



# NATIONAL CAPACITY TO ADDRESS VIOLENCE AGAINST CHILDREN:

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## Assessment in Ten African Countries





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TO ADDRESS VIOLENCE  
AGAINST CHILDREN:  
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Ten African Countries**

2021



## **AFRICAN PARTNERSHIP TO END VIOLENCE AGAINST CHILDREN (APEVAC)**

The African Partnership to End Violence against Children (APEVAC) is a Pan-African platform established to promote an Africa-wide movement and conversation and contribute to global, continental, regional and national agenda on ending violence against children. It was also born of the need for a continental collective platform for innovation and cross-learning on violence against children

The Partnership draws from the opportunities but also the unique challenges of Africa, hence prioritises entrenching the violence against children agenda within the AU and Pan-African child rights mechanisms. Anchored within African values and reality, and as a platform initiated and led by Africans, the Partnership enjoys the moral legitimacy and credibility to address issues considered a taboo or issues that can easily be bypassed for fear of antagonising governments. APEVAC also draws its legitimacy from its recognition by African organisations and global and national players as a legitimate, credible voice of African organisations and as a movement that can advance the violence prevention agenda in Africa.

With a strong focus on a multi-faceted engagement, experience sharing and cross-learning, the Partnership is keen on tying together efforts of different actors to inform eradication of violence against children. The Partnership provides scope for joint programming and complementarity amongst actors within a specific region or country based on the priorities of a region or country. It strives specially to create synergies with existing partnerships on children in Africa.



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## **AFRICAN CHILD POLICY FORUM (ACPF)**

The African Child Policy Forum (ACPF) is an independent, not-for-profit, Pan-African institute of policy research and dialogue on the African child. ACPF was established with the conviction that putting children first on the public agenda is fundamental to the realisation of their rights and wellbeing, and to bringing about lasting social and economic progress in Africa.

ACPF's work is rights based, inspired by universal values, informed by global experiences and knowledge, and committed to Internationalism. Its work is guided by the UN Convention on the Rights of the Child, The African Charter on the Rights and Welfare of the Child, and other regional and international human rights instruments.

ACPF aims specifically to contribute to improved knowledge on children in Africa; to monitor and report progress; to identify policy options; to provide a platform for dialogue; to collaborate with governments, intergovernmental organisations and civil society in the development and implementation of effective pro-child policies and programmes; and to promote a common voice for children in Africa and elsewhere.



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# LIST OF ACRONYMS

<b>ACPF</b>	African Child Policy Forum
<b>ACRWC</b>	African Charter on the Rights and Welfare of the Child
<b>ACERWC</b>	African Committee of Experts on the Rights and Welfare of the Child
<b>APEVAC</b>	African Partnership to End Violence Against Children
<b>Art.</b>	Article
<b>AU</b>	African Union
<b>CBO</b>	Community-based Organisation
<b>CFI</b>	Child-friendliness index
<b>CFPU</b>	Child and Family Protection Unit
<b>CPC</b>	Child Protection Committee
<b>CPIMS</b>	Child Protection Information Management System
<b>CSO</b>	Civil Society Organisation
<b>DHS</b>	Demographic and Health Surveys
<b>DCI</b>	Defence for Children International
<b>FGM</b>	Female Genital Mutilation
<b>FY</b>	Financial (Fiscal) Year
<b>GBV</b>	Gender-Based Violence
<b>GDP</b>	Gross Domestic Product
<b>ICD</b>	International Classification of Disease
<b>ICT</b>	Information and Communication Technology
<b>ILO</b>	International Labour Organization
<b>MICS</b>	Multi-Indicator Cluster Survey
<b>NCPWG</b>	National Child Protection Working Group
<b>NGO</b>	Nongovernmental Organization
<b>NPAC</b>	National Plan of Action for Children
<b>NSPP</b>	National Social Protection Policy
<b>NSPS</b>	National Social Protection Strategy
<b>NVAC</b>	National Violence Against Children Survey
<b>OVC</b>	Orphans and vulnerable children
<b>SAGE</b>	Social Assistance Grants for Empowerment
<b>SDGs</b>	Sustainable Development Goals
<b>SOP</b>	Standard Operating Procedure
<b>TPO</b>	Transcultural Psychosocial Organization
<b>UNCRC</b>	United Nations Convention on the Rights of the Child
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>UNICEF</b>	United Nations Children's Fund
<b>UPR</b>	Universal Periodic Review
<b>USAID</b>	United States Agency for International Development
<b>VAC</b>	Violence Against Children
<b>VAPP</b>	Violence Against Persons Prohibition Act
<b>WHO</b>	World Health Organization







# PREFACE

The Sustainable Development Goals, African Union Agenda 2063 and Africa's Agenda for Children 2040 all make explicit commitments to end violence against children (VAC). The implementation and enforcement of these international and regional frameworks is of paramount importance if we aspire to see an Africa free from VAC.

At country level, there has been tremendous progress in domesticating these instruments and harmonising them with their national policies and laws. Many African states have taken action by adopting the minimum age for marriage, legal employment and recruitment into armed groups; formulating policies and laws to protect children from physical, sexual, emotional violence and other forms of exploitation and abuse; setting up programmes and services to prevent and respond to VAC; and allocating the necessary human and financial resources for children's services.

However, as this assessment shows, significant gaps remain in legal and policy frameworks, as well as government capacity to prevent and protect children from violence. It is also evident that the lack of coordination among the relevant sectors, and the resulting duplications and overlaps, have hindered the governments' efforts to address VAC in these countries. The extent and quality of VAC prevention and response remains largely limited, with services facing low human resources capacity and financial constraints, and the majority reliant on donor funding.

The African Partnership to End Violence against Children (APEVAC), an umbrella coalition which brings together like-minded national, regional, and international organisations for collective action to end VAC across the continent, is concerned about these challenges. Reaching the goal of a continent free from VAC will require all stakeholders - especially national governments - to address the gaps through legal frameworks and by allocating adequate resources. I am hopeful that this capacity assessment of ten African countries will catalyse progress on legislation, policies and implementation capacity for preventing and responding to VAC. I am also optimistic the study will galvanise discussion and action to achieve our goals of an Africa free from VAC.

Dr Joan Nyanyuki  
Chair of the Executive Council, APEVAC  
Executive Director, ACPF







# EXECUTIVE SUMMARY

In recent years, global and African leaders have committed to eliminating violence against children (VAC). The Sustainable Development Goals (SDGs), African Union (AU) Agenda 2063, and Africa's Agenda for Children 2040 all express commitments to the elimination of VAC, but these commitments will only be achieved when they are effectively implemented at national level. In this study, the African Partnership to End Violence Against Children (APEVAC) examines how selected African countries have acted on these obligations and prioritised ending VAC. Specifically, the assessment aims to:

- Assess national political, legal, and social environments and their capacity to protect children from violence.
- Examine the capacity of governments to implement VAC prevention and response.
- Examine the impact of COVID-19 on countries' capacity to address VAC.
- Propose a roadmap to improve national-level legislation, policies and implementation capacity for the elimination of VAC.

Ten countries - two from each of Africa's broad five geopolitical regions - were selected for assessment, taking into consideration each country's ranking in the child protection dimension of ACPF's child-friendliness index (CFI) 2018. The selected countries are Burkina Faso, Cameroon, Chad, Egypt, Malawi, Mauritius, Namibia, Nigeria, Sudan and Uganda. The study was guided by a framework for assessing national capacity to address VAC, and informed by qualitative data collected from primary (interviews) and secondary (documents) sources. As a result,

we have discovered significant gaps in legislation, programmes and services, coordination, and allocation of resources. We have also identified opportunities for action.

## Key findings

### Legal frameworks to protect children from violence

The legal frameworks of all ten countries were found to be largely conducive to combatting VAC. All ten have ratified the United Nations Convention on the Rights of the Child (UNCRC), African Charter on the Rights and Welfare of the Child (ACRWC) and the International Labour Organization (ILO) Conventions on minimum age and the worst forms of child labour. Seven of the study countries have a comprehensive national children's act or child protection act, and all of them have enacted laws to prohibit various forms of VAC. However, none of the study countries have ratified the Optional Protocol to the UNCRC on a Communication Procedure and only six have ratified the Palermo Protocol on Trafficking in Persons. Furthermore, some domestic laws fail explicitly, comprehensively or harmoniously to prohibit corporal punishment, child marriage, female genital mutilation (FGM), child labour, and some acts of trafficking and sexual exploitation. Four of the ten countries still define a 'child' as being younger than the internally accepted standard of 18 years old or below.

### Programmes and services to address violence against children

Of the ten countries assessed, four - Burkina Faso, Egypt, Namibia, Uganda - have either a national plan, strategy

or policy for children, or a specific plan for child protection and/or ending VAC. Nigeria has drafted a National Priority Action on Ending VAC, while the remaining countries either have thematic plans for different VAC issues such as child labour, child trafficking and child marriage, or they integrate VAC issues into the development and investment plans of relevant sectors and ministries.

Generally, all countries have some form of national and sub-national coordination mechanism, often led by a social welfare development agency. VAC is coordinated at the national level in specific thematic areas such as child labour, child sexual exploitation, child marriage, and child trafficking, although some countries such as Cameroon and Egypt have multiple VAC coordination structures without a clear separation of roles.

Most countries have specialised police and judicial units for gender-based violence (GBV) and child-related offences, although their effectiveness is constrained by human and financial resources. There are few if any, offender rehabilitation programmes to reduce re-offending.

### **Financial resources**

Governments in all ten study countries allocated some financial resources to institutions addressing violence against children, mainly for staff, operational and utility costs at both national and subnational level. However, we also found that financial allocation to social welfare was limited compared to other sectors - on average, most African governments allocated one percent or less of their national budgets to the social welfare development sector. Subnational structures that deliver services were even more under-resourced than central government, hindering VAC agencies from effectively implementing their mandates. Civil society organisations (CSOs), however, were relatively better resourced, and

filled the gaps in service provision left by the state.

### **Human resources**

Social welfare staff and law enforcement officers in the different countries received some training provided by various government and non-government agencies, but due to insufficient data it was not possible to assess the effectiveness, content and reach of these training programmes. We also found that the number and competence of staff in institutions concerned with VAC remains inadequate. Staff challenges were caused by unfilled positions, high turnover rate and training gaps, while the lack of investigative skills of law enforcement personnel in these countries was repeatedly cited in various reports.

### **Information, monitoring, and evaluation**

All the study countries produced VAC relevant administrative and survey information. Administrative data on birth registration, reported incidents of violence, and service uptake was useful for financial accountability, but not for measuring trends over time or evaluating VAC programmes. Some countries, such as Malawi, have designed robust systems to manage child protection information gathered from administrative sources but faced challenges of poor geographical coverage, limited integration with other systems, and low internet penetration. Censuses, together with surveys such as National Violence against Children, Demographic and Health Surveys, and Multi-Indicator Cluster Surveys, provided important information for measuring influencing factors, impacts and outcomes of VAC programmes. Some countries, including Burkina Faso and Mauritius, have conducted no recent nationally representative surveys covering VAC indicators, and most small-scale surveys have limited value for informing policy

because they were not scientifically designed or conducted. Some VAC issues such as child neglect, child labour, and child pornography are not adequately covered by either surveys or administrative data.

### **Political and social stability**

The political environment in the ten study countries varied widely, from peaceful to unstable. Five of them (Egypt, Malawi, Mauritius, Namibia, and Uganda) were generally peaceful, with minimal risk of armed conflict within and across borders. In contrast, Burkina Faso, Cameroon, Chad, Nigeria, and Sudan have active armed conflicts which expose children to abduction and forced recruitment into armed groups, physical and sexual violence, and disruption of service delivery. Political rivalries, poor governance, inadequate service delivery and weak economic growth in all ten countries have given rise to sporadic, sometimes violent protests. Unstable political and social environments increase the likelihood of crime, violence and disruption of services.

### **Social norms and values around violence**

Cultural acceptance of violence, either as a normal method of resolving conflict or as a common aspect of rearing a child, is a risk factor for all types of interpersonal violence. In all ten countries, a significant proportion of the population cherish social norms and values which support the use of violence for conflict resolution and child and spousal correction. The percentage of respondents aged 15-49 years who justified domestic violence was highest in Uganda, where more than half (51%) were in favour of domestic violence. Cameroon and Burkina Faso followed with about four out of ten respondents showing support for domestic violence (42% and 38% respectively). At just 13%, Malawi returned the lowest percentage of those who justified domestic violence. Surprisingly, with the exception of

Malawi, women were slightly more inclined to justify domestic violence than men.

Cultural norms tend to hinder the effectiveness of laws and policies to reduce VAC. While some forms of violence, such as FGM, child marriage and corporal punishment have been outlawed in many countries, they continue to occur, supported by the cultural or religious values of specific communities. In countries with low birth registration coverage, such as Chad, Uganda and Nigeria, it remains challenging to combat culturally entrenched practices.

### **Adapting to Covid-19 and future pandemics**

Among the study countries, Egypt had the highest number of Covid-19 cases and deaths: 128,000 cases and 7,209 deaths, accounting to 11.8% of all deaths in Africa (at the time of writing). At the other end of the scale, Mauritius, at 527 cases, was the lowest reported by any of the ten countries. Lockdowns and other restrictions during the pandemic were reported to have led, either directly or indirectly, to an increased number of VAC incidents and disruptions to the delivery of VAC related services. In Uganda, for example, the national child helpline was closed for two weeks. The closure of schools, child care facilities, and safe spaces for millions of schoolgirls has seen an increase in child marriages.

## **Recommendations**

**Strengthen the legal protection of children.** Those countries which have not already done so should ratify the Palermo Protocol on Trafficking in Persons and the Optional Protocol to the UNCRC on a Communication Procedure. All ten countries should enact new laws or amend existing legislation to comply fully with international and continental instruments, and should harmonise domestic laws on the



definition of a child, minimum ages, corporal punishment, child marriage, FGM, child labour, child trafficking and child sexual exploitation. The minimum age of marriage should be set at 18 years for both boys and girls without any conditions.

**Develop and implement comprehensive national plans of action on VAC.** In order to make best use of resources, countries should develop comprehensive, multi-sectoral and government-funded national VAC plans of action (not thematic plans) with specific objectives, dedicated budget, monitoring and evaluation plan, and multi-sectoral coordination mechanism.

**Increase the package of services.** Governments, CSOs and development partners should develop and offer an improved and standardised package of prevention and responses delivered at scale in a coordinated multi-sectoral approach. Primary prevention should aim to change social attitudes and behaviour, reduce poverty and increase access to essential social services. Secondary prevention and response services should include awareness-raising campaigns on the illegality of VAC, and the penalties and available redress mechanisms for survivors. Response services should further incorporate economic, social, and psychological rehabilitation, and the reintegration of survivors and perpetrators of violence.

**Increase birth registration coverage.** National governments must scale-up birth registration services, ensuring that registration is accessible, affordable, and fast.

**Realign VAC coordination structures.** Where there are multiple bodies involved, national governments, CSOs and development partners should discuss and agree which agency should lead. Thematic coordination should be streamlined, and where possible the number of standalone thematic coordination structures reduced in

line with a systems approach to VAC programming.

**Make a case for government investment in the social welfare sector.** Given the overlaps between government ministries and agencies serving the same populations, the social welfare sector should make it clear that it adds value over and above other government agencies in addressing poverty and human rights violations among the disadvantaged. For example, funding and technical resources should be made available for CSOs to provide a 24/7 emergency VAC service, and qualified personnel should be recruited to offer regular in-service training related to VAC laws, service standards, codes of ethics, and child-friendly service provision.

**Continuous training of staff.** Governments, CSOs and development partners should support training programmes on new laws, policies and guidelines, social workforce role planning, child safeguarding, INSPIRE<sup>1</sup> strategy, and emerging forms of violence against children.

**Develop a VAC research agenda.** Building on VAC survey and action plans, each country should advance its research agenda which aligns and consolidates research interventions to ensure scientifically sound and representative studies. As far as possible, core VAC survey questions should be included in periodic national household surveys, national demographic and health surveys and school censuses.

**Strengthen systems for administrative data on VAC.** Together with the national statistical office, CSOs and development partners, the social welfare sector should strengthen child protection monitoring and evaluation systems. These should define clear multi-sectoral indicators, plans for integrating cross-sectoral, subnational and national data, and measures to improve data quality and disaggregation from collection to utilisation.

# CHAPTER 1: INTRODUCTION AND METHODOLOGY

## 1.1 Introduction

Recent years have seen an increasing commitment towards eradicating VAC both globally and across Africa. The SDGs, AU Agenda 2063 and Africa's Agenda for Children 2040 explicitly mention the elimination of VAC. Encouraged by renewed energy and resources, ambitious efforts to achieve targets for ending VAC are underway. Leadership, cooperation, policies and regulatory frameworks, institutions, systems, human resources, innovative solutions, delivery of services, and the empowerment of children, families and communities have all been strengthened.

Despite this commendable progress, Africa's complex and evolving economic, social, environmental and political context continues to present serious challenges to the development priorities of countries across the continent. VAC prevention and response systems - already marginalised in terms of resource allocation - have failed to address the vulnerabilities, risks and exposure of children to different forms of violence.

Against this background, the African Partnership to End Violence Against Children (APEVAC), hosted by the African Child Policy Forum (ACPF), analysed ten selected African countries to assess how they have prioritised the

fight against VAC and built their national prevention and response capacity. The assessment also considered the additional burden of the Covid-19 pandemic on the capacity of the social development welfare sector to protect children from violence. We hope this report will inform advocacy, capacity building and research initiatives by governments, CSOs and development partners to prevent and respond to VAC across the continent.

## 1.2 Objectives

The main objective of this assessment was to examine the capacity of ten African governments to plan and implement a comprehensive multi-sectoral stakeholder action on VAC, and to evaluate the effectiveness of coordination with relevant stakeholders. Specifically, the assessment aims to:

- Assess the national political, legal and social environment in terms of its capacity to protect children from violence.
- Examine the implementation capacity of governments to prevent and respond to VAC.
- Examine the impact of Covid-19 on capacity to respond to VAC.
- Propose a roadmap for improving national legislation, policies and implementation capacity for preventing and responding to VAC.

## 1.3 Methodology

Ten countries were selected for this assessment, taking into account regional representation and ranking in the child protection dimension of ACPF's child-friendliness index (CFI) 2018.<sup>2</sup> Fifty-two African countries were split into the top 26 and bottom 26 according to their CFI ranking. They were then further grouped into the five African geopolitical regions - Northern, Eastern, Southern, Western and Central in ascending order based on their CFI score. Two countries per region - one

from the top cluster and one from the bottom - were then selected by random number computer generation.

### Design, data collection and analysis

This assessment is a qualitative study and has used data from primary (interviews) and secondary (documents) sources. The data was analysed thematically in line with the assessment objectives and ACPF's framework for assessing national capacity to prevent and respond to VAC.

**TABLE 1: Sample frame and selection process for countries assessed**

Region	Criteria for selection			Countries selected for assessment
	Countries in the region	Top cluster (26 countries)	Bottom cluster (26 countries)	
Central Africa	Cameroon Central African Republic Chad Democratic Republic of the Congo Equatorial Guinea Gabon Republic of the Congo São Tomé and Príncipe	13 <sup>th</sup> (Congo-Brazzaville) 24 <sup>th</sup> (Gabon)	29 <sup>th</sup> (Central African Republic) 44 <sup>th</sup> (Democratic Republic of the Congo) 45 <sup>th</sup> (Equatorial Guinea) 47 <sup>th</sup> (São Tomé and Príncipe) 49 <sup>th</sup> (Cameroon) 50 <sup>th</sup> (Chad)	Chad Cameroon
Eastern	Burundi Comoros Djibouti Eritrea Ethiopia Kenya Madagascar Mauritius Rwanda Seychelles South Sudan Tanzania Uganda	1 <sup>st</sup> (Mauritius) 8 <sup>th</sup> (Seychelles) 10 <sup>th</sup> (Djibouti) 15 <sup>th</sup> (Rwanda) 17 <sup>th</sup> (Madagascar) 21 <sup>th</sup> (Burundi) 26 <sup>th</sup> (Kenya)	30 <sup>th</sup> (Comoros) 31 <sup>st</sup> (Uganda) 37 <sup>th</sup> (Eritrea) 39 <sup>th</sup> (Ethiopia) 41 <sup>st</sup> (Tanzania) 52 <sup>nd</sup> (South Sudan)	Uganda Mauritius
Northern Africa	Algeria Egypt Morocco Sudan Tunisia	3 <sup>rd</sup> (Algeria) 4 <sup>th</sup> (Egypt) 12 <sup>th</sup> (Tunisia) 14 <sup>th</sup> (Morocco)	32 <sup>nd</sup> (Sudan)	Egypt Sudan



Region	Criteria for selection			Countries selected for assessment
	Countries in the region	Top cluster (26 countries)	Bottom cluster (26 countries)	
Southern Africa	Angola Botswana Eswatini Zambia Lesotho Malawi Mozambique Namibia South Africa Zimbabwe	6 <sup>th</sup> (South Africa) 3 <sup>rd</sup> (Angola) 9 <sup>th</sup> (Namibia) 11 <sup>th</sup> (Eswatini) 19 <sup>th</sup> (Lesotho)	28 <sup>th</sup> (Malawi) 36 <sup>th</sup> (Botswana) 38 <sup>th</sup> (Mozambique) 48 <sup>th</sup> (Zimbabwe) 51 <sup>st</sup> (Zambia)	Namibia Malawi
Western Africa	Benin Burkina Faso Ivory Coast Cape Verde Gambia Ghana Guinea Guinea-Bissau Liberia Mali Mauritania Niger Nigeria Senegal Sierra Leone Togo	2 <sup>nd</sup> (Togo) 5 <sup>th</sup> (Benin) 7 <sup>th</sup> (Cape Verde) 16 <sup>th</sup> (Ghana) 18 <sup>th</sup> (Senegal) 20 <sup>th</sup> (Guinea) 22 (Burkina Faso) 23 <sup>rd</sup> (Mali) 25 <sup>th</sup> (Ivory Coast)	33 <sup>rd</sup> Sierra Leone 34 <sup>th</sup> (Nigeria) 35 <sup>th</sup> (Niger) 40 <sup>th</sup> (Mauritania) 42 <sup>nd</sup> (Gambia) 43 <sup>rd</sup> (Guinea-Bissau) 46 <sup>th</sup> (Liberia)	Burkina Faso Nigeria

Remote interviews were conducted with key officials with relevant VAC and Covid-19 mandates and portfolios. The respondents included senior government officers in social welfare ministries and institutions; ministries of health, of education and of justice; the national police service; and national CSOs and other organisations. The interviews focused on intra-sectoral and multi-sectoral coordination; capacity development and institutional and sectoral gaps; specific initiatives to address VAC; and the impact of Covid-19.

We analysed secondary quantitative data concerning the scale of VAC; social protection coverage and financing; human resource and financial capacity; and Covid-19 infection rates and impact on VAC. We also reviewed relevant documents obtained online and from in-country research associates, including, but not limited to:

- National laws and regulations specific to child protection or VAC, or within the penal/ criminal code.
- National policy documents, plans of action and guidelines specific to VAC, child protection or other relevant areas.
- National and sectoral budget documents of relevant ministries and government agencies.
- Academic research, technical publications and reports from relevant government authorities, international agencies, CSOs (including Covid-19 technical and assessment reports).
- Local and international news media reports.

Availability of up-to-date data from surveys varied across countries. Where data was available, we compared the two countries from each region.







