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African Child Day 2020: Access to child friendly justice system in Africa

African Child Day is celebrated each 16TH June in remembrance of hundreds of South African students killed and injured on June 16, 1976 in Soweto during their demonstration to demand quality education.

Today, the situation of children in Africa is still a preoccupation and leaders are called upon to put in place strong measures that allow African children to have access to education, healthcare, a decent life and to be taken into account in decisions concerning them.

The African Union is commemorating this year African Child Day under the theme: *Access to a child friendly justice system in Africa.*

Access to justice is one of the basic rights of all human beings, including children. Indeed, the ability to access justice is one of the requirements for protecting the other rights of children. Millions of children throughout Africa do not have access to justice that is needed to realize their rights.

Access to justice for children concerns the full range of circumstances under which children come into contact with the law. This includes their interaction with the justice system as children in conflict with the law, as children seeking redress for violation of their rights and as children giving evidence in a judicial process.

The situations in which children are involved in the justice system fall into four categories: the criminal justice system (when in conflict with the law or as victims and witnesses); the civil justice system (such as when they are in need of care and protection, or during judicial review of removal or placement; in custody and access disputes; in guardianship issues; and as unaccompanied or separated foreign children); the administrative justice system (such as school disciplinary proceedings and aspects of alternative care; and through the customary /traditional mechanisms of justice.

Recalling the African Charter on the rights and welfare of the child adopted in July 1990 by the 26th Ordinary Session of the Assembly of Heads of State and Government of the AU, we call on African governments to institute frameworks that provide the basis for a

child-friendly justice system. African governments have the duty to implement policies that promote the protection of children's best interests in their participation in the judicial system and in all matters that affect them.

Specific programs need to be pursued to promote:

- Respect for the dignity of children and treating them with full regard to their specific needs as children and for their physical and psychological integrity;
- the fight against child discrimination and providing the necessary support to facilitate the participation of vulnerable children;
- the adoption of child justice systems and institutions;
- providing information and advice to children about their rights and their roles;
- ensuring that children's involvement in the justice system does not endanger their wellbeing;
- establishing alternatives to judicial proceedings for children, such as mediation and others forms of dispute resolution;
- ensuring that child-friendly processes are followed and that children are treated with dignity during their interaction with law enforcement institutions, including the police.

ITUC-Africa is convinced that to achieve a strong and emancipated Africa we need to adopt a coherent policy approach that ensures the right of our people including children to attain access to justice.

Long live the African child!

Long live Africa!

Kwasi Adu-Amankwah
General Secretary