Members of the international child safeguarding network, *Keeping Children Safe*, urge that all organisations working in Africa should take more seriously their responsibilities towards children.

They should make sure their staff, operations, and programmes do no harm to children, and that any concerns the organisation has about children's overall safety are reported to the appropriate authorities. Many organisations are failing to meet these basic requirements and are putting children at risk.

**The issue**

This issue first came to prominence in 2002 when a report by the United Nations High Commissioner for Refugees and Save the Children claimed child abuse was endemic in refugee camps and highlighted allegations against 67 workers from 42 agencies involving 40 victims.

In 2004, a report from Democratic Republic of Congo (DRC) found many girls and women traded sex for food and other items with peacekeepers as a survival tactic. Save the Children reported from research in 2008, in Cote D'Ivoire, Sudan, and Haiti, that nearly 90% of those interviewed recalled incidents of children being sexually exploited by aid workers and peacekeepers.

In 2010, the Humanitarian Accountability Partnership (HAP) commissioned research in Haiti, Kenya and Thailand to capture the views of beneficiaries of humanitarian assistance on the effectiveness of measures to prevent sexual exploitation and abuse. The report revealed that beneficiaries in all locations reported that they still feel at risk of exploitation and abuse by humanitarian workers although where initiatives are consistently implemented the risk of exploitation and abuse by humanitarian workers decreases.

In September 2014, a Human Rights Watch report found that soldiers from the African Union Mission in Somalia (AMISOM) had sexually abused and exploited vulnerable Somali women and girls on their bases in Mogadishu. The AU soldiers, relying on Somali intermediaries, used a range of tactics, including humanitarian aid, to coerce vulnerable women and girls into sexual activity. They also raped or otherwise sexually assaulted women who were seeking medical assistance or water at AMISOM bases.

The report prompted African Union Commission chair Dr. Nkosazana Dlamini-Zulu to appoint a commission of inquiry into the allegations on 21 October 2014.

**The global response**

When the issue was first brought to the attention of aid agencies in 2002 the international child safeguarding network, 'Keeping Children Safe' was born. Today the network has 28 full members including Save the Children, Plan International, Terre des Hommes, Islamic Relief and others. There are also over 200 organisations signed up to the wider network. Since then, there have been a
number of initiatives. The Executive Committees on Humanitarian Affairs and Peace and Security (ECHA/ECPS) United Nations (UN) and Nongovernmental Organizations (NGO) Task Force on Protection from Sexual Exploitation and Abuse was established in February 2005 with the aim of preventing acts of sexual exploitation and abuse by humanitarian workers and improving response to it when it occurs in humanitarian crises.

However, this Task Force has a limited focus on sexual abuse and exploitation by humanitarian aid workers, and may be perceived as solely relevant to the humanitarian sector.

Child safeguarding is rooted in understanding all risks (physical, emotional, sexual and neglect) to children from the organisation (its staff, programmes and operations), not just the risk of sexual exploitation and abuse by aid workers. Child safeguarding requires those risks are addressed with measures that create child-safe organisations. Acknowledging risks and implementing measures to address them should be a fundamental part of organisations’ strategies and governance. Only in this way can risks be reduced.

Organisations need to:

- identify where, when and how the organisation affects children and what risks this presents
- develop the policies and procedures needed to prevent harm and respond to concerns appropriately
- designate an appropriate person in the organisation to receive and manage any safeguarding concerns
- consider what safeguarding induction and training is needed within an organisation
- develop a clear code of conduct so that all staff understand their professional boundaries – what is, and is not, acceptable behaviour when working with children

Even with the most robust child safeguarding policies and procedures, abuse may still take place from within an organisation. At that point, it is how an organisation responds that is crucial for the child and for the organisation.

The four international Keeping Children Safe child safeguarding standards:

**Standard 1: Policy**
The organisation develops a policy that describes how it is committed to preventing, and responding appropriately to, harm to children

**Standard 2: People**
The organisation places clear responsibilities and expectations on its staff and associates and supports them to understand and act in line with these

**Standard 3: Procedures**
The organisation creates a child-safe environment through implementing child safeguarding procedures that are applied across the organisation

**Standard 4: Accountability**
The organisation monitors and reviews its safeguarding measures

By meeting these standards an organisation shows a strong commitment to child safeguarding and will be doing all it can to do no harm.
**More needs to be done**

Across the continent Africa has a young population, 50% of the population is under the age of 18.

Children face different forms of abuse including physical, sexual, emotional and psychological. This impacts on their education, growth and development. In most cases it is the people who are entrusted with responsibility of protecting children who abuse them – including parents, teachers, caregivers and organisations’ staff.

In 2014 the Keeping Children Safe network held its first regional conference in Cape Town. The event brought together over 150 experts in preventing harm to children to discuss the challenges being faced by organisations in the African context, agree on concrete actions and support key stakeholders to create safer environments for children.