# CHAPTER 2:

## PREVALENCE OF VIOLENCE AGAINST CHILDREN IN THE STUDY COUNTRIES

This chapter presents prevalence statistics on VAC from both population-based surveys and administrative sources. Subject to data availability, the prevalence statistics cover physical violence, sexual violence, emotional violence, exploitation, and neglect occurring in different settings such as homes, institutions (including schools), community, and online.

### 2.1 Physical violence

There is no legally binding definition of physical violence. National Violence against Children (NVAC) surveys define physical violence as the intentional use of physical force with the potential to cause death, disability, injury or harm. The 2016 International Classification of Crime for Statistical Purposes uses the concepts of assaults and threats which are defined as “the use of force to cause injury or harm or the threat to

cause injury or harm.” A similar concept of assault is used in the World Health Organization (WHO) International Classification of Diseases (ICD -10), which defines assault as “injuries inflicted by another person with the intent to injure or kill, by any means.”

Nationally representative findings on the prevalence of VAC aged 13-17 years were available for the three study countries (Malawi, Nigeria, and Uganda) where NVAC surveys have been conducted. Generally, the surveys show a higher prevalence of physical violence compared to emotional violence, sexual abuse and sexual exploitation (Tables 2, 3 and 9). Malawi and Uganda recorded the highest percentage of children experiencing physical violence. Although some differences are small, in all three countries a higher percentage of males than females experienced physical violence.

**TABLE 2: Percentage of children experiencing physical violence in the target countries<sup>3</sup>**

Country	Survey year	Physical violence among 13-17-year olds 12 months prior to the survey		Physical violence among 18-24-year olds prior to age 18	
		Female (%)	Male (%)	Female (%)	Male (%)
Malawi	2013	40.9	59.5	42.4	64.5
Nigeria	2014	38.1	42.1	49.7	52.3
Uganda	2015	44.2	58.6	59.3	68.0

Source: NVAC surveys



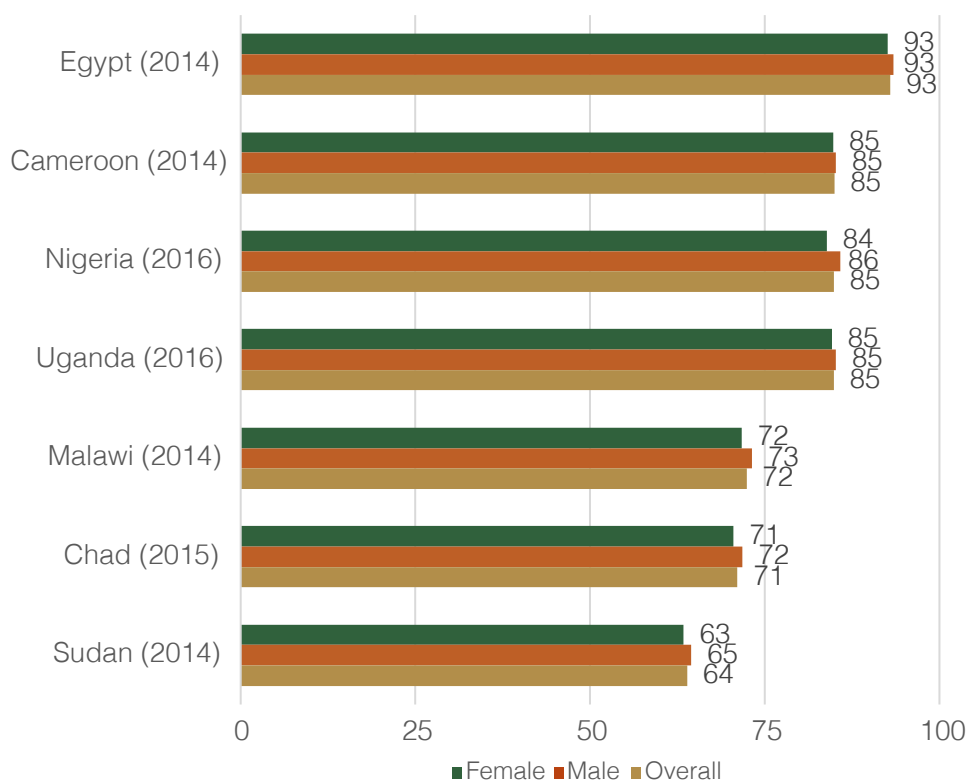
## Corporal punishment

Corporal punishment is a specific form of physical punishment prohibited in international and some national laws, and measured in the Multi-Indicator Cluster Surveys (MICS). Corporal punishment of children includes any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light, as well as cruel and degrading non-physical forms of punishment.<sup>iv</sup>

Current estimates of corporal punishment prevalence are based on 'violent discipline' by caregivers as measured in the MICS. In seven of the study countries, at least three

in every ten children aged 1-14 years experienced physical punishment and/or psychological aggression by caregivers (Figure 1). The percentage of males and females who were said to have experienced physical punishment and/or psychological aggression by caregivers was nearly the same in each country. This contrasts with the NVAC survey results, where a higher percentage of the victims were male. This could be due to the different data collection methods used by MIC and NVAC surveys - while MICS collects data on children aged 0-14 through their caregivers, NVAC surveys interview children aged 13-17 years directly.

**FIGURE 1: Percentage of children (aged 1-14) who experienced any physical punishment and/or psychological aggression by caregivers**



Source: UNICEF, [https://data.unicef.org/resources/data\\_explorer](https://data.unicef.org/resources/data_explorer)

Figure 1 shows that in North Africa, a higher percentage of children in Egypt (93%) were subjected to corporal punishment and/or psychological aggression by caregivers than in Sudan (64%). In Central Africa, corporal punishment was found to be more prevalent in Cameroon (85%) than in Chad (71%). While it is known that children also experience violent discipline by teachers, nationally representative prevalence statistics for schools are rarely available in Africa. In Uganda, a study conducted by the Ministry of Education in 2012 reported that caning - a form of corporal punishment - was rampant in schools. The survey showed that 74% of children in primary school, and 75% in secondary school, experienced caning by an adult.

## 2.2 Sexual violence

CRC General Comment No. 13 of 2011 (paragraph 25) provided that sexual violence includes forced marriage, and sexual abuse and exploitation. Sexual abuse of children requires no element of exchange and can occur

for the mere purpose of the sexual gratification of the person committing the act.<sup>5</sup>

According to the NVAC surveys conducted in the study countries, sexual abuse includes abusive sexual touching, attempted forced or pressured sex, physically forced sex, and pressured sex. Table 3 shows that 25.4% of females aged 13-17 in Uganda and 22.8% in Malawi reported experiencing sexual abuse in the 12 months before the survey. For countries with Demographic and Health Survey (DHS) results, Malawi had the highest prevalence of 17.6% among female respondents aged 15-17.

The NVAC survey (Table 4) shows that sexual abuse of girls was also highest in Uganda, where about one-third (35.3%) of women aged 18-24 reported being victims of sexual abuse during childhood. However, the proportion of DHS respondents who indicated experiencing sexual violence before the age of 18 was quite low.

**TABLE 3: Percentage of children experiencing sexual abuse/violence in the 12 months before the surveys**

Country	Sexual abuse (NVAC, 13-17-year olds)		Sexual violence (DHS, 15-17-year olds)	
	Female (%)	Male (%)	Female (%)	Male (%)
Chad	-	-	3.7 (2015)	-
Cameroon	-	-	17.6 (2011)	1.9
Egypt	-	-	3.0 (2014)	-
Malawi	22.8 (2013)	12.7	10.6 (2016)	-
Namibia	-	-	8.4 (2013)	-
Nigeria	16.4 (2014)	8.4	-	-
Uganda	25.4 (2015)	11.2	8.6 (2016)	4.2

Note: dashes indicate no available data

**TABLE 4: Percentage of adults who experienced sexual abuse/violence before the age of 18**

Country	Sexual abuse reported by 18-24-year olds prior to age 18 (NVAC)		Sexual violence reported by 20-29-year olds by age 18 (DHS)	
	Female (%)	Male (%)	Female (%)	Male (%)
Chad	-	-	1.8 (2015)	-
Cameroon	-	-	16.0 (2011)	4.1
Egypt	-	-		
Malawi	21.8	14.8	4.1 (2016)	-
Namibia	-	-	0.5 (2013)	-
Nigeria	24.8	10.8	-	-
Uganda	35.3	16.5	5.2 (2016)	1.3

Note: dashes indicate no available data

### 2.2.1 Child marriage

In 2013, the UN Commission on the Status of Women, the principal global policy-making body dedicated to gender equality and the advancement of women, recognised child marriage as a form of violence and called for an end to it.<sup>6</sup> Child marriage involves marriage, or an attempt to enter marriage, when one or both partners is a child.<sup>7</sup> Strictly interpreted, if the minimum age is set at 18 years, any union where either party is under 18 would not be a marriage.

In sub-Saharan Africa, 40% of women were married as children before the age of 18.<sup>8</sup> According to data from Girls Not Brides, 18 of the 20 countries with the highest rates of child marriage are in Africa. In 2017, the prevalence of child and forced marriage in 11 African countries was over 40%.<sup>9</sup> At current

rates the number of girls in sub-Saharan Africa married as children will double by 2050, with Africa overtaking South Asia as the region with the highest number of child brides in the world.

Tables 5 and 6 below show that among the study countries, Chad has the highest percentage of child marriages - almost four out of ten girls aged 15-19 were married or in a union, and almost seven in ten women aged 20-24 were married before the age of 18. Namibia (5.4%) and Egypt (14.4%) had lower rates of girl-child marriage reported among 15-19-year olds, while boys as a whole across the study countries were less likely to undergo child marriage. Regarding the prevalence of child marriage experienced by those who are now young adults, more than half of women aged 20-24 in Chad and Burkina Faso were married or in a union before age 18 (Table 6).



**TABLE 5: Percentage of girls and boys aged 15-19 currently married or in a union**

Country	Survey year	Female	Male
Chad	2015	38.3	3.2
Burkina Faso	2010	31.5	1.6
Malawi	2015	23.5	3.1
Nigeria	2018	22.8	0.3
Sudan	2014	21.2	-
Cameroon	2014	20.1	0.9
Uganda	2016	19.9	1.9
Egypt	2014	14.4	-
Namibia	2013	5.4	0.7
Mauritius	-	-	-

Source: UNICEF, [https://data.unicef.org/resources/data\\_explorer](https://data.unicef.org/resources/data_explorer)

Note: dashes indicate no available data

**TABLE 6: Percentage of men and women aged 20-24 married or in a union before the age of 18**

Country	Survey year	Female	Male
Chad	2015	66.9	8.0
Burkina Faso	2010	51.6	3.9
Malawi	2015	42.1	6.5
Nigeria	2018	-	-
Sudan	2014	34.2	-
Cameroon	2014	31.0	3.8
Uganda	2016	34.0	5.5
Egypt	2014	17.4	0.2
Namibia	2013	6.9	1.4
Mauritius	-	-	-

Source: UNICEF, [https://data.unicef.org/resources/data\\_explorer](https://data.unicef.org/resources/data_explorer)

Note: dashes indicate no available data

As Tables 5 and 6 reveal, Chad also has a higher percentage than its Central Africa neighbour Cameroon of girls who are currently married or who were married before the age of 18. In North Africa, Sudan had a slightly a higher percentage of girls aged 15 -19 who are currently married than Egypt,

although the difference was only about seven percentage points for those currently married. In Southern Africa, Malawi had a higher prevalence of girl-child marriage than Namibia - for both current marriage and marriage before the age of 18 - while in West Africa, underage girls were more likely

to be married in Burkina Faso than in Nigeria.

## 2.2.2 Female Genital Mutilation

Female Genital Mutilation (FGM) is another form of sexual violence against girls and women. FGM covers all procedures that involve partial or total removal of the external female genitalia, or other injuries to the female genital organs for non-medical reasons.<sup>10</sup> Of the ten study countries, FGM is not practised in Malawi, Namibia or Mauritius. For countries with data, Sudan had the highest current rate of FGM (30.1%), followed by Egypt (14.1%), while Uganda had the lowest (1.3%) (Table 7).

**TABLE 7: Percentage of girls aged 0-14 years who have undergone FGM**

Country	Survey year	%
Burkina Faso	2010	75.8
Chad	2015	38.4
Egypt	2015	87.2
Nigeria	2018	19.5
Sudan	2014	86.6
Uganda	2016	0.3

Source: UNICEF, [https://data.unicef.org/resources/data\\_explorer](https://data.unicef.org/resources/data_explorer)

In Sudan, an indirect approach was used to estimate FGM prevalence among girls aged 0-14, based on the 2014 MICS. Our estimate adjusts the prevalence rate by considering the overall probability of a girl aged 0-14 undergoing FGM if the risk at each age is the same as observed in the 2014 MICS. In fact, our adjusted estimate shows the FGM prevalence rate for Sudanese girls in 2014 would be 66.3% by the time they turned 14 - double the reported number.

Sudan and Egypt had the highest prevalence of FGM (approx. 87% each) among women aged 15-49, followed by Burkina Faso (Table 8). Burkina Faso had a markedly higher prevalence of FGM than its West African counterpart Nigeria.

**TABLE 8: Percentage of girls and women aged 15-49 who have undergone FGM**

Country	Survey year	%
Egypt	2015	14.1
Sudan	2014	30.1
Chad	2014	9.9
Uganda	2011	1.3
Burkina Faso	2011	13.3

Source: UNICEF, [https://data.unicef.org/resources/data\\_explorer](https://data.unicef.org/resources/data_explorer)

Again, Uganda fared better with only 0.3% of women undergoing FGM. No data was available for Cameroon, Malawi, Mauritius, and Namibia. A 2017 UN study in Malawi found no evidence of FGM except a practice of labia elongation or pulling which was performed on girls between ages 10 and 15 during sexual initiation camps in southern rural areas. However, in 2017 the US State Department categorised this cutting off the tip of the clitoris as Type 1 FGM.<sup>11</sup>

CRC General Comment No. 13 of 2011 (paragraph 25) defined sexual exploitation to include: the use of children in commercial sexual exploitation; the use of children in audio or visual images of child sexual abuse; child prostitution; sexual slavery; sexual exploitation in travel and tourism; child trafficking within and between countries; and the sale of children for sexual purposes and forced marriage.

A child is a victim of sexual exploitation when she or he takes part in sexual activity in exchange for gain or benefit (whether actual or promised) from a third party, the perpetrator, or by the child her or himself.<sup>12</sup> NVAC surveys define sexual exploitation as meaning sex with someone in return for material support or other help. A child may be coerced into a situation of sexual exploitation through physical force or threats, but she/he may also be persuaded to engage in such sexual activity due to multiple complex and nuanced factors including power imbalances between the victim and the perpetrator.<sup>13</sup>

Although some studies<sup>14</sup> and interviewees reported commercial sexual exploitation of children as commonplace, statistical evidence hardly exists in most study countries. There are reports that the sexual exploitation of girls in the travel and tourism sector is increasing in Cameroon, Egypt, Mauritius and Nigeria, among other African countries.<sup>15</sup> It's estimated that nearly 1,800 children are exploited every week in Kampala, Uganda, including in films, photos and videos - production of which is frequently linked to strip dancing known as 'ekimansulo'.<sup>16</sup> In

Cameroon, boys and girls aged 14 to 18 can be found posing and working in strip clubs, where they are filmed.<sup>17</sup>

## 2.3 Emotional violence

The terms of emotional and psychological violence are used interchangeably. The International Classification of Crime for Statistical Purposes 2016 defines psychological violence as 'any act intended to induce fear or emotional distress caused by a person's behaviour or act'. Emotional violence was defined in the NVAC surveys as a pattern of verbal behaviour over time, or an isolated incident that is not developmentally appropriate and supportive, and that has a high probability of damaging a child's mental health or his or her physical, mental, spiritual, moral, or social development. In Malawi and Uganda, around one in five females aged 13-17 reported experiencing emotional violence in the 12 months before the NVAC survey (Table 10). About the same proportion of females aged 18-24 in Malawi reported experiencing emotional violence before the age of 18.

**TABLE 9: Prevalence of sexual exploitation in the study countries, NVAC surveys**

Country	13-17-year olds in the 12 months prior to the survey		18-24-year olds before aged 18	
	Female (%)	Male (%)	Female (%)	Male (%)
Malawi	3.7 (2013)	1.7	2.9 (2014)	1.1
Nigeria	5.9 (2014)	0.6	8.4 (2014)	1.3
Uganda	18.8 (2015)	13.5	14.4 (2015)	3.5



**TABLE 10: Percentage of children who experienced emotional violence in the target countries<sup>18</sup>**

Country	13-17-year olds in the 12 months prior to the survey		18-24-year olds before aged 18	
	Female (%)	Male (%)	Female (%)	Male (%)
Malawi	22.7 (2013)	25.8	20.3 (2013)	28.8
Nigeria	12.8 (2014)	18.8	17.0 (2014)	20.3
Uganda	22.2 (2015)	22.8	33.8 (2015)	36.0

## 2.4 Neglect or negligent treatment

Child neglect is the least documented violation of child rights in Africa and elsewhere.<sup>19</sup> According to UNCRC General Comment 13 (paragraph 20), negligent practices imply a deliberate choice by parents or caregivers to withhold necessities for children or fail to care for them adequately, despite having the necessary means, knowledge and access to services. Parents who are unable to provide for the basic needs of their children due to poverty, deprivation or other issues beyond their control, are not deemed to be acting deliberately.

In 2014, an ACPF study included three types of neglect or negligent treatment in its survey questionnaire:

- The child is not given enough food and drink when there is sufficient food and drink at home.
- The child is forced to wear dirty and torn clothes, or clothes that are not warm, when there are decent and warm clothes that he or she could wear.
- The child is not taken to a health facility when sick.

In a 2012 ACPF study in Uganda,<sup>20</sup> 13.8% of children reported negligent treatment. In another study, nearly half of Ugandan adults (47%) said they would withdraw basic needs to punish a child.<sup>21</sup>

## 2.5 Child labour

The International Labour Organization (ILO) defines “child labour” as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development.<sup>22</sup> In addition, says the ILO, child labour is work that:

- is mentally, physically, socially or morally dangerous and harmful to children; and/or
- interferes with their schooling by depriving them of the opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.

For this assessment, we analysed child labour as being either ‘economic activities only’ or ‘economic activity and household chores’ combined. Across both categories, child labour was more prevalent in the two West African study countries (Table 11). In Burkina Faso, both ‘economic activities only’ (+6%), and ‘economic activity and household chores’ (+9%) were higher than in Nigeria. Across both activity types, Central Africa, Cameroon and Chad had almost the same prevalence rate for child labour, while in North Africa, a higher percentage of children were engaged in child labour in Sudan than in Egypt. In all the study countries, boys were slightly more likely to be engaged in child labour than their

**TABLE 11: Percentage of children aged 5-17 engaged in child labour, by sex**

Country	Survey year	Economic activities only			Economic activities and household chores		
		Female	Male	Overall	Female	Male	Overall
Burkina Faso	2010	30.1	40.1	35.1	39.9	43.7	42
Cameroon	2014	32.8	38.5	33.4	37.7	40.1	38.9
Chad	2015	33.4	33.9	31.9	41	37.1	39
Nigeria	2017	27.5	29.9	28.7	30.7	32.3	31.5
Malawi	2014	16.1	18.9	16.6	19.2	19.6	19.4
Sudan	2014	15.2	19.3	15.3	16.3	19.9	18.1
Uganda	2017	11.8	14.7	13.2	19	17.2	18.1
Egypt	2014	1.4	5.6	3.6	3.7	5.8	4.8

Source: UNICEF, [https://data.unicef.org/resources/data\\_explorer](https://data.unicef.org/resources/data_explorer)

female counterparts. No data was available for Mauritius and Namibia.

## 2.6 Child trafficking

Child trafficking is defined as the recruitment, transportation, transfer, harbouring or receipt of children for the purpose of exploitation (such as slavery, debt bondage or forced marriage, sexual exploitation, servitude, forced labour, child labour).<sup>23</sup> Child trafficking is increasing, and sub-Saharan Africa has the highest share of child trafficking in the world.<sup>24</sup>

In Sudan, the Ministry of Interior (MOI) reported investigating 150 trafficking cases in 2018 involving an unknown number of suspects. Of those, 30 were prosecuted and 45 individual traffickers convicted under the 2014 anti-trafficking law. This represents a considerable increase on 2017, when 99 cases were investigated, resulting in 94 prosecutions and seven individual convictions. The number of potential trafficking victims went up from 400 in 2017 to 1,400 the following year.

In Nigeria, statistics indicate that dozens of children are forced into child labour and to become child soldiers through child trafficking, although the official figures are very low and may

not represent the real situation. The number of reported cases continues to decline - from 188 in 2016 to 136 in 2017 and 111 in 2018. The statistics for rescued victims continue to increase significantly - in 2016, 94 boys and 288 girls were rescued from forced child labour, rising to 245 boys and 261 girls in 2017 and 233 boys and 348 girls in 2018. However, police investigations tend to be slow and have dwindled over the years.

## 2.7 Conclusion

Although data on all forms of VAC and for all study countries was not consistently available, the available information shows that a disproportionate number of children in the study countries have been affected by violence including corporal punishment, child marriage, FGM, sexual exploitation, emotional violence, neglect, child labour and child trafficking. Serious gaps remain in terms of strengthening legal and policy frameworks on VAC; setting up relevant implementation structures and mechanisms; allocating sufficient financial and human resources; and working towards changing social norms and values that facilitate violence against children.







# CHAPTER 3:

## NATIONAL CAPACITY TO ADDRESS VIOLENCE AGAINST CHILDREN

National governments are primarily responsible for implementing and enforcing international, regional, and national law and policy frameworks to address VAC. This chapter explores the current capacity of national governments in the ten study countries to prevent and respond to VAC in terms of the available legal framework; programmes and services; financial and human resources; and information monitoring and evaluation. We also discuss the overall political and social environment in each country and its implications for the protection of children from violence.

### 3.1 The legal framework to protect children from violence

Legislation can be a key tool to change behaviour and perceptions of cultural and social norms that support VAC. Laws and policies making violent behaviour an offence send a message to society that it is unacceptable.<sup>25</sup> Here we explore the extent to which national governments have aligned domestic legislation with international and continental instruments, and how far they have strengthened and enforced domestic legislation to protect children from violence.

#### 3.1.1 Status of ratification of the international and regional instruments related to VAC

Ratification of relevant international instruments demonstrates a government's commitment to taking all necessary measures to protect children from violence. Table 12 shows the status of ratification of the relevant international and regional instruments.

