa	38	70
Sudan	...	22
South Sudan	77	86
Swaziland	58	86
Togo	72	82
Uganda	59	82
United Republic of Tanzania	78	99
Zambia	85	85
Zimbabwe	75	92
NORTH AFRICA (Median)	93	95
Algeria	80	95
Egypt	98	93
Libya	92	93
Morocco	93	99
Tunisia	95	98
ALL AFRICA (Median)	70.5	82.5

Source		Notes
6-7	UNICEF, The State of the World's Children reports 2010 and 2016	... = Data not available
	Accessed at: http://www.unicef.org/sowc2016/	

Table A2.6 Maternal and child health indicators (continued)

COUNTRY	Infant mortality rate (per 1,000 births)			Under 5 mortality rate (per 1,000 live births)		
	2000	2013	2015	2000	2013	2015
	8	9	10	11	12	13
SUB-SAHARAN AFRICA (Median)	95	56	52	141	80	70
Angola	154	102	96	240	167	157
Benin	95	56	64	144	85	100
Botswana	74	36	35	96	47	44
Burkina Faso	100	64	61	180	98	89
Burundi	114	55	54	190	83	82
Cameroon	88	61	57	150	95	88
Cabo Verde	31	22	21	42	26	25
Central African Republic	115	96	92	193	139	130
Chad	122	89	85	213	148	139
Comoros	62	58	55	85	78	74
Congo (Brazzaville)	81	36	33	120	49	45
Côte d'Ivoire	115	71	67	137	100	93
Democratic Republic of Congo	129	86	75	207	119	98
Djibouti	97	57	54	146	70	65
Equatorial Guinea	120	69	68	185	96	94
Eritrea	61	36	34	96	50	47
Ethiopia	116	44	41	160	64	59
Gabon	60	39	36	90	56	51
Gambia	99	49	48	136	74	69
Ghana	68	52	43	111	78	62
Guinea	112	65	61	186	101	94
Guinea-Bissau	132	78	60	218	124	93
Kenya	77	48	36	114	71	49
Lesotho	86	73	69	113	98	90
Liberia	157	54	53	174	71	70
Madagascar	84	40	36	125	56	50
Malawi	95	44	43	160	68	64
Mali	124	78	75	219	123	115
Mauritania	79	67	65	121	90	85
Mauritius	18	13	12	20	14	14
Mozambique	122	62	57	188	87	79
Namibia	50	35	33	76	50	45
Niger	159	60	57	232	104	96
Nigeria	107	74	69	210	117	109
Rwanda	118	37	31	181	52	42
Sao Tomé and Príncipe	75	37	35	106	51	47
Senegal	80	44	42	134	55	47
Seychelles	13	12	12	...	14	14
Sierra Leone	167	107	87	213	161	120
Somalia	...	90	85	...	146	137
South Africa	50	33	34	84	44	41
South Sudan	...	64	60	...	99	93
Sudan	65	51	48	127	77	70
Swaziland	98	56	45	122	80	61
Togo	80	56	52	122	85	78
Uganda	85	44	38	145	66	55
United Republic of Tanzania	88	36	35	138	52	49
Zambia	102	56	43	182	87	64
Zimbabwe	73	55	47	110	89	71
NORTH AFRICA (Median)	37	19	20	46	22	24
Algeria	37	22	22	46	25	26
Egypt	40	19	20	51	22	24
Libya	20	12	11	24	15	13
Morocco	45	26	24	52	30	28
Tunisia	25	13	12	27	15	14
ALL AFRICA (Median)	87	55	47.5	136	78	67

Source		Notes
8 & 11	ACPF, The African Report on Child Wellbeing 2008	Table A2.8, page 172
9-10	UNICEF, The State of the World's Children reports 2015 and 2016	Accessed at: http://www.unicef.org/sowc2016/
12-13	UNICEF, The State of the World's Children reports 2015 and 2016	Accessed at: http://www.unicef.org/sowc2016/

