

**AFRICAN UNION**

**African Committee of Experts on the  
Rights and Welfare of the Child**



**UNION AFRICAINE**

**Comité Africain d'Experts sur les  
Droits et le Bien-être de l'Enfant**

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*"An Africa Fit for Children"*

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**AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND  
WELFARE OF THE CHILD**

**CRITERIA FOR GRANTING OBSERVER STATUS  
TO NON-GOVERNMENTAL ORGANISATIONS (NGOs)  
AND ASSOCIATIONS**

## **INTRODUCTION**

The AU African Committee of Experts on the Rights and Welfare of the Child, in conformity with Article 42 of the Charter and Articles 34, 37, 81 and 82 of the Rules of Procedure on representation and cooperation with civil society organisations grant observer status to civil society organisations according to the following criteria and principles.

### **SECTION I**

#### **Principles to be Applied in Granting Observer Status in the AU African Committee of Experts on the Rights and Welfare of the Child**

1. The aim and objectives of NGOs/Associations applying for Observer Status should be in keeping with the spirit, objectives and principles of the Constitutive Act of the African Union and of the African Committee of Experts on the Rights and Welfare of the Child and those enshrined in the Charter.
2. The NGOs/Associations shall undertake to support the work of the African Union and the Committee, and promote the dissemination of information on its principles and activities, in accordance with the aims and objectives, the nature and areas of competence and activities.
3. The NGOs and Human Rights Associations in general for the promotion and protection of the child in particular should have a recognized reputation in their particular areas. When there are several NGOs/ Associations with similar objectives, interests and view points in a given area, they should be encouraged with a view to obtaining observer status with the Committee to form a coalition.
4. The NGOs/Associations should:
  - a) Be registered in a State Party, at least three (03) years before the submission of the request, to undertake without restriction regional and continental activities as African Civil Society Organisations or of the diaspora working in the area of defending, protecting and promoting the rights of children; and
  - b) Provide proof of their official recognition as well as their activities during that period.
5. The NGOs/Associations should have:
  - a) a recognized headquarters and an executive organ;
  - b) democratically adopted statutes, a copy of which shall be deposited with the Chairperson of the Committee of Experts;
  - c) a representative structure and appropriate mechanisms to enable them to report to their members who should exercise effective control over their policies, through an appropriate democratic and transparent decision-making process;

- d) an administration comprising a majority of African citizens or Africans from the Diaspora as defined by the executive council and an elected children's representative whenever possible. These conditions shall not be applicable to International Non-Governmental Organisations.

6.

Any NGO/Association that practices discrimination on the basis of specific criteria such as gender, colour, religion, ethnic group, tribe or race, or practices any other activity involving children that could be described as the worst forms of work and other abuses cannot enjoy observer status.

## **SECTION II**

### **Application Procedure for Non-Governmental Organizations**

1. Any NGO/Association wishing to obtain Observer Status should submit:
  - a) a written application addressed to the Committee, stating its intention, at least three (3) months before the session of the Committee to consider the application in question.
  - b) its statute or charter; an updated list of its members; all the details concerning their different sources of financing including voluntary contributions from external sources, the amount and names of Donors should be accurately indicated. Any financial support or contribution granted directly or indirectly by a state should be duly declared in its financial statement, which should be regularly presented to the Committee..
  - c) A memorandum of activities containing a presentation of the past and present activities of the NGO/Association; its links, including any links outside Africa and any other information which will help to define its identity, and above all, its area of activity.
- 2.. The submission of documents shall be in two (English and French) working languages of the Committee and in sufficient number of copies to allow their distribution to Committee members.
- 3.. If it is a Non-Governmental Organization of the Diaspora, it should also submit all the information and the names of at least two (2) AU Member States or civil society organizations recognized by the Union that are well acquainted with the organization and are willing to certify its authenticity.

### **SECTION III**

#### **Procedure for Consideration of Applications by the Committee**

1. The Committee shall, during its ordinary sessions, in conformity with the agenda prepared, consider the applications received within the set deadline..
2. The Committee shall, on the basis of defined criteria and principles, decide on the applications considered during its session and inform, through the Chairperson of the Committee, the organizations and Associations of the decisions of the Committee, without delay.

### **SECTION IV**

#### **Participation of Observers in the Deliberations of the Committee**

The representatives of NGOs/Associations enjoying Observer Status may:

1. Be invited to be present at all the opening and closing ceremonies;
2. Participate in meetings of the Committee in conformity with the conditions provided for in this section.
3. Have access to documents of the Committee provided these documents:
  - a) are not confidential;
  - b) deal with issues concerning the observers;
4. The documents of the Committee shall be distributed in accordance with the documents classification system adopted by the Committee
5. Be invited to attend closed sessions to consider issues, which concern them.
6. Participate, without voting rights, in the deliberations of meetings, to which they are invited, with the authorization of the Chairperson.
7. Observers may be authorized by the Chairperson to make a statement on issues concerning them, provided that the text of the statement is communicated in advance to the Chairperson.
8. The Chairperson of the meeting may give the floor to observers to enable them to reply to questions they may be asked by members.
9. Observers may request the inclusion of issues of particular interest to them on the agenda of the meeting.

**SECTION V**  
**Relations between the Committee and Observers**

1. The NGOs/Associations enjoying Observer Status undertake to establish close cooperation relations with the Committee and hold regular consultations with the latter on all issues of common interest.
2. All NGOs/Associations enjoying Observer Status with the Committee should submit analytic reports on their activities every two years (2) years. These reports should indicate:
  - a) their financial situation and viability;
  - b) their activities during the period considered, particularly concerning the support they provided for the implementation of the African Charter on the Rights and Welfare of the Child;
  - c) their officers and their dates of election, and indicate if the elections were held in conformity with the statute of the organization.
3. The Chairperson of the Committee may authorize any NGO/Association enjoying Observer Status, which has legally changed its name or legally succeeded an organization, which enjoyed Observer Status, to continue to enjoy the said status under its new name.
4. The Committee may suspend or withdraw the Observer Status; if it appears that an NGO/Association enjoying this status has ceased to meet the exigencies define in the present document..
5. Granting, suspension or withdrawal of Observer Status of an NGO/Association is the prerogative of the Committee and may not be the subject of a judgement of a court or tribunal.

**SECTION VI**  
**Final Provisions**

1. Granting of Observer Status to an NGO/Association does not incur any obligation on the part of the Committee to allocate a subsidy or any material assistance whatsoever to this NGO/Association.
2. Observers shall bear the expenses for their transport and stay at the venue of the conference.
3. These criteria can be amended if necessary