With the exception of the Optional Protocol on a Communications Procedure and the Protocol to Prevent, Suppress, and Punish Trafficking in Persons (Palermo Protocol), the relevant instruments have been ratified by the majority of the countries assessed. Only Cameroon has yet to ratify the Optional CRC Protocol on Sale of Children or the Optional CRC Protocol on Involvement of Children in Armed Conflict or the Convention on the Rights of Persons with Disability. Sudan is the only study country that has not ratified the Convention Against Torture. None of the countries assessed have ratified the Optional Protocol to the CRC on a Communications Procedure. Six of the ten study countries have ratified the Palermo Protocol on Trafficking in Persons. Turning to African continental

**TABLE 12: Status of ratification of selected international and regional instruments relating to VAC**

Instrument and year of adoption	Country ratification status and year of ratification									
	Burkina Faso	Cameroon	Chad	Egypt	Malawi	Mauritius	Namibia	Nigeria	Sudan	Uganda
Convention on the Rights of the Child (CRC, 1989)	1990	1993	1990	1990	1991	2003	1990	1991	1990	1990
Optional CRC Protocol on Sale of Children, Child Prostitution and Child Pornography (2000)	2005	x	2002	2007	2009	2009	2002	2012	2004	2001
Optional CRC Protocol on Involvement of Children in Armed Conflict (2000)	2005	x	2002	2002	1999	2011	2002	2010	2005	2002
Minimum Age Convention (ILO Convention #138, 1973)	1999	2001	2002	2001	1999	1999	2000	2002	2003	2003
Worst Forms of Child Labour Convention (ILO #182, 1999)	2001	2002	2002	2001	1999	2000	2000	2002	2003	2005
(Palermo) Protocol to Prevent, Suppress and Punish Trafficking in Persons (2000)	2002	2006	x	2004	2005	x	2002	2001	x	x
Optional Protocol CRC on a Communications Procedure (2011)	x	x	x	x	x	x	x	x	x	x

Instrument and year of adoption	Country ratification status and year of ratification									
	Burkina Faso	Cameroon	Chad	Egypt	Malawi	Mauritius	Namibia	Nigeria	Sudan	Uganda
Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)	1999	1986	1995	1995	1996	1992	1994	2001	x	1986
Convention on the Rights of Persons with Disability (2006)	2009	x	2019	2008	2009	2007	2010	2008	2008	2009
The African Charter on the Rights and Welfare of the Child [ACRWC]	1992	1997	2000	2001	1999	1992	2004	2001	2005	1994
The African Charter on Human and People's Rights [Banjul Charter]	1984	1989	1986	1984	1989	1992	1992	1983	1986	1986
Protocol to on the Banjul Charter Rights of Women in Africa	2006	2012	x	x	2005	2017	2004	2004	x	2010
African Youth Charter	2008	2011	2012	2015	2010	2008	2008	2009	x	2008
Convention in Cybersecurity and Personal Data Protection	x	x	x	x	x	2018	2019	x	x	x

Sources: [http://www.africanchildforum.org/clr/Status%20Table/CRC\\_and\\_Optional\\_Protocols.html](http://www.africanchildforum.org/clr/Status%20Table/CRC_and_Optional_Protocols.html);

Symbol X indicates that a treaty is not ratified

instruments, all the study countries have ratified the African Charter on Human and People's Rights (ACHPR) and African Charter on the Rights and Welfare of the Child (ACRWC). Three of the ten countries - Chad, Egypt, and Sudan - have yet to ratify the Protocol on the Rights of Women in Africa,

while Sudan is alone in not ratifying the African Youth Charter. Of the ten study countries, only Mauritius and Namibia have ratified the Convention on Cybersecurity and Personal Data Protection (2014).



### 3.1.2 Comprehensive national laws on child rights or child protection

Seven of the ten have a Child Act or Child Protection Act to defend children from various forms of abuse, violence, maltreatment and exploitation. It is encouraging that at least four countries have enacted or substantially amended

such laws between 2010 and 2016, and three - Burkina Faso, Cameroon and Chad - have a draft Child Protection law. In addition, children's rights and VAC issues are covered by many other laws in these countries. We have assessed the provisions of these Child Protection Acts and other relevant laws against criteria including minimum age, prohibition of various forms of VAC and other protection measures.

**TABLE 13: Existence of a comprehensive or consolidated national law on children or child protection rights**

Country	Available?	Comments
Egypt	√	Child Law (2008)
Malawi	√	Child Care, Protection and Justice Act (2010)
Mauritius	√	Child Protection Act (1994). A comprehensive children bill 2019 intended to repeal the Child Protection Act under consideration.
Namibia	√	Child Care and Protection Act (2015)
Nigeria	√	Child Rights Act 2003
Sudan	√	Children's Act 2010
Uganda	√	Children Act 2000 and Children's (Amendment) Act) 2016
Burkina Faso	x	The law to protect children in conflict with the law and on endangered children (2014). Has a draft children bill
Cameroon	x	Cameroon has a draft Child Protection Code to be merged with the Persons and the Family Code
Chad	x	Chad has a draft Child Protection Code

Source: <https://archive.crin.org/en/library/publications/>; ACPF & Plan (2019). Getting Girls Equals: The African Report on Girls and the Law. African Child Policy Forum (ACPF) & Plan International.

### 3.1.2.1 Status of minimum age legislation in the study countries

Minimum age legislation protects children from activities and practices that would be harmful to their physical, mental, social, and spiritual wellbeing and development. In this capacity assessment, we have considered the minimum age in respect of definition of the child; age of marriage and sexual consent; age of legal employment; age of recruitment into the army or age of participation in hostilities; and the age of criminal responsibility.

### 3.1.2.2 Definition of the child

Both the UNCRC and the ACRWC define a child as any human being under the age of 18. Table 14 shows

six of the ten study countries comply with this definition without any conditions; two countries (Nigeria and Mauritius) conditionally comply; and the other two (Burkina Faso and Chad) lack specific legal provision for the age of majority. The two North Africa and two Southern Africa countries set the age of majority at 18 years without any conditions. Burkina Faso has no legislation, while its West Africa counterpart Cameroon provides for 18 years. In Central Africa, Chad has no provision for the age of majority. Both Mauritius and Uganda set the age of majority at 18, but Mauritius' provision is conditional. These examples highlight how conditions and exceptions deny children the protection to which they should be entitled.

**TABLE 14: Definition of the child in study countries**

Country	Age of majority	Comments
Burkina Faso	None	Act on the Definition and Prosecution of Trafficking in Children, 2003 Art. 1: For the purposes of this Act, a child is every human being below the age of eighteen (18) years
Cameroon	18 years	
Chad	None	Initial state report on the Convention on the Rights of the Child: Chad, 1997. A minor or child is a human being under the age of 18.
Egypt	18 years	
Malawi	18 years	The 2017 amendment of the Malawi Constitution extended the age of a child from sixteen to eighteen years, a provision consistent with the UN Convention on the Rights of the Child.
Mauritius	18 years*	*conditional on marriage. Child Protection Act, 1995 Sec. 2: "child" means any unmarried person under the age of 18.
Namibia	18 years	
Nigeria	18 years	There is still no consensus on the definition of the child among the states in Nigeria. While Awka Ibom state sets the age at 16 years, Jigawa state defines a child not by age but by puberty, allegedly for the purpose of early marriage.
Sudan	18 years	
Uganda	18 years	

Source: ACPF<sup>26</sup>

## **Adopting comprehensive child laws: experiences from Namibia and Nigeria**

### **Namibia adopts comprehensive Child Care and Protection Act**

The Child Care and Protection Act 2015 incorporates provisions of the international and regional instruments to which Namibia is a party. The Act also repeals and consolidates previous child protection laws (Children's Status Act, Maintenance Act). Provisions include, *inter alia*, protecting children from harmful social, cultural, and religious practices; corporal punishment; child labour and exploitation of children; and the unlawful removal and detention of children. Namibia has also prepared Child Care and Protection Regulations which provide detailed guidance for implementing the Act.

### **Nigeria's struggle to make the Children Act universal**

In 2003, Nigeria adopted the Child Rights Act to domesticate the CRC. The Act protects children from several forms of violence, including child marriage, exploitative labour, sexual exploitation, and recruitment into the armed forces. However, Nigeria's federal structure, which gives individual states the power to ignore national legislation on some issues - including child rights - means the Children Act has been adopted in only in 26 of 36 states.

The ten states which have not adopted the Children's Act disagree with provisions which they argue conflicts with religious and cultural norms, including:

- Prohibition of child marriage.
- Prohibition of marriage to members of an adoptive family. Political leaders in northern Nigeria perceive the Child Rights Act as challenging a practice legitimised by religion (the Qur'an generally affirms as valid marriage between an adoptive parent and an adopted child as there is no blood relationship between them).
- Definition of a child as anyone under the age of 18. There is still common definition of a child among Nigerian states. For example, Awka Ibom state sets the age of marriage at 16 years, while Jigawa state defines a child not by age but by puberty.

### **3.1.2.3 Minimum age for marriage and consent to sexual relations**

Five of the ten study countries set the minimum age of marriage at 18 for both boys and girls, in line with the UNCRC and ACRWC. (Table 15). In contrast, there is no minimum age of sexual consent (the age at which one can provide informed and voluntary consent to engage in sexual activities) in international instruments. Three countries - Egypt, Nigeria, and Uganda - set the minimum age of sexual consent for both girls and boys at 18. Unlike its neighbour, Sudan has no legal age of consent for sexual intercourse or marriage, but sexual

activity can only take place within a marriage. Sudanese law specifically protects a husband from prosecution for sex within marriage to a girl aged under 18 years (Sec. 316 (a), Sudanese Penal Code, 2003).

All the study countries in Central and Southern Africa set the minimum age for consensual sexual activity below 18 years - in Chad it is just 13 for both girls and boys. Under international law, countries are required to provide for a specific minimum age of sexual consent. The CRC Committee has noted that States that have ratified the CRC are required to ensure that specific legal provisions are provided



for under domestic law that clearly sets a minimum age of sexual consent. The African Commission on Human and People's Rights has stated that age of sexual consent must not be below 16.<sup>27</sup> Failing to conform to international

standards on the minimum age for marriage and sexual activity leaves children vulnerable to sexual abuse and exploitation, and consent can never be an excuse for child abuse or exploitation.<sup>28</sup>

**TABLE 15: Minimum age for marriage and minimum age of consent to sexual relations**

Country	Minimum age of marriage			Minimum age of sexual consent		
	Marriage for girls	Marriage for boys	Comments	Consent to sex by girls	Consent to sex by boys	Comments
Egypt	18	18		18	18	
Malawi	18	18		16	16	Sect. 138, Penal Code
Mauritius	18	18		16	-	Art. 249 provides that (...) Any person who has sexual intercourse with a female under the age of sixteen (16), even with consent, shall be liable to penal servitude not exceeding ten (10) years.
Namibia	21	21	Child Care and Protection Act, 2015	16	-	Sec. 14 of the 'Combating of Immoral Practices Act 1980': Sexual offences with girls under sixteen (16) years',
Nigeria	18	18	But not applicable in some Islamic states	18	18	
Uganda	18	18		18	18	
Burkina Faso	17	20	Exemption 15 for girls and 18 for boys	15	15	Sec. 533-4 of the penal code criminalizes "indecent assaults" against minors at least 15 but less than 18.

Country	Minimum age of marriage			Minimum age of sexual consent		
	Marriage for girls	Marriage for boys	Comments	Consent to sex by girls	Consent to sex by boys	Comments
Cameroon	15	18	Art. 52 of the Law to amend and supplement certain provisions of the 1981 Ordinance on Civil Status (2011)	16	16	Art. 346 of the 2016 penal code
Chad	13	15	According to Art. 277 of the Criminal code, customary law marriages of girls above 13 years are legal.	13	13	Art. 359 of the 2017 penal code penalizes sexual relations with persons younger than 13 years
Sudan	-	-	The Personal Status Law of Muslims 1991 permits the marriage of a girl once she reaches puberty.	-	-	

Note: Dashes indicate an absence of such provisions in domestic law

### 3.1.2.4 Minimum legal age of employment

A minimum legal age of employment is critical for protecting children from all forms of child labour and exploitation,<sup>29</sup> but also enables adolescents to contribute positively to society in conditions that do not impair their development, health, and education. The general minimum age sets the age at which a child can work full-time, and work performed under this

age is considered child labour.<sup>30</sup> Six of the ten study countries - Egypt, Mauritius, Nigeria, and Uganda - meet the ILO Convention on the Minimum Age for Admission into Employment (ILO Convention No. 138), which sets the minimum age of employment at 15 (Table 16). In the other countries, the minimum employment age is set below the international standard of 15 - but on a positive note all ten have set the minimum age for engagement in hazardous work at 18.

**TABLE 16: Minimum legal age of employment<sup>31</sup>**

Country	Age for employment	Comments
Burkina Faso	16	Art. 152 of the Labour Code 2008
Mauritius	16	Articles 5 and 7 of the Labour Act 1975
Uganda	16	Art. 32(1) of the Employment Act 2006
Egypt	15	Art. 64 of the Child Code 2008
Nigeria	15	Art. 59 of the Labour Act 1990
Sudan	15	Art 36(I) of the Child Act 2010
Cameroon	14	Art. 2 of Order on Child Labour; Sec. 86 of the Labour Code
Chad	14	Art. 52 of the Labour Code 1996. Exceptions for light work in agriculture (12 years)
Malawi	14	Sec. 21 of the Employment Act
Namibia	14	Chapter 2, Art. 3(2) of the Labour Act

### 3.1.2.5 Minimum age of voluntary recruitment into armed forces and participation in hostilities

All ten study countries set a minimum age of 18 for voluntary recruitment into the armed forces. In Cameroon, the minimum age is adopted from the UNCRC and ACRWC, since ratified instruments override domestic legislation. By extension, the minimum age for direct participation in hostilities in the ten countries is 18, because it cannot be lower than the age of recruitment.

### 3.1.2.6 Minimum age of criminal responsibility

The age of criminal responsibility is the age below which a child is deemed incapable of having committed a criminal offence. Although neither the UNCRC (Art. 40) nor ACRWC (Art. 17)

specify a minimum age of criminal responsibility, the UN Committee on the Rights of the Child in its revised General Comment No. 24 (2019): Children's Rights in the Child Justice System recommends an absolute minimum age of criminal responsibility at 14.<sup>32</sup> In 2011, ACPF and DCI developed "Guidelines on Action for Children in the Justice System in Africa", which was endorsed by the ACERWC in 2012. The Guidelines endorse the previous recommendation of the CRC Committee of a minimum age of criminal responsibility of 12 years and recommend that States must endeavour to progressively raise this age to at least 15 years, in line with AU Principles and Guidelines on Fair Trial Rights. As Table 17 indicates, of the ten study countries, only Mauritius meets this standard, while in Namibia and Nigeria, children of seven are held criminally liable - half the internationally recommended age.



**TABLE 17: Minimum age of criminal responsibility in the assessed countries**

Country	Age	Comments
Mauritius	14	Criminal Code Act 1838 (Amended), Art. 44
Burkina Faso	13	Penal Code 1996, Art. 63
Chad	13	Penal Code 1967, Art. 51
Egypt	12	Criminal Law 2008, Art. 94
Sudan	12	Child Act 2010, Art. 5(2,i)
Uganda	12	Children Act 1997, Sec. 88
Cameroon	10	Sec. 80 of Law No2016/007, of 12 July 2017, relating to the penal code
Malawi	10	Sec. 14, Penal Code
Namibia	7	A 7-year-old child can in theory be convicted of a crime in Namibia
Nigeria	7	Criminal Code Act 1990, Art. 30.

### 3.1.2.7 Prohibition of specific forms of VAC in national laws

At minimum, an adequate national legal framework should align with relevant international and continental instruments in clearly defining specific acts of abuse, violence, maltreatment, or exploitation. Legislation should explicitly prohibit those acts, and prescribe offences and deterrent penalties related to the offences.

#### Physical violence

Our assessment suggests that, in addition to specific provisions on corporal punishment, torture or assault, national legislation generally contain measures to address physical violence more broadly. Physical violence against children is prohibited by national Child Acts and/or national constitutions, while torture and assault are included in anti-torture Acts or penal codes which cover both adults and children. The anti-torture Acts and penal codes of the study countries generally provide for

penalties including imprisonment and/or fines. However, those countries lacking specific provisions on torture in their penal codes or anti-torture Acts also lack clear definitions of torture offences.

Seven of the ten study countries have laws dealing with physical violence which prescribe imprisonment and/or fines for those who violate them. The constitution of the Republic of Uganda, for example, obliges every citizen to protect children and vulnerable persons from any form of abuse, harassment, or ill-treatment. Similarly, the Egyptian constitution stipulates the government shall protect children from all forms of violence, abuse and mistreatment. In Burkina Faso, both the Criminal Code and the act on prevention and punishment of torture and related practices adopt a definition in line with the Convention against Torture, make torture a separate offence and provide for penalties appropriate to the grave nature of such acts (Table 18).

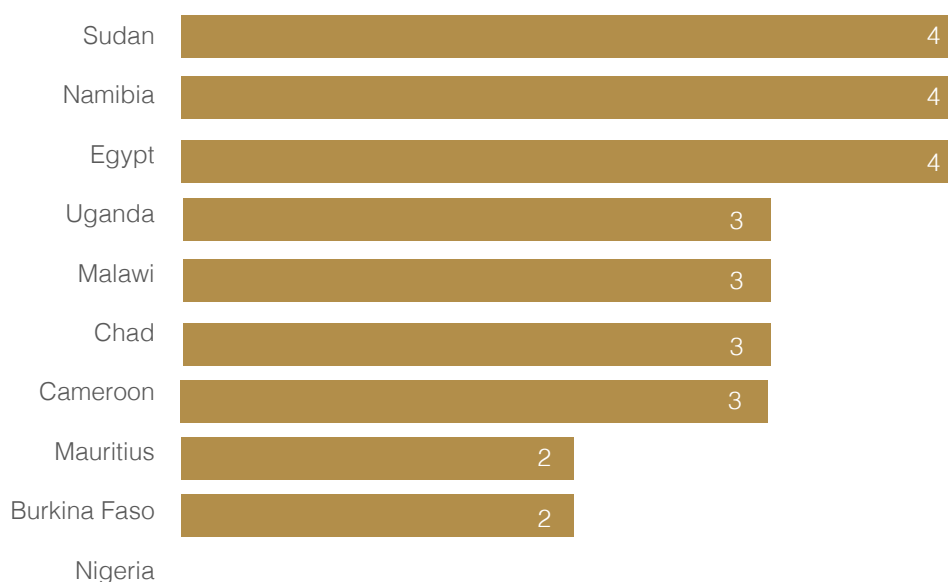
**TABLE 18: Prohibition of Physical Violence and Penalty in the study countries**

Country	Law	Penalty
Burkina Faso	The Penal Code	A prison sentence of one to three years with a fine of 300,000 to 900,000 CFA franc francs (US\$500 to US\$1,500)
Chad	Art.307 of the penal code 2017	imprisonment of five to ten years and a fine of 50,000 to 500,000 FCFA franc. When there has been premeditation or ambush, the sentence will be 10 -20 years of imprisonment
Uganda	Children (Amendment) Act S.11 The Domestic Violence Act, S.2 The Prohibition and Prevention of Torture Act, 2012	2,400,000 shillings (US\$640) or five-year imprisonment or both Two years' imprisonment A sentence of 15 years' imprisonment, a fine of 7.2 million shillings (US\$1,920), or both. The penalty for conviction of aggravated torture is life imprisonment.
Cameroon	The Penal Code	imprisonment and fines with a maximum sentence of imprisonment for life in the case of assault leading to death or serious harm.
Nigeria	The Violence Against Persons Prohibition (VAPP) Act	-----

**Corporal punishment**

The Global Initiative to End All Corporal Punishment of Children calls for countries to prohibit corporal punishment in all settings: the home, alternative care settings, day-care,

schools, penal systems. None of the ten study countries have fully prohibited corporal punishment in all settings. Egypt, Sudan and Namibia have prohibited corporal punishment in four different settings, Cameroon, Chad, Malawi and Uganda in three. (Figure 2)

**FIGURE 2: Number of settings in which corporal punishment is prohibited, by country**

- Nigeria alone has failed to ban corporal punishment in any setting. Corporal punishment is a common form of discipline in many Nigerian schools, despite increasing evidence of its negative outcomes on children.
- Egypt's Child Law does not fully protect children from corporal punishment in all settings. It is only prohibited in penal institutions and as a sentence for a crime.
- In Namibia, corporal punishment is lawful in the home. The Children's Act confirms that "parents have a right to punish and to exercise discipline", and furthermore the law does not expressly prohibit corporal punishment in alternative care settings.
- Corporal punishment is prohibited in Mauritian schools under the Education Regulations, Child Protection Act and the Criminal Code. However, it is still lawful in the home, alternative care settings, daycare, and penal institutions.
- Likewise in Burkina Faso, corporal punishment is still lawful in homes and alternative care settings, but is explicitly prohibited in primary schools.
- Namibia and Mauritius have expressed commitment to law reform. In 2016, the government of Namibia accepted Universal Periodic Review (UPR) recommendations to prohibit corporal punishment in all settings. In Mauritius, the Children's Bill presented to the National Assembly in September 2019 explicitly prohibits all corporal punishment.
- In Burkina Faso, draft legislation to prohibit corporal punishment was under discussion in 2014, and the government noted a UPR recommendation to prohibit corporal punishment in 2018. The government of Chad accepted a 2009 UPR recommendation to prohibit corporal punishment, only to reject it in 2013.

**TABLE 19: Status of the prohibition of corporal punishment in different settings**

Country	Status of prohibition in different settings					
	Home	Alternative care	Daycare	Schools	Penal institutions	As a sentence for a crime
Burkina Faso	x	x	≠	≠	√	√
Cameroon	x	x	≠	√	√	√
Chad	x	≠	≠	√	√	√
Egypt	√	√	√	√	x	x
Malawi	x	≠	≠	√	√	√
Mauritius	x	x	≠	√	x	√
Namibia	x	√	≠	√	√	√
Nigeria	x	x	x	x	≠	≠
Sudan	√	√	√	≠	x	√
Uganda	x	x	x	√	√	√

Source: Compiled by ACPF using information from [www.endcorporalpunishment.org](http://www.endcorporalpunishment.org)

Note: ≠ represents a partial prohibition



## Sexual violence

All the study countries except Uganda have enacted national laws to prohibit statutory rape, contact sexual violence (excluding rape) and non-contact sexual

violence (Table 20). These measures are scattered across national constitutions, children's protection acts, domestic violence acts and penal codes. Penalties include imprisonment and/or fines.

**TABLE 20: Existence of laws on different forms of sexual violence, by country**

Country	Statutory rape	Contact sexual violence (excluding rape)	Non-contact sexual violence	Penalty
Burkina Faso	National	National	National	The law provides for sentences of three months to one year in prison and a fine of 300,000- 500,000 CFA franc (US\$500 to US\$850)
Cameroon	National	National	National	Indecent act: imprisonment for two to five years, with a fine of 20,000-200,000 CFA franc (US\$37-US\$370) Sexual intercourse: imprisonment for 10 to 15 years Rape: 5-10 years' imprisonment Sexual harassment: imprisonment of six months to one year, and additionally a fine of 100,000-1,000,000 CFA franc (US\$170-US\$1,700). If the victim is a minor, the penalty can be one to three years in prison. If the offender is the victim's teacher, the penalty can increase to three to five years in prison.
Chad	National	National	National	Penalties for conviction of sexual harassment ranging from six months to three years in prison and fines from 100,000-2,000,000 CFA franc (US\$170-US\$3,400).
Egypt	National	National	National	Rape: penalties of 15 to 25 years' imprisonment, or life imprisonment in cases of rape involving armed abduction. Sexual harassment: fines and sentences of six months to five years' imprisonment. Spousal rape is not illegal

Country	Statutory rape	Contact sexual violence (excluding rape)	Non-contact sexual violence	Penalty
Malawi	National	National	National	Rape: death penalty Indecent assault on women and girls: maximum penalty is 14 years' imprisonment. Sexual harassment: up to five years' imprisonment
Mauritius	National	National	National	Rape: up to 20 years' imprisonment, with a fine not exceeding 200,000 rupees (US\$5,555). Sexual harassment: up to two years' imprisonment
Namibia	National	National	National	Children above 16 but below 18 are not protected.
Nigeria	National	National	National	Violence Against Person (Prohibition) Act (VAPP) provides penalties ranging from 12 years to life imprisonment for offenders who are older than 14 and a maximum of 14 years' imprisonment for all others.
Sudan	National	National	National	-----
Uganda	No	No	No	Defilement, rape, unlawful carnal knowledge of a woman or a girl is punishable by 14 years' imprisonment.