... = Data not available

Table A2.7 Access to basic services

COUNTRY	Percentage of the population using improved sanitation facilities		Percentage of the population using improved drinking water		Number of physicians per 100,000	Proportion of births registered before five years of age [^]
	2000	2015	2000	2015	2000-2013	2010-2015
	14	15	16	17	18	19
SUB-SAHARAN AFRICA (Median)	36	29.5	61	76.3	10	64.5
Angola	30	51.6	46	49.0	17	36a
Benin	26	19.7	65	77.9	6	85
Botswana	41	63.4	95	96.2	40	72a
Burkina Faso	11	19.7	54	82.3	5	77
Burundi	38	48.0	77	75.9	3	75
Cameroon	50	72.2	61	91.7	8	66
Cabo Verde	41	45.8	80	75.6	31	91
Central African Republic	26	21.8	70	68.5	5	61
Chad	8	12.1	35	50.8	4	12
Comoros	34	35.8	88	90.1	15	87
Congo (Brazzaville)	27	15.0	57	76.5	10	96
Côte d'Ivoire	33	22.5	83	81.9	14	65
Democratic Republic of Congo	25	28.7	45	52.4	11	25
Djibouti	81	47.4	73	90.0	23	92a
Equatorial Guinea	52	74.5	43	47.9	30	54
Eritrea	8	15.7	54	57.8	5	-
Ethiopia	8	28.0	22	57.3	3	7a
Gabon	36	41.9	86	93.2	29	90
Gambia	53	58.9	82	90.2	11	72
Ghana	18	14.9	70	88.7	10	71
Guinea	17	20.1	49	76.8	10	58
Guinea-Bissau	34	20.8	58	79.3	7	24
Kenya	43	30.1	57	63.2	20	67
Lesotho	37	30.3	79	81.8	5	45a
Liberia	28	16.9	61	75.6	1	25g
Madagascar	27	12.0	45	51.5	16	83
Malawi	58	41.0	64	90.2	2	6g
Mali	43	24.7	45	77.0	8	81
Mauritania	33	40.0	47	57.9	13	59
Mauritius	94	93.1	100	99.9	106	-
Mozambique	27	20.5	42	51.1	4	48
Namibia	25	34.4	80	91.0	37	87g
Niger	11	10.9	44	58.2	2	64
Nigeria	42	29.0	49	68.5	41	30g
Rwanda	40	61.6	70	76.1	6	63
São Tomé and Príncipe	24	34.7	79	97.1	49	95
Senegal	50	47.6	73	78.5	6	73
Seychelles	100	98.4	87	95.7	107	-
Sierra Leone	38	13.3	57	62.6	2	77
Somalia	...	...	...	...	4	3a
South Africa	66	66.4	87	93.2	78	85g
South Sudan	...	6.7	...	58.7	...	35
Sudan	34	23.6a	69	55.5a	28	67
Swaziland	48	57.5	62	74.1	17	54
Togo	34	11.6	51	63.1	5	78
Uganda	43	19.1	55	79.0	12	30
United Republic of Tanzania	47	15.6	58	55.6	3	15g
Zambia	51	43.9	55	65.4	17	11
Zimbabwe	52	36.8	80	76.9	8	32
NORTH AFRICA (Median)	83	91.6	89	91.6	122	99
Algeria	91	87.6	89	83.6	121	100
Egypt	65	94.7	97	99.4	283	99
Libya	97	96.6	71	...	190	-
Morocco	69	76.7	79	85.4	62	94g
Tunisia	83	91.6	90	97.7	122	99
ALL AFRICA (Median)	38	34.5	65	77.9	11	66.5

Source	Notes
14 & 16	ACPF, The African report on child wellbeing 2008 Accessed at: http://www.wssinfo.org/en/333_san_africaS.html
15 & 17	UNICEF and WHO, Joint Monitoring Programme for Water Supply and Sanitation, 2015 Report and MDG Assessment Accessed at: http://www.wssinfo.org/data-estimates/
18	Based on data from WHO, World Health Statistics 2011-2015 Table 6 in the reports
19	UNICEF, The State of the World's Children 2016 reports Accessed at: http://www.unicef.org/sowc2016/

... = Data not available
a = Data refer to years or periods other than indicated in the column heading
g = Data differ from the standard definition or refer to only part of the country.
^ Not included in calculation of Index

