

African Union, African Regional Bodies

Recommendations on the social responsibility of Parliamentarians to fight child labour in mining areas

Legislation as at 17 October 2019

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African Union

Recommendations on the social responsibility of Parliamentarians to fight child labour in mining areas

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Commenced

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THE PAN-AFRICAN PARLIAMENT,

CONSIDERING Article 17(1) of the Constitutive Act of the African Union, establishing the Pan-African Parliament, to ensure the full participation of African peoples in the development and economic integration of the continent;

CONSIDERING ALSO Article 3 of the Protocol to the Treaty establishing the African Economic Community relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

CONSIDERING FURTHER the provisions of the United Nations Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child, which most African countries have ratified and incorporated in their respective laws on prohibition of child labour;

NOTING the findings of the report of the fact-finding mission on the responsibility of Parliamentarians to fight child labour in mining areas, carried out by the Committee on Health, Labour and Social Affairs, from 16 to 18 September 2019 in Abidjan, Côte d'Ivoire;

RECOGNIZING ALSO that the mining sector is one of the largest industries in Africa, but appears among the most hazardous activities in the world, particularly for children;

CONCERNED by the exploitation of children in economic activities, exposing them to all forms of abuse and a very high risk of damage to their health and growth;

CONCERNED ALSO by the overwhelming figures of a 2016 UNICEF study, stating that, in Côte d'Ivoire, 1 622 140 (73.3%) of the 2 213 708 economically active children were exposed to hazardous work;

NOTING that the agricultural sector increasingly employs children (56.2%), as well as the services sector (41.9%). In Côte d'Ivoire, 21.5% of children aged 5 to 17 years perform hazardous work, such as crushing and transporting stones, blasting rocks, underground work, sieving and extracting gold with mercury and cyanide;

WELCOMING the efforts of the African Union to strengthen the protection of the rights of children through the draft ten-year continental Action Plan towards eradication of child labour, forced labour, human trafficking and modern slavery in Africa;

WELCOMING ALSO the efforts by Côte d'Ivoire to strengthen its policies on child labour, in particular through the 2010 Declaration of Joint Action to support implementation of the Harkin-Engel Protocol; signing cooperation agreements with two West African countries, Ghana and Burkina Faso; establishing an inter-ministerial committee and a national oversight committee; and adopting national policies, especially the 2019-2021 Action Plan to combat child labour;

APPRECIATING the arrangements made by the Ivorian authorities to facilitate the PAP mission, and **WELCOMING** the collaboration of Parliamentarians, representatives of the various relevant ministries and civil society organizations of Côte d'Ivoire, which supported the commitment of Pan-African Parliamentarians by providing them with reliable data and information,

RECALLING that States have a duty to provide social protection for people by establishing an appropriate framework that would enable them to meet basic needs such as education, water, housing and health coverage;

NOW HEREBY RECOMMENDS TO:

1. The African Union Member States to:
 - i. Promote and ensure the respect of human rights, in particular of vulnerable groups such as children, by strengthening national human rights protection mechanisms; and
 - ii. Establish or, where appropriate, revive children's Parliaments as a platform for sharing and resolving their problems in a structured manner;
2. Parliamentarians of Member States to fully exercise their oversight role over government action, and adopt meaningful laws to ensure the effective implementation of punitive measures against those who break the law;
3. The Committee on Health, Labour and Social Affairs to undertake further regional consultations on child labour with a view to consolidating and sharing best practices in protecting their rights.

Done at Midrand, South Africa 17 October 2019