Source: Global status report on preventing violence against children. Geneva: World Health Organization; 2020.  
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### Sexual exploitation of children

All the study countries define, prohibit and punish sexual exploitation through one or more of their laws, including the national constitution, children act, child protection act, labour act, anti-human trafficking act or penal code. However, protection remains patchy in some countries for children above the

age of consent but under 18 - in Chad, for example, the law only prohibits sexual relations with children younger than 14. Elsewhere, protection gaps include the failure to prohibit online sexual exploitation in Mauritius or sexual exploitation in travel and tourism in Nigeria. Burkina Faso does not define or criminalise the sale of children.

**TABLE 21: Laws against different forms of sexual exploitation of children, by country**

Country	Law against sexual exploitation of children	Penalty
Burkina Faso	√	Child prostitution: Five to ten years' imprisonment, a fine of 1.5-3 million CFA franc (US\$2,500 to US\$5,000), or both. Sex trafficking: The penal code prescribes penalties of 11 to 20 years' imprisonment and a fine of 2 to 10 million CFA franc (US\$3,400 to US\$17,000) francs for sex trafficking involving a victim 15 years or younger. It also prescribes five to ten years' imprisonment and fines of 1-5 million CFA francs (US\$1,700 and US\$8,500) for sex trafficking involving a victim older than age 15.
Cameroon	√	Commercial sexual exploitation: imprisonment of between 10 and 20 years and a fine of between 100,000-10 million CFA franc (US\$185-US\$18,500). Immoral earnings: punishment of imprisonment for six months to five years, with a fine of 20,000-500,000 CFA franc (US\$37-US\$925). Debauching or corruption of any person under 18: imprisonment for one to five years with a fine of 20,000-1,000,000 CFA franc (US\$37-US\$1850). Allowing children to work in a prostitute's home: imprisonment for 15 days to six months with a fine of 10,000 to 100,000 CFA franc (US\$18.5-US\$185).
Chad	√	Commercial sexual exploitation of children: punishments of two to five years' imprisonment and fines from 100,000-2 million CFA francs (US\$170 to US\$3,400)
Egypt	√	Commercial sexual exploitation of children and child pornography: minimum five years' imprisonment and fines of up to LE 200,000 (US\$12,120)
Namibia	√	-----
Nigeria	√	Child commercial sexual exploitation and sexual intercourse with a child: seven years to life imprisonment Child sex trafficking: minimum seven years' imprisonment and a fine of 1 million Naira (US\$3,175).
Sudan	√	Employing children for sexual activities, for remuneration, or any of the forms of consideration: imprisonment for a term not exceeding 15 years and with a fine.
Uganda	√	Commercial sexual exploitation: fine not exceeding 100 currency points (US\$540) or a term of imprisonment not exceeding five years



## Child pornography

The UNCRC and ACRWC both call for the protection of the child from all forms of sexual exploitation and abuse, including the use of children in pornographic activities, performances and materials. Our assessment found that in the study countries, anti-pornography laws are incorporated in specific anti-pornography acts and penal codes, cyber-related acts or other laws on VAC. The penal code

of Chad, for example, defines child pornography as:

*“the production, distribution, dissemination, import, export, offer, make available, sale, obtaining or handing over to others, possession of any material representing by whatever means, a child engaging in explicit sexual activities, real or simulated, or representing sexual organs of a child.”*

**TABLE 22: Laws against Child Pornography, by Country**

Country	Law against sexual exploitation of children	Penalty
Burkina Faso	The Penal Code	Five to ten years' imprisonment, a fine of 1.5-3 million CFA francs (US\$2,500 to US\$5,000), or both.
Chad	Art.362 of the Penal Code 2017	Imprisonment from one to four years and a fine of 100,000- 500,000 CFA francs (US\$185-US\$925). Imprisonment between one to five years or a fine of 100,000-10,000,000 CFA franc (US\$185-US\$18,500) for using a computer system to produce, distribute, import, export, possess, or to facilitate a minor's access to child pornography.
Egypt	Child Law (Law No. 12 of 1996 amended by Law No. 126 of 2008) and the Penal Code (Law No. 58 of 1937 and its amendments).	-----
Malawi	Sec. 86 of the Electronic Transactions and Cybersecurity Act	Fine of 10,000,000 Kwacha (US\$12,800) and imprisonment of 15 years
Mauritius		Five years' imprisonment or a fine
Namibia	The Child Care and Protection Act No. 3 of 2015	-----
Nigeria	The Cybercrimes Act of 2015	Ten years' imprisonment, a fine of 20 million Naira (US\$63,500), or both.
Sudan	The Children Act 2010 (Art. 45)	Imprisonment for a term not exceeding fifteen years and with a fine.
Uganda	The Computer Misuse Act, 2011 the Anti-Pornography Act, 2014	

## Child marriage

The prohibition of child marriage varies greatly among the ten study countries, with some adhering to the international minimum age standard of 18 years, some with a lower age and others with no minimum age at all. In Chad, the law is 18 for men and women, but conflicts with other legislation mean that in practice the minimum age is younger - article 277 of the criminal code, for example, allows customary law marriages of girls over 13 (see above).

Burkina Faso's family law code sets the age of consent for marriage at 20 years for boys and 17 years for girls, although

civil courts can grant consent and approve the marriage of a male aged 18-20 and a female aged 15-17. The family law code is further undermined by Muslim practices allowing girls as young as ten to marry, while Burkinabe traditions set the minimum at 12. Even the legal minimum age for marriage for girls of 17 does not conform to international standards.

Penalties for contracting a child marriage include a combination of imprisonment and fines. In some countries such as Egypt, Malawi and Uganda, child marriage is prohibited but no penalties are specified.

**TABLE 23: Laws against child marriage, by country**

Country	Law against sexual exploitation of children	Penalty
Burkina Faso	The Family Code	Six months to two years imprisonment, or three years if the victim is younger than 13.
Cameroon	Sec. 356 of the amended penal code	Compelling an individual into marriage: imprisonment of five to ten years with fines between 25,000 and one million CFA francs (US\$43 and US\$1,700). If the victim is under 18, punishment is minimum two years' imprisonment.
Chad	Act No. 6 of 2002 on the promotion of reproductive health and Act No. 29 of 2015.	Five to ten years' imprisonment and fines of 500,000-5 million CFA francs (US\$850 to US\$8,500)
Egypt	Child Law of 2018	The Act provides that no marriage contract shall be authenticated if the parties have not attained the approved age, and prescribes 'administrative' punishment for failing to meet this condition.
Malawi	The Marriage, Divorce, and Family Relations Act, 2015	No specific penalty
Mauritius	The Civil Code 1990	Five years' imprisonment or a fine
Namibia	Married Persons Equality Act 1996	Fine of up to NUS\$50,000 (US\$3700) or imprisonment up to ten years, or both.
Nigeria	Child Rights Act, 2003	Fine of 500,000 Naira (US\$1,300) or five years' imprisonment, or both. Note: these provisions are not applicable in ten federal states which have not yet adopted the Child's Rights Act.

Country	Law against sexual exploitation of children	Penalty
Sudan	The Children Act 2010 (Art. 45)	Imprisonment for a term not exceeding fifteen years, and a fine.
Uganda	The Children (Amendment) Act (S.11)	No specific penalties for child marriage Most cases of child marriage are prosecuted under the penal code provisions on defilement because it is assumed that victims of child marriage have either been defiled or are bound to be defiled.

### Female genital mutilation

FGM is practised in seven of the ten study countries, despite the practice being illegal there (Table 24). Of the seven, only Uganda has enacted a specific national anti-FGM law while the others cover it through other legislation. Overall, 26 of the 29 African countries where FGM is practised have adopted legislation prohibiting it,<sup>33</sup> including six which have separate statutes prohibiting

FGM and other harmful practices. In 2016, the East African Community (EAC) enacted the EAC Prohibition of Female Genital Mutilation Act to harmonise laws, policies and strategies to end FGM across all six partner states. Sanctions in those countries where FGM is illegal range from fines and imprisonment to the death penalty, while in other countries where FGM is endemic - such as Chad, Liberia, Mali, Sierra Leone, Somalia and Sudan - it is not even considered a criminal act.<sup>34</sup>

**TABLE 24: Status of criminalisation of FGM in domestic legislation**

Country	Criminalized?	Comments
Burkina Faso	√	Law 043/96/ADP to amend the penal code and the 2018 amendment. Prison sentence of one to ten years with a fine of 500,000-3million CFA francs (US\$850 to US\$5,000). If victim dies, the sentence increases to 11-20 years' imprisonment and a fine of 1-1.5 million CFA francs (US\$1,700 to US\$8,500).
Cameroon	√	Law no. 2016/007 (penal code) Prison sentence of 10-20 years. If victim dies, imprisonment is for life.
Chad	√	Although FGM was outlawed in Chad by the 2002 Reproductive Health Law, the implementation decree required to bring the law into force was only passed in 2018 - and has not yet been signed by the President. No specific penalties.
Egypt	√	Law. No. 58 of 1937 promulgating the Penal Code; the Child Act No. 12 of 1996 (as amended by Law No 126 of 2008).
Nigeria	√	The Violence Against Persons (Prohibition) Act 2015. Maximum four years in prison, a fine of 200,000 Naira (US\$635), or both.
Sudan	√	Although Nigeria and Sudan have specific criminal provisions against FGM, these provisions do not apply in all states within the countries.
Uganda	√	Prohibition of Female Genital Mutilation Act 2010. Maximum penalty of ten years' imprisonment for convicted perpetrators, or life imprisonment if the victim dies.



**Emotional violence**

Emotional violence against children is generally not explicitly addressed in legislation, but is indirectly covered by provisions on assault and torture (see above). Exceptionally, Nigeria's 2015 VAPP Act criminalises emotional, verbal, and psychological abuse and acts of intimidation. Where emotional violence is mentioned as a specific form of violence, it usually listed with other forms of VAC in a country's child protection act, domestic violence act or national constitution. In Uganda, for example, the Children (Amendment) Act (S.11) provides that every child has a right to be protected against violence, including (...) any other form of emotional abuse.

**Child neglect or negligent treatment**

All ten study countries guarantee children's rights to care and protection by those legally entrusted to care for them. National constitutions, criminal codes and child protection acts oblige caregivers and parents to provide for the basic needs of their children and to protect their children from abuse and violence. Some legislation makes it an offence to wilfully deny a child provision for their wellbeing and development. The term 'neglect' is not always specified in law but can be inferred from the provisions, while criminal codes and/or child acts stipulate penalties for the offence of neglect.

**TABLE 25: National Legislation on child neglect or negligent treatment**

Country	Criminalized	Definition of child neglect	Penalties
Chad	√	Abandonment of a child; neglect of a disease or incapacity; death	Imprisonment of six months to five years and a fine of 50,000 to 500,000 FCFA francs (US\$95-US\$950). One to ten years' imprisonment and a fine of 10,000 to 500,000 FCFA (US\$18-US\$950) or 10 -15 years depending on severity of infringement.
Egypt	√	Neglect to look after a child, thereby placing the child at risk; expose a child to danger by leaving the child in a deserted place; lose a child in a crowded place.	Penal Code (Law. No. 58 of 1937); the Child Act No. 12 of 1996 (as amended by Law No 126 of 2008). Punishable by a fine; imprisonment for three months to one year; imprisonment not exceeding two years and a fine, depending on severity of infringement.
Malawi	√	Failing to provide adequate diet, clothing, shelter, and medical attention	Child Care, Protection and Justice Act 2010. Imprisonment for one year; imprisonment for one year and a fine of 50,000 Kwacha (US\$65).
Mauritius	√	Abandoning family residence and eluding all or part of his or her moral or material obligation; seriously endangers the health, security or morality of any of a minor.	Criminal Code. Imprisonment for a term not exceeding two years and a fine not exceeding 10,000 rupees (US\$250); a fine not exceeding 5,000 rupees (US\$125) and imprisonment for a term not exceeding one year.

Country	Criminalized	Definition of child neglect	Penalties
Namibia	√	Failure by a person who is taking care of a child to provide for the child's basic physical, intellectual, emotional, or social needs.	Child Care and Protection Act 2015. A fine not exceeding NUS\$50,000 (US\$3,400) or imprisonment for a period not exceeding ten years, or both.
Nigeria	√	Failing to provide necessary food, clothing, or lodging.	Child Rights Act; Criminal Code Act. Reprimand, community service, a fine of between 2,000 and 5,000 Naira (US\$5-US\$13) or one to two months' imprisonment or both, or a fine and imprisonment for one year.
Sudan	√	Refuses, or neglects to supply the child with adequate food, clothing, medical care or education, while he can provide the same.	The Children Act 2010. Requires a parent to sign an undertaking to provide for the needs of the child.
Uganda	√	Neglecting the right of the child to live with his or her parent or guardian and the right to safety, privacy, information, and access to basic social services.	The Constitution; The Children (Amendment) Act 2016. A fine not exceeding 120 currency points (US\$650) or imprisonment for a period not exceeding five years, or both.

### Child labour

ACPF research suggests<sup>35</sup> that all African countries except Kenya, Sierra Leone and Uganda have domestic laws in line with the ILO compliance framework, which includes minimum ages for work and for hazardous work; identification of hazardous occupations or activities prohibited for children;

and the prohibition of forced labour, child trafficking and commercial sexual exploitation of children. The ILO also prohibits the use of children in illicit activities; requires a minimum age for voluntary state military recruitment; prohibits the compulsory recruitment of children by state military and non-state armed groups; and requires a compulsory education age.

**TABLE 26: National legislation on child labour**

Country	Minimum Age	National Legislations
Burkina Faso	16 (for work) 18 (for hazardous work)	Labour Code
Cameroon	14 (for work) 18 (for hazardous work)	National Constitution Labour Code
Chad	14 (for work) 18 (for hazardous work)	Labour Code Penal Code 2017 law prohibiting trafficking in persons of 2018
Egypt	15 (for work) 18 (for hazardous work)	Child Law Ministry of Manpower's Decree No. 118 of 2003 Penal Code Law on Combating Human Trafficking Law on the Combating of Prostitution
Malawi	14 (for work) 18 (for hazardous work)	Malawi Constitution (1994) Employment Act
Mauritius	16 (for work) 18 (for hazardous work)	Workers' Rights Act Criminal Code Combating Trafficking in Persons Act Dangerous Drugs Act Education Act
Namibia	14 (for work) 18 (for hazardous work)	Labour Act Combating of Immoral Practices Amendment Child Care and Protection Act Defence Act 1 of 2002 (Government Notice 189 of 2010).
Nigeria	12 (for work) 18 (for hazardous work)	Child Rights Act
Sudan	14 (for work) 18 (for hazardous work)	1997 Labour Code
Uganda	16 (for work) 18 (for hazardous work)	Constitution of the Republic of Uganda, 1995 Children Amendment Act Employment Act 2006

### Child trafficking

Many African countries have passed child-specific or general anti-trafficking laws, or have included relevant provisions in their criminal or penal code. Other than Chad, our study countries have legislation covering all forms of trafficking, as set out in the Palermo Protocol.<sup>36</sup> Around half of all African nations have laws which

comply with the Protocol, suggesting that although few have so far ratified it, a significant number agree with its provisions. Among those countries whose laws are not aligned with the Protocol is Cameroon, whose 2011 trafficking law requires the use of threat, fraud, deception, force or other forms of coercion for a child to be considered a trafficking victim.<sup>37</sup>

**TABLE 27: Status of criminalisation of child trafficking in domestic legislation**

Country	Criminalized?	Legislation	Penalties
Burkina Faso	√	2008 anti-trafficking law	Maximum of 20 years or life imprisonment.
Cameroon	√	The law against trafficking in persons (2011)	Imprisonment from 10 to 20 years and a fine from 50,000-10 million FCFA francs (US\$92-US\$18,500) for trafficking. Imprisonment of one to five years or a fine of 10,000 to 500,000 FCFA francs (US\$92-US\$18,500) or both for forced labour.
Malawi	√	The Penal Code; Child Care, Protection and Justice Act 2010	21 years of imprisonment
Mauritius	√	The Child Protection (Amendment) Act of 2008	Maximum penalty of 20 years' imprisonment and a fine not exceeding 100,000 rupees (US\$2,747); maximum penalty of 30 years' imprisonment for child sex trafficking.
Namibia	√	The Combating Trafficking in Persons Act 1 of 2018	First offenders are liable to a punishment of a fine of NUS\$1 million (US\$67,000) or imprisonment for a period not exceeding 30 years or both; second offenders are liable for a fine of NUS\$25 million (US\$170,000) or imprisonment for 50 years or both.
Nigeria	√	The Trafficking in Persons (Prohibition) Enforcement and Administration Act (amended 2015)	Five years' imprisonment and/or a 250,000 Naira fine (US\$670) for labour trafficking; ten years' imprisonment for trafficking children for forced begging/hawking, and ten years to life imprisonment for sex trafficking.
Sudan	√	Anti-Trafficking Act 2014	Five to 20 years' imprisonment for offences involving an adult female, child victims, or involving additional aggravating circumstances.



## Free and universal birth registration

Legislation in all ten countries provides for the mandatory registration of births. In some, laws specify penalties for failing to report the birth of a child for purposes of civil registration. Examples include:

### Cameroon:

- The 1981 Ordinance on the Organisation of the Civil Status Registration and Provisions Relating to the Status of Physical Persons requires hospitals or parents to declare the birth of a child. All children born in the territory of Cameroon must have their birth registered, regardless of the nationality of the parents.<sup>38</sup> The penal code imposes a fine of 4,000 to 25,000 francs (US\$7-US\$37) and/or imprisonment for five to ten days, for failing to declare the birth of a child.

### Sudan:

- Registration of birth is provided for in the Children's Act 2010 and the Civil Registry Act 2011. Children up to 15 can be registered at local Civil Registry Offices. Registration of children over 15 requires a reference letter from the Civil Registry to the Medical Commission for age estimation. However, birth certificates requested after the first year involve nominal fees.

### Uganda:

- The 1995 constitution provides that "the State shall register every birth, death, and marriage occurring in Uganda." The Registration of Person's Act 2015 provides for free, compulsory and continuous

registration of births and deaths, and obliges parents, guardians, or any person having charge of a child to inform the registration officer of the birth. Although the Act says registration should be free, the Registration of Persons (Fees) Instrument of 2015 sets a fee of UGX 5,000 (US\$1.40) for a birth certificate of birth.

### Mauritius:

- Birth should be registered within 45 days at the Civil Status Office of the district where the birth took place or where the parents lived at the time of birth. If registration is delayed more than 45 days, authorisation has to be obtained from the Registrar of Civil Status, and a delay of three months requires the parent to apply for a declaration before the Magistrate of the district where the birth took place<sup>39</sup>.

### 3.1.2.8 Mandatory reporting of VAC by professionals

Mandatory reporting legislation requires professionals to report suspected VAC they may come across, and sets out the consequences of failure to do so. While most countries lack a mandatory reporting requirement, some - such as Malawi, Namibia and Uganda - have laws requiring professionals including health workers, teachers, social workers and law enforcement officers to report suspected incidents of VAC to the authorities.

Uganda's 2016 Children (Amendment) Act, for example, states "It shall be mandatory for a medical practitioner, a social worker, a teacher or Local Councillor at LC I level to report on any matter which affects the wellbeing of a child under their charge." Malawi's

2010 Child Act obliges medical officers, family members, community members and care providers to report suspected incidents of VAC to a social welfare or police officer. The act provides for victims to be taken to a place of safety, represented before a child justice court, medically examined and treated - in hospital if necessary.

In Namibia, the 2015 Child Care and Protection Act obliges professionals in contact with children - such as a school principal, teacher, medical or dental practitioner, pharmacist or school counsellor - to report a child in need of protection to a state-employed social worker or police officer, if they access such information in the course of their duties.

### 3.1.2.9 Protection of child victims in the justice system

Legislation requiring the state or the perpetrator to compensate the victim may cover loss, injury or medical expenses as a result of violence. The 2020 global status report on ending VAC<sup>40</sup> indicates that of the 34 African countries analysed, 21% had and victim compensation laws and 71% legal representation laws.

This assessment covers nine of these 34 countries. Only three (Burkina Faso, Nigeria and Sudan) have national legislation providing for victim compensation, while five have a national law on legal representation of child victims (Table 28).

**TABLE 28: Existence of laws protecting victims in the justice system, by country**

Country	Providing for victim compensation	Providing for legal representation
Burkina Faso	National	National
Cameroon	None	None
Chad	-	National
Malawi	None	National
Mauritius	None	None
Namibia	None	None
Nigeria	National	National
Sudan	National	National
Uganda	None	None

Source: Global status report on preventing violence against children. Geneva: World Health Organization; 2020. License: CC BY-NC-SA 3.0 IGO.

### 3.1.2.10 Enforcement of laws to end VAC

The 2020 global status report on ending VAC rates the level of law enforcement on corporal punishment

and sexual violence,<sup>41</sup> with the majority of countries ranking 'medium' (Table 29). The exception was Nigeria, which rated 'low' for enforcement of laws banning most forms of violence.

**TABLE 29: Perceived level of enforcement of laws on different forms of VAC, by country**

Country	Perceived enforcement level			
	Ban on corporal punishment	Law against statutory rape	Against contact sexual violence (excluding rape)	Against non-contact sexual violence
Burkina Faso	Medium	Medium	Medium	Medium
Cameroon	Medium	Medium	Medium	Medium
Chad	Low	Medium	Medium	Medium
Malawi	Medium	High	High	Medium
Mauritius	Medium	High	Medium	Medium
Namibia	Medium	Medium	Medium	Medium
Nigeria	Low	Medium	Low	Low
Sudan	High	High	High	High
Uganda	-	-	-	-

Source: Adapted from Global status report on preventing violence against children. Geneva: World Health Organization; 2020. License: CC BY-NC-SA 3.0 IGO.

Law enforcement capacity can be gauged partly by levels of public confidence in law enforcement. The higher the confidence, the less likely it is that crime will be used to resolve conflict. Of the five study countries with data, Burkina Faso (71%) and Egypt (68%) had the highest confidence in the local police force (Table 30). Nigeria had the lowest (49%) - a significant contrast with its West African counterpart Burkina Faso. When it came to confidence in the judicial system and courts, Egypt fared best (65%) and Uganda worst (40%), while Burkina Faso and Cameroon scored the same.

**TABLE 30: Percentage of respondents with confidence in the local police force and the judicial system and courts**

Country/region	Confidence in the local police force	Confidence in the judicial system and courts
Burkina Faso	71.0	52.0
Egypt	68.0	65.0
Cameroon	60.0	52.0
Uganda	57.0	40.0
Nigeria	49.0	55.0
World Bank MENA	78.4	58.0
World Bank Sub-Saharan Africa	62.5	57.8
Pathfinder countries	63.2	53.9

Source: The Economist Intelligence Unit (2020). Out of the Shadows: Shining Light on the Response to Child Sexual Abuse and Exploitation. A 60-country benchmarking index

There is a correlation between confidence in the police and judicial system and the willingness of survivors and community members to report cases of violence. People consider it a waste of time reporting incidents of violence when they are convinced no action will be taken by authorities, while perpetrators of VAC are encouraged by the inaction of the authorities.