Table A2.8 Education indicators

COUNTRY	NET ENROLMENT RATIO [^]						Pupil-teacher ratio (Primary)	
	Primary				Secondary		1999-2000	2010-2014
	Boys		Girls		Boys	Girls		
	1999-2000	2008-2014	1999-2000	2008-2014	2008-2015	2008-2015	4	5
1A	1B	2A	2B	3A	3B			
SUB-SAHARAN AFRICA (Median)	68	85.3	62	81.2	33.3	32.6	44	40
Angola	39	94.9	35	73.0	13.7	11.1	35	43
Benin	83	99.9	57	88.2	49.9	34.1	54	44
Botswana	82	90.4	86	91.6	59.1	66.6	27	23
Burkina Faso	42	69.2	29	65.7	23.1	20.2	47	46
Burundi	59	94.5	49	96.2	25.1	24.8	50	45
Cameroon	...	96.6	...	86.6	46.1	40.1	63	44
Cabo Verde	...	98.0	...	98.3	64.7	73.6	28	23
Central African Republic	64	79.1	45	62.1	17.9	9.3	74	80
Chad	70	94.7	47	74.0	...	..	71	62
Comoros	60	85.5	52	80.8	42.5	45.5	36	28
Congo (Brazzaville)	...	87.6	...	95.2	...	...	51	44
Côte d'Ivoire	73	79.2	55	70.1	...	...	48	41
Democratic Republic of Congo	...	...	...	...	...	...	...	37
Djibouti	37	60.7	28	54.0	29.4	21.3	36	33
Equatorial Guinea	76	56.8	68	56.8	...	...	42	26
Eritrea	44	42.7	38	38.4	31.0	26.1	45	40
Ethiopia	53	88.7	41	82.9	...	...	55	54
Gabon	89	..	87	..	...	...	49	25
Gambia	71	65.3	66	70.6	...	...	37	36
Ghana	60	90.9	57	88.7	58.4	57.3	33	30
Guinea	52	81.1	41	70.1	38.2	25.3	44	44
Guinea-Bissau	63	69.8	45	66.7	...	...	44	52
Kenya	68	83.2	69	86.6	57.4	55.6	33	57
Lesotho	75	78.7	82	81.8	27.1	42.5	48	33
Liberia	96	38.6	71	36.7	...	...	36	26
Madagascar	67	...	68	...	30.5	31.6	50	40
Malawi	97	...	104	...	33.3	32.6	56	69
Mali	...	62.5	...	56.2	39.2	29.8	63	41
Mauritania	66	72.7	62	76.2	24.0	22.1	42	35
Mauritius	95	95.1	95	97.3	...	...	26	20
Mozambique	59	89.7	50	85.4	17.9	17.9	64	55
Namibia	79	88.5	84	91.0	...	...	32	30
Niger	36	65.6	24	56.2	18.7	12.6	42	36
Nigeria	...	69.3	...	58.1	...	...	...	38
Rwanda	97	94.8	97	97.4	...	...	51	60
São Tomé and Príncipe	...	96.2	...	93.6	44.1	50.9	34	33
Senegal	66	68.2	60	74.1	...	...	51	32
Seychelles	...	94.1	...	95.3	71.9	78.2	15	13
Sierra Leone	68	98.6	63	97.3	38.9	34.9	44	35
Somalia	...	...	...	...	...	...	...	36
South Africa	90	...	88	...	...	...	33	32
South Sudan	...	47.3	...	33.7	...	...	...	50
Sudan	50	52.4	42	55.1	...	...	27	46
Swaziland	92	78.8	94	78.3	30.7	38.2	33	29
Togo	101	94.3	83	88.0	...	...	34	41
Uganda	85	92.2	84	95.1	23.5	22.2	59	46
United Republic of Tanzania	57	80.6	58	81.2	...	...	40	43
Zambia	66	86.5	65	88.3	...	...	45	48
Zimbabwe	80	85.3	80	86.5	44.0	44.5	37	36
NORTH AFRICA (Median)	98	97.9	94	97.7	70.2	67.8	26	23
Algeria	100	97.4	97	95.5	...	...	28	23
Egypt	95	97.7	90	98.4	81.3	82.5	22	23
Libya	...	...	...	...	...	...	...	...
Morocco	82	98.6	74	98.3	59.0	53.1	28	26
Tunisia	100	98.0	99	97.2	...	...	23	17
ALL AFRICA (Median)	70	86.5	65	82.9	38.2	34.1	42	37