**The following specific challenges to meeting child safeguarding requirements were identified:**

- lack of policies and procedures and, where they do exist, weak implementation
- lack of support and training
- harmful culturally accepted practices including FGM, witchcraft accusations
- inadequate child protection systems
- insufficient donor support.

Implementing child safeguarding measures is possible where this is prioritised, as seen by the following case study from Gender Violence Recovery Centre of the Nairobi Women’s Hospital.

**Change can happen**

*a case study from the Gender Violence Recovery Centre of the Nairobi Women’s Hospital*

The Gender Violence Recovery Centre (GVRC) is an arm of the Nairobi Women’s Hospital that specialises in obstetrics and gynaecology services. GVRC’s main purpose is to ‘bring back meaning to the lives of survivors and their families’ through the provision of free medical treatment and psychosocial support to survivors of gender based violence (GBV) including emotional, physical, sexual and psychological abuse.

Since its inception in March 2001, the centre has provided free and comprehensive medical treatment and psychosocial support to over 29,000 survivors, half of whom were children.

The child protection policy was drafted and endorsed in 2012 following child safeguarding training provided by Terre des Hommes Netherlands, and revised in 2015. The scope of the policy extends to both the professional and personal lives of staff, and it is made clear that if anyone is found to be harming children, either inside or outside the organisation, then they will be dismissed. All staff and volunteers and all third parties must sign on to the policy.

Partners have to apply child protection principles in their work and if there are concerns about partner staff harming children then the contract or the partnership is terminated. Partners are assessed on their ways of working and if GVRC have any concerns about possible risks, they will not partner with an organisation.

Child safeguarding is incorporated into recruitment and selection of all staff and interns both Kenyan and International.

Activities are planned with risk-prevention in mind, so practical considerations such as transportation of children and the timings of activities are considered to ensure children are not being placed at risk of harm. During counselling sessions with children there is always someone else present, like a trusted parent or guardian, so that no adult is left alone with a child.

The child protection policy is fully integrated into the work of GVRC. As would be expected there has been an increase in reporting of child protection issues but by putting measures in place GVRC has acknowledged the potential risks to children and, as an organisation, they are taking measures to prevent harm.

The hospital is a safer place for children as a result.
**Current provisions for child protection under the African Charter**

We believe that with support from the ACERWC and governments, child safeguarding could be given more priority and greater implementation.

The principle framework for addressing child protection and safety in Africa is the African Charter on the Rights and Welfare of the Child (ACRWC).

The principle protection against child abuse and torture is Article 16 of the Charter. This requires State Parties to take specific legislative, administrative, social and educational measures to protect the child from all forms of torture, inhuman or degrading treatment, physical and mental injury and abuse, neglect and maltreatment including sexual abuse, while in care of the child.

Article 16(2) of the ACRWC, which echoes Article 19(2) of the CRC, provides for the implementation mechanism: it requires protective measures under Article 16(1) to include procedures for the establishment of special monitoring units to provide the necessary support for the child and for those who have the care of the child, as well as other forms of prevention, and for identification, reporting, referral, investigation, treatment and follow up of instances of child abuse and neglect.

Article 21 of the ACRWC provides for comprehensive protection against harmful social and cultural practices which affect the welfare, dignity, normal growth and development of the child, and, in particular, those practices which are prejudicial to the health of the child and those which discriminate on the basis of sex or other status. Article 21 also prescribes a minimum age of marriage to be 18 years.

Yet child safeguarding is not explicitly included in the Charter.

**We ask the Committee**

1. **To show its support by making a commitment to child safeguarding**

   *The ACERWC will urge State Parties to the ACRWC to take steps to ensure that relief and development organisations operating within their jurisdiction do no harm to children.*

2. **To require that applicants for observer status for the ACERWC demonstrate they have implemented safeguarding protocols internally**

   *Amend the criteria to include a demand that organisations submit a copy of their child safeguarding/child protection policy with their application along with supporting evidence of implementation.*

3. **To include reference to child safeguarding in the Guidelines on the Form and Content of Periodic State Party Reports to be Submitted Pursuant to Article 43(1)(b) of the African Charter on the Rights and Welfare of the Child.**

   *The Guidelines will be amended to explicitly request that States Parties include the measures that they have taken to require non-profit organisations which it regulates to comply with safeguarding principles.*

   *The ACERWC will ask States Parties what legal and policy measures are in place to respond when children are abused or harmed, such as revoking registration of civil society organisations or criminal sanctions.*

   *To question state parties about the legal framework for reporting child abuse and neglect, if the state party’s report doesn’t already contain this information.*
We the undersigned organisations call on the Committee to support child safeguarding

Childcare Foundation, Zambia
Keeping Children Safe, International
Save the Children International, Nigeria Country office.
Plan International
REPSSI, South Africa
RIATT-ESA, South Africa
ChildReach, International
SOS Children’s Villages International Office for Eastern and Southern Africa
Terre des Hommes, International
SOS Children’s Villages International
SOS Children’s Villages Zimbabwe
Global Child Protection Services (GCPS), International
Connect Network, South Africa