### 3.2 Programmes and services for preventing and responding to VAC

#### Policy and planning framework

Four of our ten study countries have either a national plan or strategy for children that includes VAC, or a specific plan for child protection or VAC (Table 31). The remainder have yet to develop such a plan, except for Nigeria which has drafted - but not

approved - its National Priority Action on Ending VAC.

In addition, each of the ten study countries has a number of specific action plans or strategies on thematic VAC issues such as child labour, child marriage, gender-based violence (GBV), child trafficking, use of children in armed conflict, and child sexual abuse and exploitation. VAC issues are also incorporated into the integrated development investment plans of the relevant sectors, ministries and agencies. VAC issues integrated into development plans are more likely to be financed than stand-alone action plans such as Uganda's National Action Plan on Child Sexual Abuse and Exploitation, which expired before being adopted or systematically implemented. Uganda's National Action Plan for Child Wellbeing (2016–2021) is due to expire soon, but it is uncertain how far the government 'owned' this plan, which was developed by the Office of the Prime Minister with the financial and technical support of USAID.

**TABLE 31: Existence of a national plan of action to address violence against children**

Country	Available?	Title of the Plan	Comments
Burkina Faso	√	National Child Protection Strategy, 2020-2024	Title unofficially translated from French. The strategy is accompanied by a three-year action plan (2020-2022).
Egypt	√	National Strategic Framework on Ending Violence Against Children (2018)	Offers comprehensive, multi-sectoral, and coordinated procedures to address VAC. Pays attention to violent discipline, school-based violence and sexual violence.
Namibia	√	National Agenda for children (2018-2022)	-
Uganda	√	Uganda National Child Policy, 2020	Child care and protection is one of the six priority areas of the policy.



Country	Available?	Title of the Plan	Comments
Cameroon	x	-	-
Chad	x	-	-
Malawi	x	-	-
Mauritius	x	-	-
Nigeria	x	National Priority Action on Ending Violence against Children	Plan being developed.
Sudan	x	-	-

### 3.2.1 Coordination mechanisms

Effective multi-sectoral collaboration to end VAC must involve both government and non-governmental stakeholders with clearly defined roles, responsibilities and core capacities - including a designated, well-resourced lead agency.<sup>42</sup> In all ten study countries there was recognition that VAC prevention and response requires a multi-sectoral approach including the social welfare development, justice, law and order, health and education sectors. Of these, social welfare development clearly plays the lead role in policy formulation and planning, coordination and monitoring, and providing and supervising services for vulnerable children.

In most countries, child rights and child protection are led by a social welfare development ministry which coordinates the work of other relevant government ministries and agencies, CSOs and development partners such as UNICEF, and the private sector. Countries with humanitarian emergencies may also establish a child protection 'sub-cluster' with government, UN and CSO representation. These coordination structures meet periodically to exchange information on policy, implementation, learning and monitoring, and are usually convened by the lead government ministry with financial support from development partners.

Unfortunately, we found that in some countries, different government departments and agencies compete and lack confidence in the work of others. Competing priorities and inadequate financial and human resources have in some cases compromised the effectiveness of these coordination mechanisms.

#### Cameroon

- An overlap has developed between the Ministry of Social Affairs (responsible for social child protection) and the Ministry of Women's Empowerment and the Family (responsible for promoting and protecting child rights), with leadership on VAC shared between them. This lack of coordination and leadership was highlighted in a 2014 child protection mapping and assessment report, following a 2012 decree which set up a new Department for the Promotion and Protection of the Family and Children's Rights.
- The National Platform for the Protection of the Child in Cameroon, including Children in Emergency Situations, was set up under the auspices of the Ministry of Social Affairs and is charged with developing an appropriate and coordinated national strategy for VAC prevention and response. The platform meets monthly to coordinate action, anticipate and respond to problems, and improve synergies between stakeholders.

It focuses on identifying and prioritising needs, making best use of capacities, determining responsibilities, and understanding and analysing specific problems. It adopts a holistic approach to VAC prevention and response, including in humanitarian situations. The national platform is an example of multi-stakeholder collaboration between government sectors, international and local CSOs - including the Cameroon Child Rights Civil Society Organisations Network (CAM-CRIN) which represents ten child protection organisations.

- At sub-national level, the regional, divisional and sub-divisional delegations of the social welfare ministries coordinate with community groups and partners and submit quarterly and annual reports to the social welfare ministries. Quarterly meetings, co-chaired by the regional ministry delegates who act as regional VAC coordinators, include representatives from all sectors and partner organisations, although financial and human resources are a challenge.
- CSOs are represented on various government coordination structures, collaborating on sharing information and experiences and undertaking joint advocacy. A workshop was organised in June 2020, for example, to consolidate and harmonise contributions to the draft Child Protection Code by CSOs and other partners. CSOs also contribute to government and other reports to the relevant treaty bodies such as the UN Committee on the Rights of the Child and the ACERWC.

## Malawi

- The government and its partners established a National Technical

Working Group on Child Protection, an inter-agency body which aims to improve coordination in child protection. The group reports to a National Steering Committee on Children comprising the Principal Secretaries from the Ministries of Gender, Education, Health, Home Affairs and Justice. Unfortunately, the steering committee - which is supposed lead on coordination - exists mainly on paper and has rarely met, due to weak leadership, poor understanding of roles and responsibilities, and operational challenges. An evaluation of the National Child Protection Strategy heard complaints from several key stakeholders about the need to go over old ground at meetings because of inconsistent representation.<sup>43,44</sup>

- However, the Presidential assent to the National Children's Commission Act has marked a significant milestone towards advancing children's rights in Malawi. The Act establishes a National Children's Commission to facilitate multi-sectoral coordination and to monitor domestic and development aid earmarked for child-focused programmes.<sup>45</sup>
- Coordination mechanisms exist across Malawi's 28 districts, although under different names - for example child protection committees or district technical working groups (TWGs) and with varying focus (some work on broad child rights, others on child protection or thematic issues such as child labour, trafficking, and sexual exploitation). Historically, the majority had district TWGs on orphans and vulnerable children (OVC), established to implement the Extended National Plan of Action on OVC. Members included district offices for social welfare, community development and health; the police; and CSOs and community-based

organisations (CBOs) active in child protection. Coordination mechanisms were generally chaired by the district social welfare officer, and whilst most had a plan of action, lack of financial support, interest and commitment was widespread. Interviewees suggest the mandate of these coordinating mechanisms was unclear, due to an absence of standardised terms of reference and a narrow focus on OVC instead of broader child protection. An additional weakness was that the same people tended to sit on the committees dealing with different aspects of child rights, education and child protection.

## **Uganda**

- The Ministry of Gender, Labour and Social Development (MGLSD) is the lead for the social development sector, formulating and reviewing relevant guidelines, programmes, policies and laws. It coordinates and collaborates with VAC stakeholders; promotes children's participation in tackling VAC; and supports the training of VAC service providers. The Department of Youth and Children is responsible for leading VAC services, supported by most other departments within the ministry.
- The National Child Protection Working Group (NCPWG) was established under the MGLSD in September 2009 after the Child Protection Sub-Cluster of the Inter-Agency Standing Committee was phased out. More than 40 bodies are represented, including government ministries and agencies, UN agencies, international and national CSOs. The NCPWG is hosted and chaired by the Department of Youth and Children, has an annual plan, and promotes information sharing, learning and capacity building.

Some members also undertake joint actions, an approach encouraged by the platform. The working group is largely dependent on funding from development partners - it is technically and financially supported by Transcultural Psychosocial Organization (TPO) Uganda with a grant from the OAK Foundation. TPO currently funds almost 60% of the NCPWG budget, including the salary of the coordinator - who is embedded in the Department of Youth and Children - and other UN and CSO members also make financial and material contributions.

- Additional coordination rests with the Multi-Sectoral Taskforce on VAC, comprising the Ministries of Gender (host and convener), Health, Justice and Education, as well as development partners such as UNICEF. Originally a temporary body providing technical oversight for Uganda's first VAC survey in 2018, it has been maintained to support implementation of the survey recommendations.<sup>46</sup> The Ministry of Gender also created an Intra-Sectoral Taskforce on VAC to harmonise the social development sector's engagement strategy with the multi-sectoral task force.<sup>47</sup>

## **Egypt**

- The National Council for Childhood and Motherhood (NCCM), established in 1988, works under the Ministry of Population supervising and coordinating child protection and development policies, planning, monitoring and evaluating, as well the implementation of the CRC in Egypt. The Council partners with numerous donors and a strong network of CSOs, students, volunteers, community leaders, academia, youth centres and schools.

- The National Task Force on Ending VAC was established in January 2017 to accelerate and strengthen efforts addressing violence against girls, boys, and adolescents, and is chaired by the NCCM. Governorate level Child Protection Committees (CPCs) are mandated by the Child Law (2008) to develop child protection policies, while district CPCs monitor and follow-up individual cases.

### **Mauritius**

- The National Child Protection Committee (NCPC) in Mauritius is responsible for coordinating, monitoring and evaluating child rights and welfare activities, including efforts to combat the worst forms of child labour. The Committee coordinates and monitors the work of the six regional Area Child Protection Committees; develops and approves policies; reviews and monitors procedures for inter-agency child protection work; and makes recommendations for concrete action including child protection and immediate emergency care (IEC) training.<sup>48</sup> The NCPC is chaired by the Ministry of Gender Equity and Family Welfare, with representatives from more than ten government ministries.
- In addition, Mauritius' National Children's Council (NCC) is the main national consultative and coordinating body on all activities and issues related to children. Its objectives include protecting the rights of children, promoting their interests and wellbeing, ensuring their participation in matters of interest to them; and promoting activities for the welfare of children in line with the CRC.
- However, lack of coordination has hindered government efforts

to address VAC and significant overlaps still exist between the NCPC and NCC.

### **3.2.2 VAC prevention and response services**

VAC services are provided by both state and non-state institutions in different countries and vary widely in scope and quality. Services include awareness-raising; case management; economic and social rehabilitation and reintegration; economic strengthening of households; parenting education and training; sexual and reproductive health education and training; and life skills development. Some countries also have state-sponsored cash transfer programmes for children and families. However, our assessment found that compared to VAC response services, prevention programmes tend to be a lower priority for funders.

Changing societal attitudes and behaviour requires expanding and strengthening community-level interventions beyond mere awareness-raising. Most countries' police and judicial structures have specialised GBV and VAC units - although their effectiveness is constrained by human and financial resources - but there are few if any programmes to rehabilitate offenders to reduce re-offending. Most countries lack consistent referral mechanisms and service delivery standards for institutional care facilities and shelters for VAC survivors.

#### **Cameroon**

- Initiatives to address the root causes of VAC include cash transfers, positive parenting schemes and women's empowerment programmes provided by the government and mostly funded by development partners. UNHCR and the World Food Programme (WFP), with the assistance of local CSOs, support



internally displaced persons and other vulnerable people with livelihood and food support.

- However, the 2014 child protection mapping and assessment confirmed that initiatives to tackle poverty as one of the main drivers of VAC were few and small-scale, with no systematic criteria or process for identifying vulnerable children and their families. Skills development and training reached very few children and families, and was mostly conducted by CBOs on an *ad hoc* basis. While awareness raising covered general children's issues such as immunisation and HIV/AIDS, it did not cover neglect or parental irresponsibility, and the lack of resources meant monitoring and alert mechanisms were ineffective.
- Secondary prevention services are principally provided by the state and local CSOs. The Ministry of Social Affairs runs social action centres and residential centres for vulnerable people, as well as public re-education institutions and rehabilitation and re-education centres. Private institutions also host vulnerable children, but these tend to be poorly run and have been suspected of involvement in child trafficking and commercial adoption. Justice, law enforcement and health agencies provide VAC training, awareness raising, and prevention and response services.
- Unfortunately, the government-run 116 telephone hotline for reporting cases of abuse and VAC has stalled because of internal arguments, questions over its legal status, poor understanding of the project and a lack of qualified staff.<sup>49,50</sup> Furthermore, our interviews suggest that there are no centres for victims of domestic violence in Cameroon.<sup>51</sup>
- There was no standardised system for identifying and reporting VAC cases - processes were

often undocumented, and case management depended on individual circumstances and the competence and dedication of the point person in the community. Some incidents were settled without recourse to formal justice within the community or by religious or traditional leaders. Cases reported to social service agencies tended to result in follow-up actions and home visits, but not for those handled by customary or religious leaders. Given the chronic funding shortages, only extreme cases were given material support and placement services were overfilled as parents sought to escape the burden of disciplining and providing for their children.

## Uganda

- The 2018 Uganda VAC Services Survey found that most service providers did deliver what they were supposed to. For example, at least 70% of probation offices offered ten different VAC prevention services, while more than half of CSOs surveyed provided eight different prevention services. Overall, however, there were fewer prevention than response services, and fewer services for perpetrators compared to survivors.
- The Ministry of Gender has established 44 District Action Centres connected to the toll-free 116 child helpline to respond to cases of VAC,<sup>52</sup> with UNICEF paying staff salaries and some operational costs.
- Child protection was the least served core programme area of the first OVC plan, primarily because welfare services for rehabilitating and reintegrating survivors of abuse were left to CSOs and development partners. The police and probation officers were understaffed with limited transport, temporary

shelter or food for child survivors under their transitional care. Without discounting the need for partnerships, the over-reliance on CSOs affects the scale and quality of rehabilitation and reintegration services for child survivors.<sup>53</sup>

- Uganda has limited public services to help victims cope with child sexual abuse and exploitation. There is no means to prevent prospective offenders from committing a sexual offence against a child, nor are there support services for those at risk of re-offending. This area is also underserved by CSOs.<sup>54</sup>

## Malawi

- Malawi offers an innovative 'one-stop shop' service delivery model where multi-sectoral teams deal with physical and sexual violence in one location. Fourteen hospital-based One-Stop Service Centres - in Mzuzu, Lilongwe, Zomba and Blantyre - bring different duty-bearers under one roof, providing integrated services specifically designed for children who are victims of sexual and physical abuse. The centres ensure that victims of crime are treated in a way that promotes their sense of dignity and worth.
- On the down side, Malawi police observed that limited radio coverage in remote areas, and the lack of police transport, radios and social media channels, make it challenging to disseminate information on VAC issues.

## Social protection

Social protection interventions are important to reduce the economic and social vulnerabilities which exposes children to risks. In its Social Policy Framework for Africa, the AU defines social protection as "responses

by the state and society to protect citizens from risks, vulnerabilities, and deprivations".<sup>55</sup>

The AU lists a range of interventions that it classifies as social protection, including social welfare (i.e. social assistance), social security, access to stable income, and secure access to education and health care. The primary purpose of social protection is "to ensure minimum standards of well-being". Child-sensitive social protection is a rights-based concept that places an obligation on governments to take the necessary policy, institutional and budgetary measures to provide adequate social protection to children, as a means to help ensure their survival and development, and protect them from multiple forms of deprivation and exploitation.<sup>56</sup>

It is commendable that - despite missing the deadline of 2000 - 29 African countries, including six in this assessment,<sup>57</sup> had by 2017 developed a National Social Protection Strategy (NSPS) or Policy (NSPP).<sup>58</sup> Recent data<sup>59</sup> shows that 27 countries in Africa have at least one non-contributory cash transfer scheme. Social assistance programmes have been scaled up to national coverage and full national ownership (meaning they are designed, implemented, and financed domestically, with minimal external support) in several countries of Southern and East Africa.<sup>60</sup> Namibia has one of the most comprehensive social protection systems in Africa, including public and private arrangements to cover individuals in a range of income levels against a variety of risks.<sup>61</sup> Social assistance in Namibia includes several child grants, disability and old age grants, and support programmes and allowances for veterans.

The picture is very different in West Africa, where coverage and reach are much more limited and the

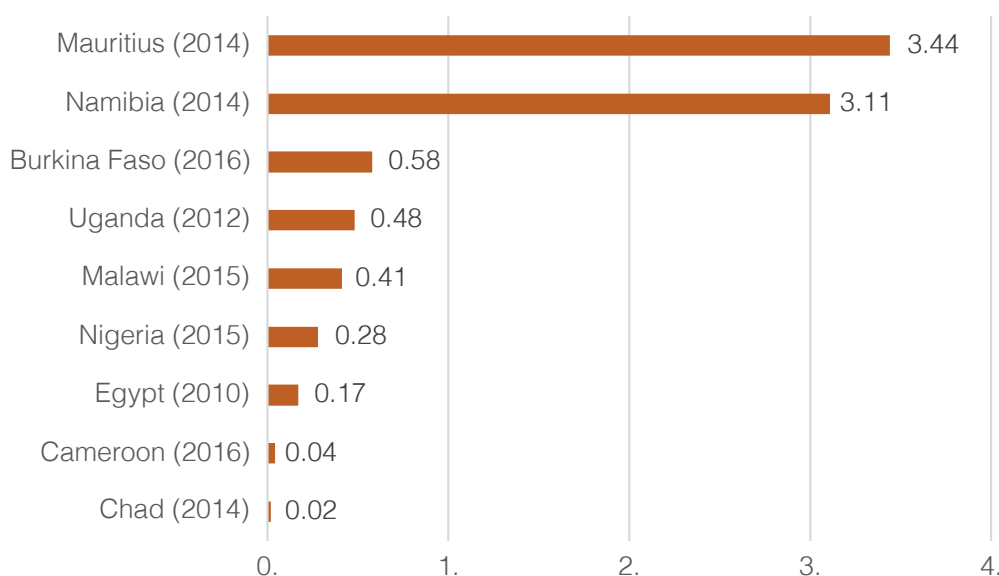
influence of development partners is correspondingly strong. Most Central African countries have very little formal social assistance, while in North Africa other forms of provision - such as subsidies and Islamic charity - remain strong alongside expanding social assistance programmes.<sup>62</sup> In North Africa, support takes the form of universal programmes such as consumer price subsidies, especially for fuel and food (such as baladi bread in Egypt), and by religious-based charity, notably zakat. However, general price subsidies are expensive and regressive, so are being phased out and replaced in most countries with social assistance programmes targeting poverty.<sup>63</sup>

Social protection in Africa faces multiple challenges, including the generally limited reach and scope of existing programmes. The ILO<sup>64</sup> estimates that "...in sub-Saharan Africa, only about 10% of the economically active population is covered by statutory

social security schemes, most of these being old-age pension schemes, [that are] in some cases also providing access to health-care." Furthermore, social security schemes - except those that offer survivor benefits - do not provide direct protection for children.

Limited reach and scope of support is directly related to limited financing: the higher the level of overall public spending, the higher - in theory - the baseline for social assistance funding.<sup>65</sup> In the nine study countries where data was available, the percentage of public spending going on social assistance was relatively high in Mauritius and Namibia, and lower in Chad, Cameroon, and Egypt (Figure 3). Mauritius spent a significantly higher percentage of its GDP than fellow Eastern African country Uganda, and it was a similar story in Southern Africa with Namibia and Malawi. Differences in Western and Central Africa were less marked. An indicator of social assistance annual expenditure per poor person<sup>66</sup>

**FIGURE 3: Social assistance expenditure (as % of GDP)**



Source: UNDP, 2019. The State of Social Assistance in Africa. New York

using 2010-2015 data revealed wide variation across countries, which was not correlated to regions or to oil and mineral reserves.

- **High spenders (US\$1,000 to US\$36,000 per year):** only Mauritius from this study appeared besides three other African countries in the 34-country set.
- **Intermediate spenders (US\$14 to US\$146 per year):** only Egypt alongside seven other African countries.
- **Low spenders (less than US\$9 per year):** included seven of the study countries (Chad, Namibia, Malawi, Cameroon, Nigeria, Burkina Faso and Uganda).

The constitutions of some African countries, including Malawi, anticipate a progressive adoption and implementation of social assistance depending on the available resources. However, some governments such as Uganda and Malawi depend highly on financing and/or technical support from bilateral aid.<sup>67</sup> In Burkina Faso, donor funding for social protection schemes has increased almost five fold in recent years.<sup>68</sup>

Targeting the right beneficiaries is another challenge. Social protection programmes can improve VAC prevention and response among

the most vulnerable children<sup>69</sup> if a government uses 'lifecycle conceptual frameworks' for social protection programming.<sup>70</sup> Eligibility for cash transfers should be conditional on child protection-related outcomes such as birth registration, vaccinations, health check-ups, school attendance, and avoiding child labour and trafficking. Unfortunately, in Africa, cash transfers tend to be unconditional - of the ten study countries, only half (Burkina Faso, Egypt, Malawi, Mauritius, and Nigeria) have at least one social assistance scheme which directly targets children (Table 32). Cameroon and Chad have lack any scheme targeting children, and only a few - such as Egypt's Takaful and Karama (Solidarity and Dignity) - are conditional on children's human development.

Gaps in social protection are exacerbated by lack of national laws. A recent study<sup>71</sup> by ACPF and Plan International found that social protection legislation is inconsistent across Africa - some programmes are grounded in law but others, such as SAGE<sup>72</sup> in Uganda, are policy initiatives driven by donors or governments<sup>73</sup>. Commendably, the 2008 Child Act in Egypt passed through significant amendments which broadened rights relevant to social protection.

**TABLE 32: Overview of social protection policy and legal framework and current social assistance programmes in the ten study countries**

Country	Social protection policy/strategy available	Social assistance in social protection policy/strategy	Constitutional provision for social protection exists	Social protection objectives contained in the constitution	Name of current social assistance programmes	Target group of social assistance programmes
Burkina Faso	Yes (2012)	No	Yes	Health coverage	Nahouri Cash Transfers, Pilot Project (NCTPP) Burkin-Naong-Sa ya	Children



Country	Social protection policy/strategy available	Social assistance in social protection policy/strategy	Constitutional provision for social protection exists	Social protection objectives contained in the constitution	Name of current social assistance programmes	Target group of social assistance programmes
Cameroon	-	-	Yes	Reasonable standard of living	Projet de Filet de Protection Sociale - Social Safety Net Project	Youth; adults
Chad	Yes (2014)	-	-	-	N'Djamena Nadif ('Clean N'Djamena')	Other
Egypt	-	-	Yes	Health Coverage; Reasonable standard of living; Food security	MOSA Social Solidarity Pension  Takaful and Karama	Children; seniors with disability
Malawi	Yes (2008)	-	Yes	Health Coverage	Improved Livelihoods Through Public Works Mchinji Social Cash Transfer (SCT)	Youth; adults; children; seniors; other
Mauritius	Yes (2015)	-	No	-	Basic Invalidity Pension and Carer's Allowance, Basic Orphan's Pension, Basic Retirement Pension (Universal Old-Age Pension) Old age and persons with disability, Basic Widow's Pension, Child's Allowance, Guardian's Allowance, Inmate's Allowance, and Social Aid & Unemployment Hardship Relief	Persons with disability; children; seniors; other

Country	Social protection policy/strategy available	Social assistance in social protection policy/strategy	Constitutional provision for social protection exists	Social protection objectives contained in the constitution	Name of current social assistance programmes	Target group of social assistance programmes
Namibia	-	-	Yes	Health Coverage; Reasonable standard of living; Food security	Child Maintenance Grant Disability Grant Foster Care Grant (or Foster Parent Grant) Old-Age Pension Place of Safety Allowance Special Maintenance Grant Veterans grants	Children; persons with disability; seniors; adults; veterans
Nigeria	Yes (2016)	Yes	Yes	Health Coverage; Reasonable standard of living	Ekiti State Social Security Scheme Osun Elderly Persons Scheme In Care of the Poor (COPE) Community Services Women and Youth Employment (CSWYE) Maternal and Child Health (MCH) Hybrid Child Development Grant Programme Non-profit Organization Cash Transfer for Physical Disabled Persons	Seniors; children; adults; persons with disability; youth other
Sudan	-	-	Yes	Health Coverage; Reasonable standard of living	Social Support Project	-
Uganda	Yes (2015)	Yes	No	-	Uganda Social Assistance Grants for Empowerment (SAGE) Livelihood Investment Support Component	Seniors; youth; adults

Source: Adapted from UNDP, 2019. The State of Social Assistance in Africa. New York  
 Note: Dashes indicate unavailable data

## Birth registration

According to UNICEF,<sup>74</sup> a birth certificate, obtained through the birth registration process, is proof of legal identity and is the basis upon which children can establish a nationality, avoid the risk of statelessness and seek protection from violence and exploitation. Birth certificates help protect children against child labour, child marriage and underage recruitment into the armed forces.<sup>75</sup> Birth registration is essential to ensure that children in conflict with the law are not treated (legally and practically) as adult, helps reduce trafficking and assists repatriated children to be reunited with family members.<sup>76</sup>

Birth registration coverage varies across the study countries. Nearly all children under five (99.4%) in Egypt had their births registered (Table 33) and registration coverage was also high in Namibia, Burkina Faso, Sudan, Malawi, and Cameroon - in contrast to Chad, at just 12%. Coverage statistics generally show that registration services in the assessed countries are gender-responsive.