Source	Notes
1A & 2A	African Development Indicators 2004 & 2006, The World Bank, Washington DC.
1B, 2B, 3A & 3B	UNESCO, Institute of Statistics (UIS)
4-5	The World Bank

2004 Section 13, Table 13-17; 2006 Table 8.1

Data extracted on 14 Jun 2016 09:17 UTC (GMT) from: <http://data.uis.unesco.org/>

Accessed at: <http://data.worldbank.org/news/release-of-world-development-indicators-2015>
Last updated 17 Feb 2016

Data refers to the most recent data from the range in the column heading, unless specified.

... = Data not available

[^] Not included in calculation of Index Tables

Table A2.8 Education indicators (continued)

COUNTRY	GROSS ENROLMENT RATIO							
	Primary				Secondary			
	Boys		Girls		Boys		Girls	
	1999-2000	2010-2015	1999-2000	2010-2015	1999-2000	2010-2015	1999-2000	2010-2015
	6	7	8	9	10	11	12	13
SUB-SAHARAN AFRICA (Median)	96	107.8	80	101.9	30	46.8	21	40.0
Angola	78	156.9	69	100.4	18	35.1	13	22.7
Benin	113	131.1	78	119.9	30	64.8	14	43.9
Botswana	108	110.1	108	107.0	90	81.6	96	86.2
Burkina Faso	52	88.7	37	85.1	12	32.4	8	28.2
Burundi	73	126.8	58	128.4	12	41.1	9	34.8
Cameroon	115	120.1	100	106.9	...	60.9	...	51.9
Cabo Verde	140	116.3	137	109.9	...	86.8	...	98.5
Central African Republic	89	107.3	61	79.8	...	23.0	...	11.8
Chad	90	114.6	57	88.0	18	30.7	5	14.0
Comoros	92	108.3	80	102.0	23	58.3	18	60.4
Congo (Brazzaville)	101	107.0	93	114.8	46	58.4	38	50.6
Côte d'Ivoire	92	95.6	70	83.6	30	47.0	17	33.2
Democratic Republic of Congo	49	112.0	44	101.8	...	53.6	...	33.3
Djibouti	46	70.1	35	62.3	13	51.1	17	41.9
Equatorial Guinea	126	85.2	115	83.7	43	...	19	...
Eritrea	65	55.2	54	47.1	34	39.3	23	31.6
Ethiopia	76	104.3	52	95.8	22	37.9	14	34.5
Gabon	144	144.0	143	139.9	61	...	58	...
Gambia	86	83.5	78	88.0	43	58.9	30	56.0
Ghana	84	109.9	76	109.9	40	72.9	32	69.1
Guinea	78	98.6	56	83.8	...	46.8	...	30.7
Guinea-Bissau	99	117.5	66	109.8	26	...	14	...
Kenya	95	111.2	93	111.6	32	70.1	29	65.2
Lesotho	112	108.3	118	105.8	30	44.1	36	60.4
Liberia	140	99.5	96	91.6	45	42.5	32	33.1
Madagascar	105	146.9	101	146.5	...	38.8	...	38.1
Malawi	139	145.1	135	148.0	40	41.4	31	37.5
Mali	71	81.2	51	73.0	...	49.4	...	37.4
Mauritania	86	95.3	80	100.7	22	31.2	20	28.6
Mauritius	109	101.7	108	103.7	79	96.9	75	99.0
Mozambique	104	108.6	79	99.6	14	25.5	9	23.5
Namibia	112	113.3	113	109.5	58	...	65	...
Niger	42	75.9	29	65.0	8	22.1	5	15.6
Nigeria	...	88.3	...	80.9	...	46.4	...	41.2
Rwanda	119	132.0	118	135.1	12	37.3	12	40.9
São Tomé and Príncipe	...	116.1	...	111.1	...	80.7	...	89.3
Senegal	79	77.5	70	84.3	21	...	14	38.2
Seychelles	...	103.6	...	104.7	...	73.9	...	75.3
Sierra Leone	106	130.3	80	129.8	29	46.9	24	40.0
Somalia	...	...	...	...	...	...	...	...
South Africa	115	102.2	108	97.3	83	85.3	91	103.8
South Sudan	...	101.1	...	67.0	...	...	...	...
Sudan	59	74.1	51	66.6	22	43.9	36	41.5
Swaziland	128	118.2	121	108.3	60	63.6	60	62.4
Togo	138	128.8	110	121.4	54	...	24	...
Uganda	143	108.9	129	110.9	21	29.5	16	25.7
United Republic of Tanzania	78	86.2	76	87.4	6	33.7	5	30.8
Zambia	80	103.3	76	104.0	26	...	21	...
Zimbabwe	96	100.8	93	99.1	47	48.1	42	47.1
NORTH AFRICA (Median)	115	116.7	107	112.4	76	88.2	80	90.0
Algeria	116	122.3	107	115.1	68	98.1	73	101.7
Egypt	103	104.1	96	103.8	88	86.3	83	85.9
Libya	115	..	117	..	88	...	91	...
Morocco	101	118.7	88	113.4	44	74.4	35	63.5
Tunisia	120	114.7	115	111.4	76	90.0	80	94.2
ALL AFRICA (Median)	101	108.3	80	103.8	31	47.5	24	41.2