## 3.3 Budget allocation

It is challenging to estimate VAC budget allocation precisely. Using proxy measures such as allocations to social welfare sectors, ministries and agencies, as well as unfunded critical VAC services, we found financing gaps for VAC programming at all levels.

Besides funding gaps in service provision, government financing frequently doesn't even cover office costs such as utilities. Direct service provision, including case management, often depends on funding from development partners - in Malawi, for example, UNICEF piloted an elaborate case management approach focusing on ten out of 28 districts in the country. The 2020 global report on ending VAC noted a strong relationship between a country's income and the proportion of fully-funded national action plans for ending VAC. Fewer than 10% of all fully funded plans were reported by low-income countries, compared to 47-52% by high-income countries.

Reliance on development partners affects the coverage, equitability

**TABLE 33: Birth registration coverage, by sex**

Country	Survey year	Female	Male	Overall
Egypt	2014	99.3	99.5	99.4
Namibia	2013	_*	_*	78.1
Burkina Faso	2010	76.7	77	76.9
Sudan	2014	65.8	68.8	67.3
Malawi	2016	67.2	67.2	67.2
Cameroon	2014	65.4	66.8	66.1
Nigeria	2018	41.7	43.4	42.6
Uganda	2016	32.2	32.2	32.2
Chad	2015	12	12	12
Mauritius	_*	_*	_*	_*

Source: UNICEF, <https://data.unicef.org/resources77>

Note: \*\_Data not available

and continuity of service provision. Donor dependence also means that governments and local CSOs fit into donors' priorities, which may not be the same as national and subnational priorities. CSOs receive funding mainly from external sources including international CSOs, UN agencies, foundations and other international agencies. However, this funding is usually restricted and not able to be used for emergency response to incidents of violence. In some countries, we found that international organisations tend to focus on direct implementation themselves instead of building local capacity, and cherry pick the best indigenous talent instead of funding local CSOs to retain them. A few CSOs do have other revenue streams - for example, World Vision Uganda runs a microfinance institution (Vision Fund) and in Malawi, Youth Net and Counselling (YONECO) operates Y-FM radio station. Many CBOs also mobilise resources, finances and volunteer staff for their activities.

## **Uganda**

- The social development sector has four budget votes: the MGLSD, Kampala Capital City Authority (KCCA), Equal Opportunities Commission (EOC) and local governments. Despite its critical role in the social and economic empowerment and protection of vulnerable groups, the social development sector had an approved budget of UGX218.22 billion (US\$59.03 million) in FY 2018/19, and UGX221.35 billion (US\$59.87 million)<sup>78</sup> in FY 2019/20.<sup>79</sup> ACPF's analysis suggests the social development sector received just 0.67% of the approved national budget in FY 2018/19, and 0.55% of the approved budget in FY 2019/20.<sup>80</sup> The MGLSD swallowed up nearly 90% of the social development sector: 89.6% in FY 2018/19 (UGX195.5 billion or US\$52.88 million) and 88.3% in FY 2019/20 (UGX199.51 or US\$53.96 million).
- Budget allocation for the Youth and Children Department within the MGLSD was UGX6.06 billion (US\$1.64 million) in FY 2018/19 and UGX6.37 billion (US\$1.72 million) in FY 2019/20. The National Children Authority had an approved budget of UGX1.03 billion (US\$278,770) in FY 2018/19.
- Other child welfare institutions funded by the ministry include remand homes, the national rehabilitation centre, child reception centres and vocational training centres. Although probation and social welfare services are decentralised under the Local Governments Act, more than 90% of local government funding is made up of sector conditional grants from central government. There are no direct grants for child welfare, although the social development sector does but get small grants for disability, women and youth.
- At district level, child welfare is coordinated by a Community Based Services (CBS) department, which usually includes units for probation and social welfare, gender, youth and labour. There are clear financing gaps in both allocation and outturn: a 2016-19 MGLSD study covering 19 districts reported that average district allocation to the CBS department was a mere 2.8% of local revenue - and only just over half of that was actually released. On average, 13.5% of CBS department budgets were earmarked for probation and social welfare, but only 38% of the allocated funds were released. In some cases (such as Ntungamo and Rakai in FY 2015/16, and Ibanda and Kabale in FY 2016/17)



no funds at all were released to the district welfare office.

- A unit cost analysis during the 2018 national VAC services survey found that average budget allocations from local governments to probation and social offices was enough to handle around 18 VAC cases out of an average caseload of 323 in FY 2017/18 - meaning there was no money to deal with the remain 305 cases.

### **Malawi**

- Total government budget allocation for child protection in FY 2018-19 was Kwacha 27.7 billion (US\$35.5 million),<sup>81</sup> representing 1.9% of the total approved annual national budget, compared to 3% the previous year (although the absolute figure was lower). A 2015 report by the Ministry of Gender, Children, Disability and Social Welfare showed that external support accounted for 91% of spending on child protection in Malawi, with the remaining 9% coming from the government (UNICEF, 2019).<sup>82</sup>

### **Chad**

- The budget of the Ministry of Women was about 1% of the national budget (SDG review report, 2019). Government funding for Chad's 'National House of Women' - founded in 2015 for awareness-raising, training, supervision and psychosocial support for victims of violence - and the 'voice of Chadian women' radio station is not enough to allow it to fully function.<sup>83</sup>

### **Cameroon**

- Budget allocation for the Ministry of Social Affairs rose from FCFA 4.329 billion (US\$8 million) in 2011 to FCFA 6.210 billion (US\$11.5 million)

in 2015,<sup>84</sup> while that of the Ministry of Women's Empowerment and the Family increased from FCFA 3.686 billion (US\$6.6 million) in 2012 to FCFA 5.008 billion (US\$9.3 million) in 2015.<sup>85</sup> A 2010 study of social spending between 2002 and 2007 revealed that funding for the Ministry of Social Affairs averaged 0.02%-0.03% of the total national budget.

- Ministries spend most of their budget allocations on salaries and operations, leaving little for VAC services, although at 31.9% in 2015, social affairs spent the least on administration after the infrastructure sector. Despite their small budgets, the Ministries of Social Affairs and Gender have broad mandates in addition to tackling VAC, which makes them heavily dependent on funding from development partners.
- As a decentralised state, Cameroon has transferred certain functions including VAC to local administration, meaning some VAC work is not formally approved by the government for inclusion in the national budget, and some priority activities and budgets get downgraded. In the 2014 mapping and assessment report, ministry officials expressed their limited control over the national budget process.

### **Namibia**

- Social welfare is not a major priority for the government. The Ministry of Gender Equality and Child Welfare received 2.1% of the total national budget in FY 2017/18 (up from 1.2% in 2016 and 1.6% in 2015) and just 1.6% of the ministry's 2017/18 budget went on child grants.<sup>86</sup> The Ministry of Health and Social Services operates a school feeding programme and provides other social services, while the

Ministry of Gender provides shelter, care and protection for children suffering abuse and neglect. NAD 21.5 million (US\$1.5 million) was allocated to these services, down from NAD 25.3 million (US\$1.7 million) the previous year. Current estimates predict a further fall to NAD 16.7 million (US\$1.15 million) over the next two financial years.

### **Egypt**

- The NCCM is the main public service authority responsible for child protection. Its total budget allocations have averaged around EGP 36.7 million (US\$2.4 million) per year from FY 2014/2015 to FY 2018/2019 - although this represents a decline in both absolute terms and as a ratio of total budget allocations to child protection-relevant bodies.<sup>87</sup> Altogether, child protection averaged around EGP 11 billion (US\$702 million) - representing 1.2% of total public expenditure and 0.4% of GDP. Egypt does not follow a programme-based budgeting approach to child protection, making it difficult to determine exactly how much money is allocated. However, it is clear that child protection is one of the least resourced sectors, not only in Egypt but also in many other developing countries.

## **3.4 Human resources**

A properly coordinated, efficient and funded social service workforce is essential for supporting children and providing critical assistance when violence occurs.<sup>88</sup> Our assessment of human resource capacity<sup>89</sup> considered the overall number, competence and equity in deployment of social welfare and enforcement personnel. In all ten study countries we found a shortage of social welfare workers.

### **Cameroon**

- In 2014, there were 215 central and 1097 decentralised staff working for the Ministry of Social Affairs,<sup>90</sup> including social workers, management, support and administrative personnel. 71.1% of all workers employed by the Ministry of Social Affairs and the Ministry of Gender had received training in social work or social administration. Staff to population ratios were lower in those regions with larger populations - 1:42,555 in the Far North and 1: 32,831 in the North - while the Central and the Eastern regions had the best staffing ratio (1: 7,516 and 1: 7,587 respectively).

### **Namibia**

- With an approximate ratio of one social worker to every 11,000 Namibians, staffing is clearly inadequate. According to UNICEF, 29.8% of social worker positions in the Ministry of Gender were vacant in 2017.<sup>91</sup> Social workers are further stretched by competing priorities, high caseloads, high turnover rates and vacant positions. High staff turnover was mainly attributed to poor pay, with highly trained and experienced employees leaving government service to seek employment elsewhere, thus further weakening staff numbers and expertise. In addition, we found that most people working in the child protection sector have not yet been trained in the provision of the new laws.

### **Uganda**

- As of the end of 2019, 14 out of 17 (82.4%) approved positions at the Department of Youth and Children at the Ministry of Gender headquarters were filled (against a ministry average of 67.4%).<sup>92</sup> Three of seven

approved positions for probation and social welfare officers were vacant, while just over half of assistant probation and social welfare officer positions were filled.<sup>93</sup>

- Probation and welfare officers are responsible for coordinating and monitoring child protection at district and municipal level, while in lower tiers of local government this role is given to community development officers or assistants. The 2018 Uganda VAC services survey reported that 71% of the 115 districts had a 'substantially appointed' officer, whilst another study by the Ministry of Gender suggested 84% of positions for senior probation and welfare officers, and 27% for probation and welfare officers, were filled.
- Around two-thirds of the districts had probation and social welfare officers with in-service training in applicable laws and duty bearers, the National Child Protection Curriculum, and management of VAC cases. However, fewer than half the community development officers had received similar training and there was an average staff shortfall of seven community development officers per district.
- Professionals in the education, health and social work sectors are provided with government training and guidelines for interacting with victims of child sexual abuse and exploitation (EIU, 2019). These include child and family protection units (CFPUs) within the police force and trafficking in persons task force; labour inspectors; probation and social welfare officers; and community development officers. CSOs have provided training, information material, and equipment such as computers and storage cabins to CFPUs, and have strengthened the referral network among government and non-government service providers.<sup>94</sup> Against this, however, the

Department of Youth and Children at the Ministry of Gender had no budget for staff training from 2015-2018.

## Cameroon

- Cameroon has enjoyed a long and strong tradition of training social workers,<sup>95</sup> both in public and private institutions. Students at the national administration and judges' training colleges had their salaries paid by the state, while those who studied at private institutions had to sit a state exam for entry into civil service.<sup>96</sup> However, the National School of Social Affairs Assistants (ENAS) has not enrolled any new students since 2006, pending implementation of the 2006 Decree on the creation, organisation, and functioning of the National Institute of Social Work.<sup>97</sup>
- The National School of Administration and Magistracy (ENAM) routinely trains social welfare administrators, but they are few in number and rarely get posted to government departments in charge of child protection. Respondents to a 2014 assessment voiced a common desire for further training, and most demanded that psychosocial care, protection of the rights of the vulnerable, economic integration and reintegration, setting up projects, and information technology be included in the curriculum.
- Notable developments include UNICEF's 2014 campaign for police, gendarmerie and magistracy schools in Cameroon to include teaching modules on the rights of the child. The previous year saw training on international, national and regional legal child protection, delivered by CSOs to 150 officials at the Ministry of Women's Empowerment and the Family. Over the past decade, training sessions have been organised for judges, police and social workers which have gradually helped professionals

to become more skilful in handling issues of child protection.<sup>98</sup>

## Malawi

- Each district averages four child welfare officers with a broad mandate covering *inter alia* child protection, family relations, cash transfers and disability.<sup>99</sup> UNICEF has embedded child protection specialists to support the mainstreaming of child protection into the police, education and health sectors. Child protection has been included in pre-service police training, which now integrates international policy standards and child protection instruments into the overall six-month police training curriculum.
- Malawi Police have also published a child protection policy and procedures to streamline policing practices on VAC, and each police unit has a focal person for child protection. However, few officers at the lower police levels have undergone in-service training in child protection and there are gaps in data management skills.

## 3.5 Information, monitoring, and evaluation

VAC data and information are important for formulating plans and policies, advocacy, and monitoring and evaluation. Information from administrative sources such as case records, and from primary research, includes prevalence, service delivery and the political, social and economic environment for prevention and response.

### Population-based survey data

The most common standardised population surveys in Africa are the demographic and health survey (DHS) and the multi-indicator cluster survey (MICS). Eight of the ten study countries have conducted at least one DHS between 2010 and 2018 (Table 34), and five have conducted at least one MICS between 2010 and 2020 (although only four full reports - Chad, 2010; Malawi, 2013-14; Nigeria, 2016-17 and Sudan, 2010 - are available).

**TABLE 34: Type of population-based survey on violence against children conducted in each country 2010-2020**

Country	Standard Demographic and Health Survey	Multi-Indicator Cluster Survey	Violence Against Children Survey	Global School-Based Student Health Survey
Burkina Faso	2010	2006	-	-
Cameroon	2018	2006; 2014	-	-
Chad	2014-15	2010; 2019	-	-
Egypt	2014	2014	-	-
Malawi	2015-16	2013-14; 2019-20	2013	2009
Mauritius	-	-	-	-
Namibia	2013	-	-	2013
Nigeria	2018	2016-17	2014	2004
Sudan	1989-90	2010; 2014	-	-
Uganda	2016	-	2015	2003

Note: Dashes indicate no study was conducted



One major development in the last decade are the national violence against children surveys (NVACS) conducted under the 'Together for Girls' partnership. The first of their kind in most African countries, NVACS findings provide a nationally representative baseline on the prevalence and impact of physical violence, sexual abuse, sexual exploitation and emotional violence. The surveys cover perpetrators, service-seeking behaviour of survivors, and the impacts of VAC on health. NVACS reports have been released in three of the ten study countries (Malawi, 2013; Nigeria, 2014; and Uganda, 2015). Nine other African countries<sup>100,101</sup> have released complete survey reports - Botswana (2019), Côte d'Ivoire (2020), Eswatini (formerly Swaziland, 2007), Kenya (2012, 2020), Lesotho (2020), Rwanda (2018), Tanzania (2011), Zambia (2018) and Zimbabwe (2013, 2019). Our interviews in Malawi, Nigeria and Uganda reported that the NVAC survey has supported evidence-based programming.

### **Administrative data**

Administrative data includes data managed by the police, social welfare offices and child helplines. Some countries have established ICT-enhanced management information systems to improve administrative data and information management practices. Malawi, for example, has a child protection information management system (CPIMS), the only one of its kind in Africa, which focuses specifically on child protection case management information with the aim of consolidating and reporting data from across the country.

We found that service and programme data - though often used to account for resources - is rarely, consolidated to provide a national perspective, owing

to challenges including inter-agency coordination, inconsistent indicators and crime codes, and multiple counting of cases. There is data on the number of people or institutions served or reached, but not the coverage of services (percentages and ratios based on estimates of the target population). Inadequate management information systems, such as those used by many police forces, impact the accuracy, reliability and timeliness of data - a fact acknowledged in Malawi where the police identified gaps in technology and skills for data management.

Bureaucracy and inadequate technology may also hinder the flow of information from police databases to other users. In Uganda and Malawi, for example, ministries have no direct means to access helpline data because of technological limitations. Data on abuse and violence needs 'cleaning' to protect confidentiality and anonymity before it can be made generally available. Analysis using statistical measures such as ratios is rare.

### **Egypt**

- The Egypt National Child Rights Observatory (ENCRO) is responsible for collecting and reporting data on children's rights. ENCRO is a joint initiative of the Information and Decision Support Centre (IDSC) of the Cabinet, the NCCM and UNICEF, which conducts research and issues scientific reports. The NCCM uses those reports to monitor and evaluate efforts to protect children's rights in Egypt, while policymakers use them to develop new strategies to enhance the protection of child rights.
- The National Institute of Statistics conducts regular surveys and censuses covering birth registration and attitudes towards domestic violence, although staff assigned to

this task tend to be poorly trained in collection and processing techniques.

- Administrative data on service provision is collected at village and district levels by social centres and women and family services. Data includes the number of cases identified, reported, assisted and referred; the number of complaints; and the number of cases which resulted in court action.
- Monthly divisional and quarterly regional meetings ensure statistics are shared, assessed and used to inform policy at the national level. Meetings also discuss challenges and constraints, and determine appropriate multi-sectoral action plans for consolidation and validation at the inter-ministerial committee.

#### **Malawi**

- The CPIMS captures case management data from ten districts, although social welfare officers from all 28 districts have been trained to use the system. According to child protection experts, the system is restricted by the lack of national coverage and poor functionality, and suffers because various quantitative and qualitative data sources are not yet fully aligned with similar data definitions and analysis methods. Attempts to digitise the system have stalled due to limited internet coverage and technical expertise, while the lack of a unique ID for each child or case adds to the risk of double counting and makes it difficult to target support to an individual child.<sup>102</sup> To overcome some of these problems, the government has been exploring an offline version to upload data when connections are available. Mobile phones have also been used with Data Winners123 software to collect data on victims from police from 34

stations so far.<sup>103</sup>

- Despite these setbacks, ICT platforms to support mobile reporting on case data for national-level aggregation have been rolled out by police in all 28 districts, 28 child justice courts, and community victim support centres in 16 districts. It's hoped to integrate these into the CPIMS in the future.<sup>104</sup>

### **3.6 Political and social stability**

Even when institutions possess the internal capacity to execute their protection and response mandates, political instability may constrain their efforts and present a fertile ground for more incidents of VAC. Armed conflict, for example, affects children through forced recruitment and abduction by armed groups, detention, sexual violence, physical violence and disruptions to service delivery. According to the UN, nearly 1500 children were maimed in 2019 by armed forces in the Central African Republic (CAR), Democratic Republic of Congo (DRC), Mali, Somalia, Nigeria and South Sudan - though this is likely to be a significant underestimation.<sup>105</sup>

Sexual violence thrives in conflict zones. In 2016, one-third of all incidences of sexual violence against children in Africa occurred in Somalia, whilst in 2007-8, DRC accounted for a staggering 72% of reported incidents of sexual violence. Studies show that almost all participants in conflict, including state armed forces, non-state armed groups, and even multinational peacekeeping forces, have committed sexual violence.<sup>106</sup> Children separated from their families due to conflict are especially vulnerable to exploitation, recruitment and sexual abuse.<sup>107</sup> The capacity of government institutions to address VAC or to deliver other services is highly compromised in

these situations, as they may not have adequate control over some parts of the country.

Political contests, weak governance, poor service delivery and economic challenges gave rise to sporadic protests in all ten study countries, with varying degrees of violence.<sup>108</sup> Egypt, Malawi, Mauritius, Namibia, and Uganda were generally peaceful, with minimal risk of internal or cross-border armed conflict. The remainder, however, suffer from ongoing armed conflicts that have negative implications for preventing and responding to VAC.

Conflicts and political instability in the study countries expose children to recruitment and use in armed conflict, killing and maiming, rape and sexual violence, attacks on schools and hospitals, abduction, and denial of humanitarian aid. In Nigeria, for example, Boko Haram forced children - overwhelmingly girls - to carry out

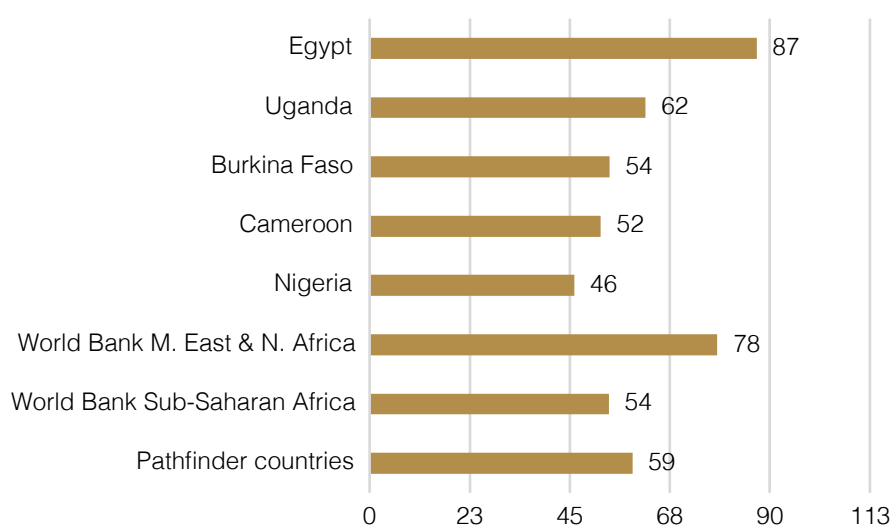
suicide attacks which accounted for half all verified child casualties in the country in 2017.<sup>109</sup> The group has also abducted more than 1000 children since 2013.<sup>110</sup>

### 3.7 Public safety

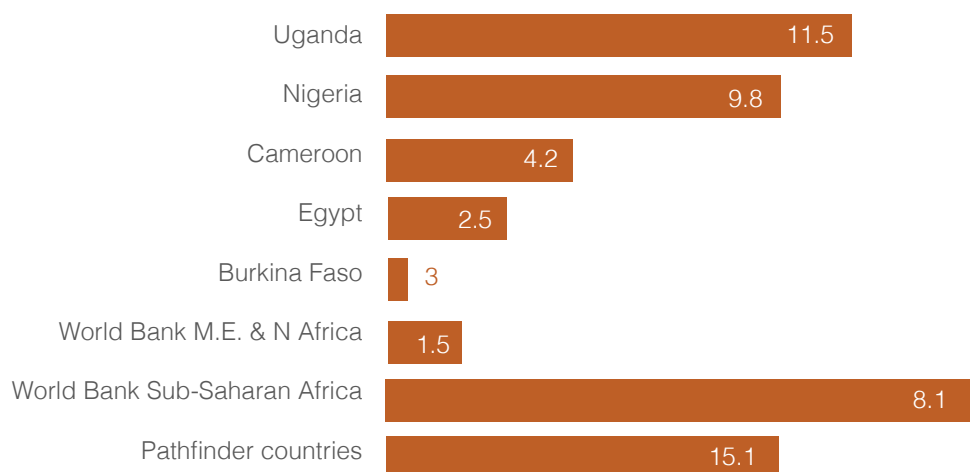
A country's overall crime rate is a good predictor of VAC. In four of the five study countries with data, more than half of all respondents said they felt safe walking alone at night in the city or area where they live. As Figure 4 shows, Egypt had the highest percentage of respondents who felt safe (87.0%) , while Nigeria had the lowest (46.0%).

Homicide rates (Figure 5) were generally low except in Nigeria, and Uganda where the high homicide rate is at odds with the dominant feeling of being safe as presented in Figure 4. The homicide rate in Nigeria was significantly higher than its West African counterpart Burkina Faso.

**FIGURE 4: Percentage of respondents who felt safe walking alone at night in the city or area where they live**



Source: The Economist Intelligence Unit (2020). Out of the Shadows: Shining Light on the Response to Child Sexual Abuse and Exploitation. A 60-country benchmarking index.

**FIGURE 5: Homicide rate (per 1,000 population)**

Source: The Economist Intelligence Unit (2020). Out of the Shadows: Shining Light on the Response to Child Sexual Abuse and Exploitation. A 60-country benchmarking index.

### 3.8 Social norms and values

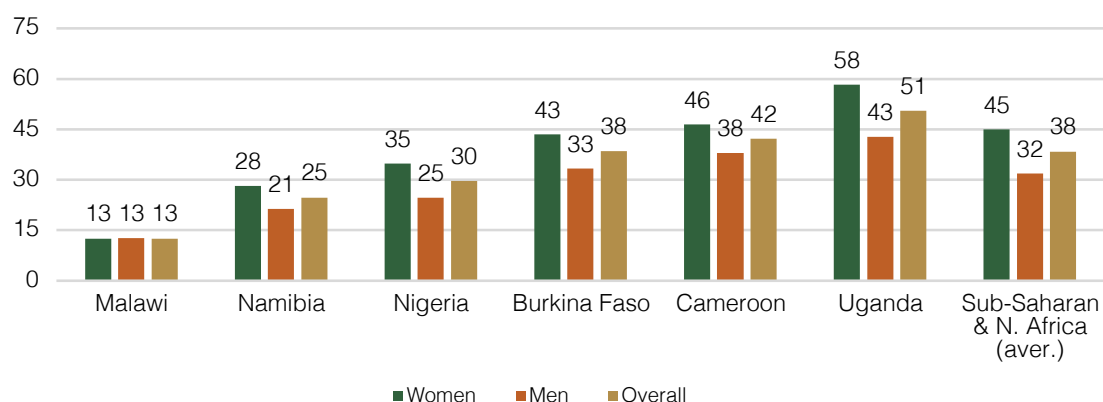
Cultural tolerance of violence is a major barrier to VAC prevention and response. Evidence has shown that cultural norms and values determine what constitutes violence, what is considered acceptable violence, and who is violent to whom. Cultural tolerance of violence, either as an accepted way to resolve conflict or as a normal part of child rearing, is a risk factor for all types of interpersonal violence.<sup>111</sup>

Studies such as the DHS have used 'wife-beating' as a proxy measure of social norms on violence against women, while MICS have used 'violent discipline' to assess social VAC norms. A 49 country analysis of DHS conducted between 2005 and 2017 found significant acceptance of domestic

violence, which was measured as the justification for 'wife-beating' in at least one-fifth of circumstances<sup>112</sup>. Of the 32 countries covered in Sub-Saharan and North Africa, four of the study countries (Chad, Egypt, Mauritius, and Sudan) were not included. The results of the other six countries are shown in Figure 6.

Amongst 15-49 year olds, justification for domestic violence was highest in Uganda (51%). Cameroon and Burkina Faso followed with around 40%, with Malawi the least tolerant at 13%. Within regions, domestic violence was more justified in Namibia than in Malawi (Southern Africa), while in West Africa, Burkina Faso had a higher percentage of respondents who justified domestic violence than in Nigeria. Perhaps surprisingly, with the exception of Malawi women tended to justify domestic violence slightly more than men.



**FIGURE 6: Percentage of respondents who justified domestic violence in at least one of five circumstances, by sex**

Source: Sardinha and Catalán (2018). Attitudes towards domestic violence in 49 low- and middle-income countries: A gendered analysis of prevalence and country-level correlates

Every society has different child-rearing practices, depending on culture, beliefs and attitudes towards child discipline.<sup>113</sup> African parents tend to support ‘violent discipline’ as a normal part of bringing up a child.<sup>114</sup> About six in ten Nigerian respondents, and half those in Uganda, considered physical punishment necessary to

raise or educate children (Table 35). Women and men surveyed in each country shared the same opinion, though there were minor differences within regions: a slightly higher proportion of respondents in Cameroon justified physical punishment than their counterparts in Chad.

**TABLE 35: Percentage of adults who think that physical punishment is necessary to raise or educate children**

Country	Survey year	% of respondents who justified the physical punishment of children		
		Women	Men	Overall
Nigeria	2016	62.3	62.3	62.3
Uganda	2015	50.3	49.4	49.8
Cameroon	2014	44.2	43.7	44
Chad	2015	39.2	37.9	38.5
Sudan	2014	28.9	33.1	29.7
Egypt	2014	-	-	23.1
Malawi	2014	6.1	4.2	5.5

Source: UNICEF, [https://data.unicef.org/resources/data\\_explorer](https://data.unicef.org/resources/data_explorer)  
 Note: dashes indicate unavailable data.

Societal tolerance of violence compromises reporting and response to VAC. On the one hand, victims and the wider community may see violence as justifiable and therefore not to be reported to the authorities. On the other, law enforcement officers may ignore 'acceptable' violence. Besides 'violent discipline', sexual violence, child marriage, child labour and emotional abuse are all forms of VAC which may be exacerbated by negative social and cultural norms. Tackling VAC in these contexts requires influencing such norms and values that tolerate violence.

### 3.9 Conclusion

Nearly all our study countries have ratified at least nine of the 14 relevant international and regional legal instruments identified in this assessment. All have taken steps to domesticate these instruments into their legal systems, thereby providing a strong normative and legal framework to protect children against violence. Most have also harmonised their national laws and policies with the international and regional legal frameworks, setting a minimum age

of marriage and consent to sexual relations; minimum age of employment; minimum age of recruitment to armed forces and engagement in hostilities; and minimum age of criminal responsibility. National laws in the study countries also protect children from sexual violence and exploitation, neglect, child labour and child trafficking.

However, significant gaps remain. Nigeria, for example, allows corporal punishment in any setting. Sudan has no minimum age of marriage. Governments lack the capacity to enforce laws that prevent and protect children against violence. Poor coordination and overlaps between the relevant sectors hinders governments' effort to address VAC. The geographic coverage, scope of service and quality of VAC prevention and response services are inconsistent, understaffed underfunded. Most VAC services rely on donors to finance them. Achieving a continent free of VAC requires all stakeholders, especially national governments, to identify and plug gaps in legislation, implementation and resource allocation and to enhance the capacity of institutions providing VAC services.



# CHAPTER 4:

## THE IMPACT OF COVID-19 ON VIOLENCE AGAINST CHILDREN

As Covid-19 spread across the globe, measures to contain the pandemic have unfortunately increased the risks of physical, sexual and emotional violence and abuse of children - straining already weak national capacity to tackle VAC. This chapter analyses the impact of Covid-19 on both individuals and governments as they struggle to prevent and respond to VAC in Africa.

### 4.1 The scale of Covid-19 pandemic in study countries

Africa's first case was reported in Egypt on 14 February 2020. By December 24 there had been a total of 2,570,886 cases reported across the continent, of which 60,882 were fatal (Table 36). In that period, of the ten study countries Egypt had the highest number of cases (128,000) and deaths (7,209, or 11.8 % of all deaths in Africa). At 527, Mauritius reported the lowest number of cases. Death rates as a percentage of cases were highest in Chad (5.7%) and Egypt (5.6%), and lowest in Uganda (0.7%) and Namibia (0.1%).

In West Africa, Nigeria had three times as many cases as Burkina Faso; in

Central Africa, Cameroon's cases were almost 13 times higher than Chad; and in North Africa, Egypt had around five times the number in Sudan. Cases in Namibia, in the Southern region, were just over double those in Malawi, while in the Eastern Africa region, Uganda recorded over 50 times more cases than Mauritius.

### 4.2 Impact of Covid-19 on VAC protection

Although governments in the ten study countries do not disaggregate infection data by age, relatively fewer children are believed to contract or die from Covid-19. The indirect socio-economic impacts on children, however, are significant. According to UNICEF,<sup>115</sup> Covid-19 could affect child protection through loss of parental care, disruption to reporting and referral mechanisms, breakdowns in service delivery, heightened stress and tension, and loss or reduction of household income.

Our assessment shows that all the study countries reported increased VAC linked to the effects of Covid-19 and associated containment measures. Lockdowns and other restrictions are likely to increase tensions in the household, put additional stress on caregivers, and exacerbate economic

**TABLE 36: Number of cumulative cases and deaths reported to WHO as of December 24, 2020**

Country/ Area	Date first case reported	Confirmed cases (cumulative)	Number of deaths (cumulative)	% deaths/cases
Burkina Faso	2020/03/09	5,649	77	1.4 %
Cameroon	2020/03/06	25,849	448	1.7 %
Chad	2020/03/19	1,938	102	5.7 %
Egypt	2020/02/14	128,000	7,209	5.6 %
Malawi	2020/04/02	6,261	187	2.9 %
Mauritius	2020/03/21	527	10	1.9 %
Namibia	2020/03/11	19,984	183	0.1 %
Nigeria	2020/03/13	80,922	1,236	1.5 %
Sudan	2020/02/27	23,316	1,468	6.2 %
Uganda	2020/03/21	32,399	245	0.7 %
Africa	2020/02/14	2,570,886	60,882	2.4 %

Source: <https://Covid19.who.int/region/afro/country/> Percentage of deaths are authors' computation.

uncertainty, job losses, disruption to livelihoods, and social isolation - any of which can trigger VAC. Children may also increasingly witness domestic violence at home - as the UN Special Rapporteur on Violence against Women observed, "For too many women and children, home can be a place of fear and abuse. That situation worsens considerably in cases of isolation such as the lockdowns imposed during the Covid-19 pandemic."

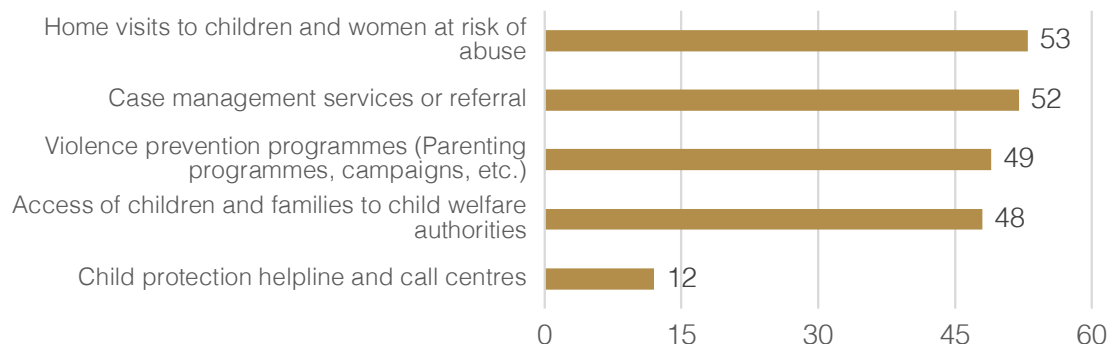
One suggestion requiring further investigation is that more children experienced violence when locked down with their caregivers at home than when they were with teachers at school. One CSO respondent in Malawi felt that African governments should consider the increased defilement and teenage pregnancy rates a greater crisis than the pandemic itself.

The International Monetary Fund (IMF) estimates that 2020 economic activity in Sub-Saharan Africa will have shrunk by 3.0% - almost 7 percentage points below the IMF forecasts 12 months earlier<sup>116</sup> - a drop of 5.3% in real per

capita income back to 2013 levels. The ILO estimates the pandemic could cost between 5 million and 25 million jobs,<sup>117</sup> and the loss or reduction of income may well lead to an increase in child labour to make up shortfalls in household budgets. More children could be exposed to hazardous or exploitative forms of work, while gender imbalances will get worse if girls are increasingly expected to perform household duties and chores. Unemployment and economic uncertainty may lead some families to marry off their children early, and increased poverty is known to drive girls into sex work.<sup>118</sup>

Studies have shown that adolescent girls who are out of school are more than twice as likely to become pregnant as those in school.<sup>119</sup> The closure of schools, child care facilities and safe spaces for schoolgirls may increase arranged child marriages<sup>120</sup> and FGM. UNFPA projects that disruptions to efforts to combat FGM will set back progress towards ending the practice by 2030 by a third.<sup>121</sup> Digital education platforms could mean a heightened risk of online sexual



**FIGURE 7: Percentage of countries that have reported any level of disruption in any services related to violence against children, by type of service**

Source: United Nations Children's Fund, Protecting Children from Violence in the Time of Covid-19: Disruptions in prevention and response services, UNICEF, New York, 2020.

exploitation. Most interviewees in the study countries indicated that these forms of VAC increased during the Covid-19 period.

Lockdowns and travel restrictions have also impacted vital VAC services and cut off contact with informal support networks. For example, closure of 'non-essential' services threatens to derail access to birth registration for many families, and we found that most service providers closed or downsized their operations at the height of the lockdown. Some frontline staff shifted to home or online working, which was inevitably less effective, while others lacked personal protective equipment (PPE) to deliver vital services on the ground. Court closures and the suspension of trials and proceedings could have resulted in the continued detention of children who might otherwise be released or placed in non-custodial alternatives. In Uganda, the national child helpline temporarily closed for two weeks,<sup>122</sup> and a UNICEF survey of prevention and response services to children during the pandemic found that 66% of countries globally reported some disruption to at least one VAC-related service.

Another significant impact was the lack of access to mental health and

psychosocial support services. As countries focused their medical resources on eliminating Covid-19, fewer services were available for life-saving care and support for survivors of GBV, such as the clinical management of rape, and mental health and psychosocial support.<sup>123</sup> On the positive side, some organisations such as Transcultural Psychosocial Organization (TPO) Uganda have received more funding to build capacity and deliver mental health and psychosocial support services, demand for which increased during the pandemic.

### **4.3 Adapting VAC prevention and response during the pandemic**

Many countries have introduced measures to mitigate the impact of the pandemic on VAC prevention and response, and social welfare service providers such as welfare officers and CSOs have been gradually integrated into government Covid-19 task forces. Although initially ignored, one indirect benefit has been the increased recognition of social work as an essential service during such

crises. In Namibia, for example, the government Covid-19 task force includes a psychosocial support unit, and in Uganda, the Ministry of Gender collaborated with the Ministry of Local Government to ensure district probation and social welfare officers were eventually included in district task forces.

VAC services and programmes were revised and realigned as the pandemic progressed - in Uganda, for example,

social ministries and institutions developed Covid-19 response plans, and new service delivery guidelines and standard operating procedures (SOPs) were developed by both government and CSO service providers. PPE was provided for staff and community members, while information and education was communicated online, by radio, over public address systems and through community-level volunteers.

## **How national child helplines adapted to the Covid-19 pandemic**

### **Egypt**

The National Child Helpline, operated by the NCCM, received hygiene kits and laptops to support remote operations. Remote case management and psychological first aid training was provided for child helpline agents and counsellors, along with social workers and counsellors from various CSOs. These measures helped maintain child protection services, including those involving family violence. Case management units within the Ministry of Social Solidarity can now deliver remote support for child protection cases by phone, thus ensuring the continuity of specialised services provided by implementing partners.

### **Uganda**

The Coordinating Comprehensive Care for Children (4Children) project - funded by USAID and the US President's Emergency Plan for AIDS Relief (PEPFAR) - recognised urgent action was needed and worked with its partners to reopen the helpline. 4Children paid for additional mobile data and essential equipment such as sanitiser and infrared thermometers which allowed frontline probation and social welfare officers to work remotely during the lockdown. As part of its pandemic SOPs, the child helpline reduced the number of staff on duty from 56 to 22, and the operating hours from 24 to 12 hours during the day.

## **4.4 Conclusion**

Lockdowns and restrictions resulted in an increase in VAC incidents and disruption to VAC services. Confinement is likely to increase tensions in the household; put additional stresses on caregivers; create economic uncertainty, job

losses or disruption to livelihoods; and social isolation - all of which can trigger or exacerbate VAC. Depending on capacity, governments responded by adapting child protection, family and psychosocial services, and by using child helpline and Child Protection Committees to reach children.

# CHAPTER 5:

## FINDINGS AND RECOMMENDATIONS

This chapter summarises the main findings and provides recommendations to strengthen national capacity for addressing VAC. Country-specific recommendations are also provided.

### 5.1 Summary of key findings

#### Political and social stability

The political environment in the ten study countries varied widely from peaceful to unstable. Egypt, Malawi, Mauritius, Namibia and Uganda were generally peaceful with minimal risk of internal or cross-border armed conflict. However, Burkina Faso, Cameroon, Chad, Nigeria and Sudan were involved in armed conflicts that not only expose children various forms of violence - including abduction and recruitment into armed groups, and physical and sexual violence - but also disrupt the delivery of VAC prevention and response services. Political contests, weak governance, poor service delivery and economic challenges gave rise to sporadic protests in all ten study countries. Unstable political and social environments increase the likelihood of crime and violence, and disrupt general service provision.

#### Social norms and values

In all ten countries, a significant proportion of the population cherishes

social norms and values which support the use of violence for conflict resolution and discipline. Implementation of laws and policies aimed at reducing VAC are hampered because violence appears acceptable both to the victims and the perpetrators. FGM, child marriage and corporal punishment are illegal in many countries, but continue because of cultural or religious attitudes in some communities. Although most countries where FGM is practiced have high birth registration coverage, combating culturally entrenched practices remains challenging in countries with low birth registration coverage such as Chad, Uganda and Nigeria.

#### Legal frameworks to protect children from violence

We found that the legal frameworks of the ten study countries were largely supportive of VAC prevention and response. Their governments have ratified most international and continental instruments, developed comprehensive national children's or child protection acts, and enacted laws to prohibit various forms of VAC. However, most African states have not yet ratified the Palermo Protocol on Trafficking in Persons or the Optional Protocol to the UNCRC on a Communications Procedure. Furthermore, some countries lack national laws which explicitly, comprehensively or harmoniously prohibit corporal punishment, child marriage, FGM, child labour and

some acts of trafficking and sexual exploitation. In most countries, the minimum age of criminal responsibility is below the international benchmarks, and in some, the definition of a child is set below the international standard. Burkina Faso, Chad and Cameroon have not yet passed a comprehensive children's law, and while Nigeria did adopt a comprehensive Child's Right Act in 2003, it has not yet come into force in 10 out of the 36 federal states in the country. In general, law enforcement remained weak, even where the legal framework itself is robust.

### **Programmes and services to address VAC**

Four of the ten countries - Burkina Faso, Egypt, Namibia and Uganda - have a national plan, strategy or policy for children, or a specific plan for child protection or to end VAC. Nigeria has drafted the National Priority Action on Ending VAC. The other countries have thematic plans for different VAC issues such as child labour, child trafficking and child marriage. or they integrate VAC issues into the development investment plans of relevant sectors or ministries.

Each country has national and subnational coordination mechanisms, often led by a social welfare agency, to coordinate both the broad approach to VAC and specific thematic areas such as child labour, commercial sexual exploitation, child marriage and child trafficking. We found that some countries such as Cameroon and Egypt have multiple VAC coordination structures without a clear separation of roles. Despite a range of services offered by government agencies and CSOs, more needs to be done to address the root causes of violence such as social norms, poverty and vulnerability. Both surveys and incident reports showed VAC remains a reality.

### **Financial resources**

Governments across the study countries allocated some resources to institutions addressing VAC, mainly to cover staff pay, operational facilities and utility costs at both national and subnational levels. However, the limited financial resources allocated to social welfare (compared to other sectors and social sector institutions) compromised the ability of VAC agencies to implement their mandates properly. Subnational structures were even more starved of finances than central government institutions. CSOs were relatively better resourced, and so were able to fill some of the gaps left by the state, but both CSOs and government agencies relied heavily on donors to fund services addressing VAC.

### **Human resources**

Social welfare staff and law enforcement officers in the study countries received training provided by various government and non-government agencies, but we could find little information about the quality and reach of these training programmes. In most countries' VAC agencies there are staff shortages, unfilled vacancies, high turnover rates and training gaps. Employee competence is generally low - for example, the US State Department reports on human trafficking and child labour frequently cited the lack of investigative skills of law enforcement personnel. These human resource challenges were partly attributed to the small budgets allocated to institutions with a mandate to address VAC.

### **Information, monitoring and evaluation**

All ten countries produced information about VAC from administrative and survey sources. Data on birth registration, reported incidents of



violence and service uptake was largely useful for financial accountability, but not for measuring trends or evaluating VAC programmes. Only Malawi had designed a robust system to manage child protection data, but it faced challenges of low geographical coverage, limited integration with other systems and low internet penetration. Censuses and surveys such as NVAC, DHS and MICS provided important information for measuring the broad influences, impacts and outcomes of VAC programmes, but not for lower level outcomes and outputs. Some countries such as Burkina Faso and Mauritius have conducted no recent nationally representative surveys, and small-scale surveys were of limited use because they were not scientifically designed or conducted. Some VAC issues such as child neglect, child labour and child pornography are not adequately covered by either surveys or administrative data.

### **Adapting to Covid-19 and future pandemics**

We found that lockdowns and restrictions during the pandemic increased the number of VAC incidents, and either directly or indirectly disrupted the delivery of VAC-related services, especially where the responsible institutions were not classified as essential services.

## **5.2 General recommendations for all countries**

1. **Strengthen the legal protection of children.** Those countries which have not yet done so should ratify the Palermo Protocol on Trafficking in Persons and the Optional Protocol to the UNCRC on a Communications Procedure. All ten countries should enact new laws or amend existing legislation to comply fully with international and continental instruments they have ratified. Governments should also harmonise domestic laws, including provisions on the definition of a child, minimum ages, corporal punishment, child marriage, FGM, child labour, child trafficking and child sexual exploitation. The minimum age of marriage should be set at 18 for both boys and girls, without any conditions.
2. **Develop and implement comprehensive national plans of action on VAC.** Countries without a comprehensive, multi-sectoral, government-funded national plan of action on VAC (not thematic plans) should develop and implement one, including specific objectives, budget, monitoring and evaluation plan, and a multi-sectoral coordination mechanism.
3. **Governments, CSOs and development partners should develop and deliver at scale an improved, standardised and coordinated multi-sectoral package of prevention and response measures.** Primary prevention should cover changing social norms, poverty reduction and increased access to essential social services. Secondary prevention and response services should include an awareness-raising campaign on the legal prohibition of VAC, the penalties and available redress mechanisms for survivors. Response services should further incorporate the economic, social and psychological rehabilitation and reintegration of both survivors and perpetrators of violence. Where there are multiple coordination bodies, governments, CSOs and development partners should discuss and agree which agency takes the lead, and how to streamline and reduce coordination structures in line with a systems approach to VAC programming.