Source		Notes
6-13	- UNESCO, Institute of Statistics (UIS) - The World Bank	- Data extracted on 14 Jun 2016 09:17 UTC (GMT) from: http://data.uis.unesco.org/ - Accessed at: http://data.worldbank.org/news/release-of-world-development-indicators-2015 Data refers to the most recent data from the range in the column heading, unless specified. ... = Data not available

Table A2.8 Education indicators (continued)

COUNTRY	Primary completion rate (% of relevant age group)					
	Total		Male		Female	
	2000	2012-2014	2000	2012-2014	2000	2012-2014
	14	15	16	17	18	19
SUB-SAHARAN AFRICA (Median)	37.6	70.9	44.6	68.6	32.6	69.5
Angola	..	...	..	...	..	...
Benin	34.93	75.7	45.33	82.9	24.21	68.4
Botswana	89.87	...	87.51	...	92.26	...
Burkina Faso	25.03	62.7	29.38	62.6	20.54	62.9
Burundi	24.91	70.0	27.08	67.5	22.73	72.4
Cameroon	49.93	72.8	53.36	78.0	46.46	67.6
Cabo Verde	101.83	94.7	100.20	95.8	103.45	93.6
Central African Republic	..	45.3	..	55.6	..	35.2
Chad	22.32	38.8	31.88	47.3	12.71	30.1
Comoros	..	73.8	..	71.9	..	75.8
Congo (Brazzaville)	..	73.0	..	68.6	..	77.4
Côte d'Ivoire	39.12	60.5	48.03	67.4	30.21	53.5
Democratic Republic of Congo	..	72.8	..	83.5	..	62.1
Djibouti	28.01	60.6	33.17	65.7	22.78	55.4
Equatorial Guinea	..	54.8	..	54.3	..	55.3
Eritrea	36.40	...	40.22	...	32.60	...
Ethiopia	21.58	...	27.92	...	15.21	...
Gabon	..	...	..	...	..	...
Gambia	..	70.5	..	69.0	..	72.1
Ghana	..	96.7	..	97.6	..	95.7
Guinea	32.78	61.5	44.59	67.8	20.53	55.1
Guinea-Bissau	26.93	...	34.59	...	19.34	...
Kenya	..	...	..	...	..	...
Lesotho	60.11	74.1	50.57	64.4	69.73	83.9
Liberia	..	58.8	..	63.5	..	54.0
Madagascar	35.53	68.5	35.36	66.7	35.70	70.2
Malawi	65.75	75.3	69.49	75.2	62.00	75.4
Mali	32.78	58.8	40.64	63.1	24.92	54.0
Mauritania	52.57	70.9	..	69.8	..	72.0
Mauritius	104.65	101.5	105.46	100.1	103.81	103.0
Mozambique	16.12	49.2	19.73	52.9	12.52	45.7
Namibia	81.64	85.4	76.46	82.7	86.83	88.0
Niger	18.38	49.3	21.72	55.3	14.81	43.1
Nigeria	..	...	..	...	..	...
Rwanda	20.69	59.3	22.42	54.3	18.98	64.3
São Tomé and Príncipe	..	104.0	..	101.4	..	106.7
Senegal	37.72	60.9	43.57	57.1	31.80	64.8
Seychelles	112.91	...	113.96	...	111.86	...
Sierra Leone	..	71.0	..	72.6	..	69.5
Somalia	...	...	...	...	...	...
South Africa	90.07	...	88.95	...	91.20	...
South Sudan	...	...	...	...	...	...
Sudan	37.50	57.0	39.42	60.9	35.51	52.9
Swaziland	64.32	77.5	62.70	76.0	65.94	79.1
Togo	61.03	75.9	76.98	72.0	45.14	74.2
Uganda	..	81.3	..	88.3	..	53.9
United Republic of Tanzania	..	54.2	..	54.6	..	79.8
Zambia	60.08	83.7	65.23	85.5	54.88	82.0
Zimbabwe	..	92.0	..	90.8	..	93.2
NORTH AFRICA (Median)	84.7	100.4	84.9	101.0	84.4	99.9
Algeria	82.63	100.2	82.82	100.5	82.43	100.0
Egypt	98.14	107.0	101.77	108.4	94.35	105.5
Libya	..	...	..	...	..	...
Morocco	56.74	100.7	63.13	101.6	50.14	99.7
Tunisia	86.71	97.8	87.05	97.3	86.36	98.4
ALL AFRICA (Median)	44.5	72.8	48.0	69.8	35.7	72.0