4. **Increase birth registration coverage.** National governments should scale-up birth registration services, ensuring that registration is accessible, affordable and fast.
5. **Make the case for government investment in the social welfare sector.** Given the competition for scarce resources, social welfare agencies and institutions must get better at communicating their added value in tackling poverty and human rights violations among disadvantaged groups. VAC incidents should be treated like medical emergencies, with funding and technical support to CSOs to provide a 24/7 service. As funding gradually increases, the social welfare sector should recruit more, qualified personnel and offer regular in-service training on VAC laws, service standards, codes of ethics and child-friendly service provision.
6. **Strengthen CSO domestic resource mobilisation.** Given the unsustainable and sometimes inflexible nature of external donor funding, ACPF and technical assistance agencies should support capacity building programmes to enable national CSOs to mobilise local resources through social entrepreneurship and corporate fundraising.
7. **Continuous staff training.** Governments, CSOs and development partners should support training about new laws, policies and guidelines; emerging forms of VAC; social workforce role planning; child safeguarding; INSPIRE strategy; and co-designed programmes based on results, evidence and learning.
8. **Strengthen systems for administrative data.** Social sector institutions, in collaboration with the national statistical office, CSOs and development partners, should strengthen child protection monitoring and evaluation systems by defining clear multi-sectoral indicators; make plans for integrating cross-sectoral and subnational data with national data; and introduce measures to improve data quality and disaggregation at all phases from collection to utilisation.
9. **Develop a VAC research agenda.** Building on VAC survey and VAC action plans, each country should develop, align and consolidate its research interventions to ensure scientifically sound and representative studies. VAC survey questions should, as far as possible, be included in periodic national surveys and school censuses.
10. **Address the root causes of conflict in affected African countries** by reducing poverty and inequality, and promoting good governance, democracy, the rule of law and respect for human rights.
11. **Demand that all children should be protected from the impacts of conflict.** The international community, AU, ACERWC and regional economic communities should require all parties to conflicts to protect children from violence and support gender-responsive demobilisation, rehabilitation and reintegration programmes for child survivors of conflicts.
12. **Address social norms and values.** Governments, CSOs and development partners should invest in transforming social attitudes and beliefs which accept GBV or violent child discipline as normal, using promising and proven models while reinforcing existing awareness-raising interventions.
13. **Build pandemic risk analysis and planning capacity.** To ensure continuity of VAC services now and during future pandemics,

the social service workforce providing response services in non-humanitarian settings need to be trained in risk analysis, planning, preparedness, business continuity and pandemic-sensitive SOPs.

**14. Increase ITC funding and training.**

During lockdowns, national child helplines and call centres need ICT equipment, skills and training to deliver services remotely - including psychosocial support, information, education and communication - during this and future pandemics.

- 15. Governments should designate social workers and services as essential.** Social welfare organisations and advocates should build on the momentum achieved during the Covid-19 response to demand governments designate social service workers as essential. Governments should also integrate VAC prevention and response into national response plans for current and future crises.

## 5.3 Country-specific recommendations

In addition to the recommendations above which apply to all ten study countries, individual governments should take action in the following areas.

### Burkina Faso

- Ratify the Optional Protocol to the CRC on a Communications Procedure and the AU Convention on Cybersecurity and Personal Data Protection.
- Develop a comprehensive child code conforming to the UNCRC and other international instruments the country has ratified.
- Urgently reform the Family and Person's Code and the Criminal Code to ensure that prohibition of

early and forced marriages to apply to all forms of marriages including religious and traditional marriages.

- The minimum age of marriage should be set at 18 years for both boys and girls. Require all marriages to be registered and for state officials to conduct mandatory checks for the age of the parties involved. Provide for protection orders and security of victims of forced and early marriages.

### Cameroon

- Ratify the Optional Protocols to the CRC on Sale of Children, on Involvement of Children in Armed Conflict and on a Communications Procedure.
- Consider ratifying the UN Convention on the Rights of Persons with Disability and the AU Convention on Cybersecurity and Personal Data Protection.
- Act quickly to enact the Draft Child Protection Code into law and revise the minimum age for legal employment to at least 15 years in line with ILO Convention No. 138.
- Develop and implement a comprehensive, costed national plan of action on VAC.

### Chad

- Ratify the Optional Protocol to the CRC on a Communications Procedure and the Palermo Protocol on Trafficking in Persons.
- Ratify the Optional AU Protocol on the Rights of Women in Africa and the AU Convention on Cybersecurity and Personal Data Protection.
- Expedite the enactment of the Draft Child Protection Code and revise the minimum age for legal employment to at least 15 years in line with ILO Convention No. 138.
- Revise laws that conflict with the minimum age of marriage being 18 years.

- Develop and implement a comprehensive, costed national plan of action on VAC.

### **Egypt**

- Ratify the Optional Protocol to the CRC on a Communications Procedure and the AU Convention on Cybersecurity and Personal Data Protection.
- Revise national child protection laws to ensure domestic legislation explicitly prohibits all forms of physical and mental violence against children in all settings.
- Put more effort into implementing activities that prevent VAC, including awareness-raising, behaviour change communication and redress mechanisms.
- Strengthen the VAC case management system by training municipal social workers to receive and respond to reports of violence. Provide follow-up support to children and families including measures to prevent recurrence. Refer complaints to specialised Child Prosecution Offices for prompt and impartial investigations.

### **Malawi**

- Ratify the Optional Protocol to the CRC on a Communications Procedure, the AU Optional Protocol on the Rights of Women in Africa and the AU Convention on Cybersecurity and Personal Data Protection.
- Revise the minimum age for legal employment to at least 15 years in line with ILO Convention No. 138
- Develop and implement a comprehensive, costed national plan of action on VAC.

### **Mauritius**

- Ratify the Optional Protocol to the CRC on a Communications

Procedure, the Palermo Protocol on Trafficking in Persons and the AU Optional Protocol on the Rights of Women in Africa.

- Finalise the review of the legal framework on prohibiting, preventing and responding to all forms of VAC, and ensure the harmonisation of national legal and regulatory frameworks with ratified international and regional instruments.
- Develop and implement a comprehensive, costed national plan of action on VAC.
- Strengthen coordination at all levels and clarify roles to improve VAC prevention and response, paying particular attention those regions which are currently underserved.
- Establish a data collection system based on specific indicators to measure progress in service delivery and in reducing VAC. Where relevant, data should be disaggregated by sex, age, region and the status of the child's vulnerability.
- Provide adequate financial, human and training resources to implement the legal framework for child protection.
- Institutional care facilities for VAC survivors should be expanded to avoid overcrowding.
- Develop and adhere to appropriate standards of service provision to ensure quality care.

### **Namibia**

- Ratify the Optional Protocol to the CRC on a Communications Procedure and Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.
- The Ministry of Gender Equality and Child Welfare should recruit, train and retain the appropriate number and quality of staff to spearhead interventions relating to VAC



- prevention and response.
- Strengthen coordination at all levels and clarify roles to improve VAC prevention and response, paying particular attention to those regions which are currently underserved.
- Ensure adequate financial and human resources for the office of the Ombudsman for Children.
- Establish a monitoring and evaluation system to strengthen data collection on indicators disaggregated by sex, age, region, poverty and disability.
- Strengthen and systematise human rights and CRC training programmes for all professionals working with children, including lawyers, judges, police, traditional and religious leaders, prison and detention staff, teachers, health and social workers.
- The Ministry of Gender should work with other stakeholders to focus on VAC prevention as well as response.

## **Nigeria**

- Ratify the Optional Protocol to the CRC on a Communications Procedure, the AU Optional Protocol on the Rights of Women in Africa, and the AU Convention on Cybersecurity and Personal Data Protection.
- Strengthen legislative frameworks to protect vulnerable children exposed to violence, abuse, and exploitation.
- Legal reform at both federal and state level to ensure legislation is aligned with the provisions of the international conventions the country has ratified.
- Exert pressure on the ten states yet to enact the Child Rights Act to do so.
- Develop and implement a comprehensive, costed national plan of action on VAC.
- Strengthen the capacity of VAC prevention and response service providers in areas of planning, resource mobilisation, implementation, coordination, monitoring and evaluation.
- Strengthen birth registration systems to scale up the registration of children, with a focus on those under one.

## **Sudan**

- Ratify the Optional Protocol to the CRC on Communications Procedure, the Palermo Protocol on Trafficking in Persons and the UN Convention Against Torture.
- Consider ratifying the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, the African Youth Charter, and Convention on Cybersecurity and Personal Data Protection.
- Develop and implement a comprehensive, costed national plan of action on VAC.

## **Uganda**

- Ratify the Optional Protocol to the CRC on Communications Procedure and the Palermo Protocol on Trafficking in Persons.
- Consider ratifying the AU Convention on Cybersecurity and Personal Data Protection.







# ENDNOTES

<sup>1</sup> <https://www.who.int/publications/i/item/inspire-seven-strategies-for-ending-violence-against-children>

<sup>2</sup> *Child-Friendliness Index (CFI)*: is a statistical framework and quantitative data to monitor and assess governments' efforts to improve child rights and wellbeing. The CFI is based on the three fundamental principles of the CRC and the ACRWC: Protection, Provision, and Participation. Often referred to as the '3Ps', they enshrine government obligations to children as laid down in the two instruments.

<sup>3</sup> The NVAC surveys under the "Together for Girls" Partnership provided prevalence estimates of violence for girls and boys but not for the overall (boys and girls combined).

<sup>4</sup> <https://endcorporalpunishment.org/>

<sup>5</sup> Interagency working group on sexual exploitation of children (2016). Terminology guidelines for the protection of children from sexual exploitation and sexual abuse

<sup>6</sup> Girls Not Bride, 2019. Child Marriage: A Form of Violence Against Children

<sup>7</sup> Interagency working group on sexual exploitation of children (2016). Terminology guidelines for the protection of children from sexual exploitation and sexual abuse

<sup>8</sup> Source

<sup>9</sup> ACPF (2019). Sexual Exploitation of Children in Africa: A Silent Emergency. African Child Policy Forum (ACPF).

<sup>10</sup> <https://www.who.int/news-room/fact-sheets/detail/female-genital-mutilation>

<sup>11</sup> [https://d3n8a8pro7vnmx.cloudfront.net/equalitynow/pages/2280/attachments/original/1587032303/FGM\\_Global\\_-\\_ONLINE\\_PDF\\_VERSION\\_-\\_07.pdf?1587032303](https://d3n8a8pro7vnmx.cloudfront.net/equalitynow/pages/2280/attachments/original/1587032303/FGM_Global_-_ONLINE_PDF_VERSION_-_07.pdf?1587032303)

<sup>12</sup> Interagency working group on sexual exploitation of children (2016). Terminology guidelines for the protection of children from sexual exploitation and sexual abuse

<sup>13</sup> Ibid

<sup>14</sup> ECPAT International, Global Study on Sexual Exploitation of Children in Travel and Tourism: Regional Report Sub-Saharan Africa, 2016.

<sup>15</sup> ECPAT International, Global Study on Sexual Exploitation of Children in Travel and Tourism: Regional Report Sub-Saharan Africa, 2016.

<sup>16</sup> ECPAT, Global monitoring status: Uganda, 2013

<sup>17</sup> WHO & USAID, Child sexual abuse in sub-Saharan Africa: a review of the literature. East, Central and Southern African Health Community (ECSA), 2011

<sup>18</sup> The NVAC surveys under the "Together for Girls" Partnership provided prevalence estimates of violence for girls and boys but not for the overall.

<sup>19</sup> ACPF (2014). The African Report on Violence Against Children. Addis Ababa: The African Child Policy Forum (ACPF)

<sup>20</sup> Ibid

<sup>21</sup> Raising Voices and Save the Children in Uganda (2005). Violence against Children: The Voices of Ugandan Children and Adults.

<sup>22</sup> <https://www.ilo.org/ipec/facts/lang--en/index.htm>

<sup>23</sup> <https://www.ecpat.org.uk/FAQs/what-is-child-trafficking>

<sup>24</sup> ACPF, available at <http://www.africanchildforum.org/en/index.php/en/violenceagainst-children-in-africa.html?quot>.

<sup>25</sup> WORLD Health Organization (2009). Violence prevention: the evidence; Changing cultural and social norms that support violence

<sup>26</sup> ACPF, Child Law Resources

<sup>27</sup> Para 41.4 of the African Commission's Guidelines on Combating Sexual Violence and its Consequences in Africa.

- <sup>28</sup> Interagency working group on sexual exploitation of children (2016). Terminology guidelines for the protection of children from sexual exploitation and sexual abuse
- <sup>29</sup> <https://www.unicef.org/lac/media/2751/file/PDF%20Minimum%20age%20for%20admission%20to%20employment.pdf>
- <sup>30</sup> Ibid
- <sup>31</sup> <http://www.africanchildforum.org/clr/Harmonisation%20of%20Laws%20in%20Africa>
- <sup>32</sup> General comment No. 24 (2019) on children's rights in the child justice system
- <sup>33</sup> [https://www.equalitynow.org/the\\_law\\_and\\_fgm](https://www.equalitynow.org/the_law_and_fgm)
- <sup>34</sup> Ibid
- <sup>35</sup> ACPF and Plan International (2019). Getting Girls Equal: The African Report on Girls and the Law
- <sup>36</sup> UNODC (2018). Global Report on Trafficking in Persons
- <sup>37</sup> United States Department of State. 2020 Trafficking in Persons Report: Cameroon
- <sup>38</sup> <https://reliefweb.int/report/cameroon/committee-rights-child-examines-report-cameroon>
- <sup>39</sup> <https://csd.govmu.org/Pages/Registration/Birth.aspx>
- <sup>40</sup> <https://www.who.int/publications/i/item/9789240004191>
- <sup>41</sup> Perceived enforcement was assessed using a rating scale ranging from 1 where it was considered highly unlikely that someone breaking the law would be sanctioned, to 10 where respondents considered it highly likely that someone would be sanctioned for breaking the law. The median of the respondents' scores was calculated and assessed according to three levels of enforcement: low enforcement for ratings up to 3.3; medium enforcement for ratings from 3.4 to 6.7, and high enforcement for ratings from 6.8 to 10.
- <sup>42</sup> Global status report on preventing violence against children. Geneva: World Health Organization; 2020. License: CC BY-NC-SA 3.0 IGO.
- <sup>43</sup> Evaluation of Malawi Child Protection Strategy 2012-2018
- <sup>44</sup> Protecting Children in Malawi: A report on the major findings of the mapping and assessment of the National Child Protection System
- <sup>45</sup> Malawi 2020 Voluntary National Review Report for Sustainable Development Goals
- <sup>46</sup> Interview with a key informant in Uganda
- <sup>47</sup> Ibid
- <sup>48</sup> <https://gender.govmu.org>
- <sup>49</sup> Combined third to fifth periodic reports of States parties due in 2015: Cameroon. Retrieved from [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC/C/CMR/3-5&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC/C/CMR/3-5&Lang=en)
- <sup>50</sup> Key informant interview
- <sup>51</sup> Refworld, (2016). Cameroon: Domestic violence, including legislation; protection provided by the state and support services available to victims (2014-2016). Available at <https://www.refworld.org/docid/5729a55e4.html>
- <sup>52</sup> Ministerial Policy Statement FY 2020/21
- <sup>53</sup> Uganda Child Rights NGO Network (2016). CSO Alternative Report on the Implementation of the Convention on the Rights of the Child in Uganda
- <sup>54</sup> The Economist Intelligence Unit (2020). Out of the Shadows: Shining Light on the Response to Child Sexual Abuse and Exploitation. A 60-country benchmarking index
- <sup>55</sup> African Union, 2008. Social Policy Framework for Africa, First Session of the AU Conference of Ministers in Charge of Social Development, Windhoek, Namibia
- <sup>56</sup> ACPF and Plan International (2019). Getting Girls Equal: The African Report on Girls and the Law
- <sup>57</sup> Refer to Table 25
- <sup>58</sup> UNDP, 2019. The State of Social Assistance in Africa. New York
- <sup>59</sup> Available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5709306/>.
- <sup>60</sup> UNDP, 2019. The State of Social Assistance in Africa. New York
- <sup>61</sup> <https://www.oecd-ilibrary.org/docserver>



<sup>62</sup> Ibid

<sup>63</sup> Ibid citing Jawad, 2014; Devereux, 2015.

<sup>64</sup> <https://www.ilo.org/africa/areas-of-work/social-protection/lang—en/index.htm>

<sup>65</sup> UNDP, 2019. The State of Social Assistance in Africa. New York.

<sup>66</sup> Ibid. A poor person was defined as someone having income below the purchasing power parity (PPP) poverty line of US\$1.90 per day.

<sup>67</sup> Ibid

<sup>68</sup> Monchuk. V. 2014. Reducing Poverty and Investing in People: The New Role of Safety Nets in Africa. Washington, DC: World Bank

<sup>69</sup> Promoting synergies between child protection and social protection in West and Central Africa. UNICEF and ODI 2009

<sup>70</sup> The life-cycle approach (LCA) disaggregates needs for social protection by stages of life, recognizing that sources of vulnerability are different for children, working-age adults and older persons.

<sup>71</sup> ACPF and Plan International (2019). Getting Girls Equal: The African Report on Girls and the Law

<sup>72</sup> Social Assistance Grants for Empowerment (SAGE) provides a non-contributory cash transfer to the elderly (senior citizens).

<sup>73</sup> ACPF and Plan International (2019). Getting Girls Equal: The African Report on Girls and the Law

<sup>74</sup> Child protection and COVID-19, April 2020

<sup>75</sup> Ibid

<sup>76</sup> Malawi Child Rights Barometer 2018

<sup>77</sup> For Malawi, the results are from the 2018 population and housing census

<sup>78</sup> Exchange rate calculated using historical data for the month of July when the approved budget is published. See <https://fxtop.com/en/historical-currency-converter.php?A=199505121367&C1=UGX&C2=USD&>

<sup>79</sup> [budget.go.ug/dashboard](https://budget.go.ug/dashboard). Retrieved on October 12, 2020

<sup>80</sup> Uganda's budget has 18 budget sectors and a provision for interest payments.

<sup>81</sup> UNICEF (2019). Child protection budget analysis in Malawi: analysis of trends, gaps and opportunities. UNICEF Malawi

<sup>82</sup> Ibid

<sup>83</sup> Voluntary national review of the Sustainable Development Goals 2019

<sup>84</sup> Combined third to fifth periodic reports of States parties due in 2015: Cameroon. Retrieved from [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC/C/CMR/3-5&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC/C/CMR/3-5&Lang=en)

<sup>85</sup> Ibid

<sup>86</sup> <https://www.unicef.org/esa/media/1006/file/UNICEF-Namibia-2017-Social-Assistance-and-Welfare-Budget-Brief.pdf>

<sup>87</sup> <https://www.emerald.com/insight/content/doi/10.1108/REPS-02-2020-0023/full/html#sec011>

<sup>88</sup> Global Social Service Workforce Alliance. Global Advocacy Toolkit for the Social Service Workforce. 2017. Bunkers, K., Bess, A., Collins,

<sup>89</sup> The Global Social Service Workforce Alliance. The state of the social service workforce 2017: Stories of workforce Efforts to address Violence against children

<sup>90</sup> Child protection mapping and assessment 2014

<sup>91</sup> <https://www.unicef.org/esa/media/1006/file/UNICEF-Namibia-2017-Social-Assistance-and-Welfare-Budget-Brief.pdf>

<sup>92</sup> Ministry of Gender, Labour and Social Development (2020). Ministerial Policy Statement FY 2020/21

<sup>93</sup> Ibid

<sup>94</sup> The Economist Intelligence Unit (2020). Out of the Shadows: Shining Light on the Response to Child Sexual Abuse and Exploitation. A 60-country benchmarking index

<sup>95</sup> Ibid

<sup>96</sup> <https://reliefweb.int/report/cameroon/committee-rights-child-examines-report-cameroon>

<sup>97</sup> Child protection mapping and assessment 2014

<sup>98</sup> Combined third to fifth periodic reports of States parties due in 2015: Cameroon. Retrieved from [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC/C/CMR/3-5&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC/C/CMR/3-5&Lang=en)

<sup>99</sup> Key informant interview

<sup>100</sup> <https://www.cdc.gov/violenceprevention/childabuseandneglect/vacs/reports.html>

<sup>101</sup> <https://www.togetherforgirls.org/violence-children-surveys/>

<sup>102</sup> Evaluation of Malawi Child Protection Strategy 2012-2018

<sup>103</sup> Ibid

<sup>104</sup> Key informant interview

<sup>105</sup> UN Security Council (2019). Children and Armed Conflict: Report of the Secretary-General.

<sup>106</sup> ICRC (2015). Sexual Violence in Armed Conflict: From Breaking the Silence to Breaking the Cycle. IIRC No. 894.

<sup>107</sup> Gow, M., Vandergrift, K., and Wanduragala, R. (2000). "The Right to Peace: Children and Armed Conflict", World Vision International, Working Paper No. 2. pp. 36-37.

<sup>108</sup> <https://www.garda.com/crisis24/country-reports/> provides a detailed overview of the political and conflict situation in each country.

<sup>109</sup> Save the Children, 2018. Stop the War on Children: Protecting Children in 21st Century Conflict, 2018; p.20

<sup>110</sup> UNICEF, Press Release on 13 April 2018, available at <https://www.unicef.org/wca/press-releases/more-1000-children-northeastern-nigeria-abducted-boko-haram-2013>

<sup>111</sup> World Health Organization (2002). World report on violence and health. Geneva,

<sup>112</sup> Respondents were asked if a husband is justified in hitting or beating his wife if: "she burns the food," "she argues with the husband," "she goes out without informing the husband," "she neglects the children," and "she refuses to have sex with the husband". Response options were 'Yes', 'No' and 'Don't know'.

<sup>113</sup> UNICEF, Plan West Africa, Save the Children Sweden West Africa & Action Aid (2010). A Report on School-Based Violence in West and Central Africa.

<sup>114</sup> ACPF (2014). The African Report on Violence Against Children. Addis Ababa: The African Child Policy Forum (ACPF).

<sup>115</sup> Child protection and COVIDCovid-19, April 2020.

<sup>116</sup> Regional economic outlook. Sub-Saharan Africa: a difficult road to recovery. Washington, DC: International Monetary Fund, 2020. | Oct. 20. |.

<sup>117</sup> UN (2020). Shared Responsibility, Global Solidarity: Responding to the socio-economic impacts of COVIDCovid-19.

<sup>118</sup> Williams et al. (2012). Transactional Sex as a Form of Child Sexual Exploitation and Abuse in Rwanda: Implications for Child Security and Protection. Child Abuse & Neglect, 36(4), 354-361. doi: <https://doi.org/10.1016/j.chiabu.2011.11.006>

<sup>119</sup> Kassa et al (2018). Prevalence and determinants of adolescent pregnancy in Africa: a systematic review and Meta-analysis. Reproductive Health volume 15, Article number: 195.

<sup>120</sup> Human Rights Watch (2020). COVIDCovid-19 and Children's Rights.

<sup>121</sup> UNFPA (2020). COVIDCovid-19: A Gender Lens Technical Brief Protecting Sexual and Reproductive Health and Rights, and Promoting Gender Equality March 2020

<sup>122</sup> Joining Forces Coalition. Keeping children safe in Uganda's COVIDCovid-19 Response, May 2020

<sup>123</sup> UNFPA (2020). COVIDCovid-19: A Gender Lens: Technical Brief Protecting Sexual and Reproductive Health and Rights and Promoting Gender Equality.





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