Source		Notes
14-19	The World Bank, World Development Indicators 2015	<p>Accessed at: http://data.worldbank.org/news/release-of-world-development-indicators-2015</p> <p>Data refers to the most recent data from the range in the column heading, unless specified.</p> <p>... = Data not available</p>

Table A2.9 HIV/AIDS and related indicators

COUNTRY	Estimated adult HIV prevalence rate (15-49) 2014	Number of children (0-14 years) living with HIV 2014 (thousands)	HIV prevalence among young people (15-24 years), 2014		Single or double orphans		Orphans		
			Male	Female	Children (0-17 years) orphaned by AIDS	Children (0-17 years) orphaned due to all causes	Double orphans		Percentage change 2001 to 2014
							Number	Percentage change	
			Estimate 2014 (thousands)	Estimate 2014 (thousands)	2001	2014	2001 to 2014		
1	2	3	4	5	6	7	8	9	
SUB-SAHARAN AFRICA									
Angola	2.4	32	0.6	1.1	120	1,300	99,000	190,000	91.9
Benin	1.1	8	0.2	0.4	28	440	31,000	56,000	80.6
Botswana	25.2	16	5.7	8.9	67	100	62,000	22,000	-64.5
Burkina Faso	0.9	13	0.4	0.5	75	830	161,000	120,000	-25.5
Burundi	1.1	14	0.3	0.4	77	580	139,000	100,000	-28.1
Cameroon	4.8	58	1.2	2.1	310	1,200	85,000	200,000	135.3
Cabo Verde	1.1	-	0.8	0.3	...	...	...	...	...
Central African Republic	4.3	15	1.4	2	91	300	48,000	63,000	31.3
Chad	2.5	29	0.6	1	130	970	60,000	170,000	183.3
Comoros	...	...	...	...	...	...	...	...	...
Congo (Brazzaville)	2.8	11	0.9	1.4	46	210	31,000	35,000	12.9
Côte d'Ivoire	3.5	42	0.9	1.4	230	1,200	192,000	200,000	4.2
Democratic Republic of Congo	1	59	0.3	0.5	290	4,000	313,000	660,000	110.9
Djibouti	1.6	1	0.5	0.8	6	32	4,000	4,900	22.5
Equatorial Guinea	6.2	3	1.3	2.5	6	43	3,000	6,900	130.0
Eritrea	0.7	2	0.2	0.3	11	140	14,000	21,000	50.0
Ethiopia	1.2	110	0.5	0.6	450	3,500	455,000	480,000	5.5
Gabon	3.9	4	0.6	1.3	18	68	6,000	10,000	66.7
Gambia	1.8	2	0.4	0.7	10	87	6,000	12,000	100.0
Ghana	1.5	21	0.4	0.6	120	950	75,000	130,000	73.3
Guinea	1.6	...	0.4	0.7	...	...	73,000	...	...
Guinea-Bissau	3.7	5	0.8	1.5	13	120	9,000	20,000	122.2
Kenya	5.3	160	2.2	3.5	650	2,000	291,000	340,000	16.8
Lesotho	23.4	19	5.9	10.2	74	120	37,000	27,000	-27.0
Liberia	1.2	4	0.3	0.4	25	190	...	27,000	...
Madagascar	0.3	5	0.2	0.1	...	...	...	...	...
Malawi	10	130	2.4	4.1	530	990	194,000	190,000	-2.1
Mali	1.4	18	0.5	0.7	59	810	76,000	120,000	57.9
Mauritania	0.7	2	0.2	0.4	-	-	...	...	...
Mauritius	0.9	...	0.2	0.2	-	-	...	...	...
Mozambique	10.6	160	2.4	6.6	610	1,800	184,000	350,000	90.2
Namibia	16	16	2.9	5	53	100	18,000	16,000	-11.1
Niger	0.5	...	<0.1	0.2	...	...	66,000	...	...
Nigeria	3.2	380	0.7	1.3	1,600	9,900	607,000	1,700,000	180.1
Rwanda	2.8	22	1	1.3	85	500	145,000	76,000	-47.6
São Tomé and Príncipe	0.8	-	0.2	0.2	...	...	...	...	...
Senegal	0.5	4	0.1	<0.1	...	...	42,000	...	...
Seychelles	...	...	...	...	...	...	...	...	...
Sierra Leone	1.4	4	0.2	0.4	19	310	...	48,000	...
Somalia	0.5	5	0.2	0.2	27	630	52,000	97,000	86.5
South Africa	18.9	340	4	8.1	2,300	2,800	267,000	570,000	113.5
South Sudan	2.7	19	0.7	1.3	91	570	...	84,000	...
Sudan	0.2	4	0.1	0.2	...	...	...	...	...
Swaziland	27.7	19	7.2	15.5	56	87	19,000	22,000	15.8
Togo	2.4	12	0.5	0.8	54	330	27,000	51,000	88.9
Uganda	7.3	150	2.3	3.7	650	1,900	315,000	290,000	-7.9
United Republic of Tanzania	5.3	140	1.4	2.1	810	2,600	288,000	460,000	59.7
Zambia	12.4	100	3.3	4.2	380	950	316,000	160,000	-49.4
Zimbabwe	16.7	150	4.8	7	570	810	543,000	180,000	-66.9
NORTH AFRICA									
Algeria	<0.1	-	<0.1	<0.1	...	...	...	...	...
Egypt	<0.1	<0.5	<0.1	<0.1	...	...	...	...	...
Libya	...	...	...	...	...	...	...	...	...
Morocco	0.1	<1	<0.1	<0.1	...	...	...	...	...
Tunisia	<0.1	...	<0.1	<0.1	...	...	...	...	...
ALL AFRICA									

Source			Notes
1-6	UNICEF, The State of the World's Children 2016 report	Accessed at: http://www.unicef.org/sowc2016/	... = Data not available ^Children orphaned by AIDS = Estimated number of children (0-17 years) who have lost one or both parents to AIDS as of end-2013. Children orphaned due to all causes = Estimated number of children (0-17 years) who have lost one or both parents due to any cause as of end of 2013. Double orphans = Estimated number of children (0-17 years) who have lost both biological parents.
7-9	Monitoring the Situation of Children and Women, Statistical update 2015	Accessed at: http://www.childinfo.org/hiv_aids_orphanestimates.php	