



## Civil Society Comments on Draft Updated AfDB ISS Taking a Child Rights Approach

May 12, 2022

We, members of civil society organizations (CSOs), welcome the review and update of the African Development Bank's (AfDB) Integrated Safeguards System (ISS) and view the draft updated ISS released in March 2022 as a robust and comprehensive document.

We are encouraged to see that children are specifically mentioned as a “vulnerable group” throughout the ISS and welcome new requirements for the Borrower to explicitly protect children from SEA/H and GBV and provisions for access to remedy around SEA/H issues. We are also pleased to see robust language around child labor risks and mitigation measures, including Codes of Conduct requirements around labor camps and the need to collect age-related data on child labor.

We call on the AfDB to build upon this strong foundation and demonstrate leadership among peer institutions in protecting and promoting the rights of the child by incorporating clear policy language in line with the United Nations Convention of the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child (ACRWC) into its updated ISS.

For the updated ISS to better protect children and promote a child rights-based approach in AfDB operations, we recommend the AfDB :

### **1) Adopt a single and consistent definition for marginalized groups across the ISS that includes children**

To most effectively prevent harm and enable access to project benefits, we recommend that references to “vulnerable groups,” including persons with disabilities and children, be consistent and integrated throughout the ISS. We also urge AfDB to use a different title for Operational Safeguard (OS) 7 on “Vulnerable Groups” to clarify the focus of this Safeguard on Indigenous Peoples and Highly Vulnerable Rural Minorities rather than “vulnerable groups” more broadly.

### **2) Collect disaggregated project data on children**

We are heartened to see that the OS1 Annex references the need to capture disaggregated data on vulnerable groups and that OS7 includes a reference to the collection of baseline data around factors such as “gender, disability, ethnicity and age”. This can be expanded upon in other Operational Safeguards, including, for example, OS10, which should be expanded to include disaggregated data on children and youth as stakeholders as well as CSOs that closely work with children in project affected areas.

### **3) Align the ISS with international standards on minimum age and hazardous work to combat the root causes and drivers of child labor**

We are encouraged by the recognition of the inherent risks of child labor and the inclusion of prevention measures. These measures can be strengthened to include specific reference to the [UN Convention on the Rights of the Child](#) (CRC) and [ILO standards on child labour](#) (Conventions 138 and 182) around minimum age and hazardous work for child labor. Additionally, OS2 should expand measures to prevent

child labor by including contractor disqualifications and/or sanctions. When the ISS is completed, the AfDB should provide guidance to Borrowers around prevention, mitigation, and response measures, including how to address the root causes and drivers (i.e. push-pull factors) of child labor according to the country and sector characteristics.

#### **4) Strengthen child SEA/H response measures**

We commend the recognition of GBV and SEA/H project risks and specific reference to children, namely, “the Borrower will ensure that women, girls and children, in particular, are protected from SEAH and GBV...” (OS4 para. 22). To do this, the Grievance Redress Mechanism (GRM) in OS10 should be expanded to include specific language on provisions for handling GBV and SEA/H cases, and GRMs should be set up in a child-friendly manner. After the completion of the ISS, further guidance should be given to the Borrowers on how to put in place effective prevention, mitigation, and response measures to combat the risks of child SEA/H in AfDB-funded projects.

#### **5) Consider the unique risks and needs of children in resettlement**

The AfDB should strengthen OS5 to require resettlement plans to specifically consider the needs of women and girls in forced displacement and involuntary resettlement due to increased risks of GBV, SEA/H, and intimate partner violence (IPV) in these contexts. Additionally, OS5 should explicitly require Borrowers to include children separately in the census survey and baseline socio-economic study so as to understand and make provisions for their needs.

#### **6) Include children as stakeholders and promote meaningful participation**

AfDB projects should provide opportunities for children to meaningfully participate as stakeholders. In order to take a child rights approach and strengthen the design and implementation of projects, OS10 should require that Borrowers include children as a stakeholder group in all stakeholder engagement plans (SEPs), with meaningful, accessible, and safe opportunities to participate. OS5 should include plans to engage children when planning resettlement by mentioning children explicitly and including children through meaningful participation. Child participation should be in line with the UN Committee on the Rights of the Child standards. Once the updated ISS is completed, the AfDB should provide sufficient guidance to the Borrower on the best practices for engagement and consultation with children

#### **7) Provide a detailed plan and appropriate resources for ISS implementation**

The draft updated ISS represents a significant increase for the AfDB in terms of necessary due diligence, Borrower support, and supervision requirements. Broadening the scope of the ISS to include additional social issues, including those that impact children, will require the development of new staff capacity, expertise, and training of existing staff at headquarters and in country offices. Meanwhile, the AfDB’s capacity to supervise Borrowers’ compliance with existing safeguards is already stretched thin. We are concerned that without considering the additional budget and capacity necessary to implement the updated ISS in conjunction with the draft, any advances in the new policy will not be realized at the project level, and dangerous compliance gaps will be perpetuated.

We are confident that the AfDB will put in place strong, clear policy language and appropriate measures to protect children from harm and promote the rights of the child in line with the CRC and ACRWC. We welcome the opportunity for further discussion and dialogue.

Sincerely,

- Bank Information Center (United States)
- Jamaa Resources Initiative (Kenya)
- Buliisa Initiative for Rural Development Organisation (Uganda)
- Foundation for Environmental Management and Campaign Against Poverty (Tanzania)
- Lumiere Synergie pour le Developpement (Senegal)
- Yumzaa Foundation (Ghana)
- Public Health Initiative Liberia (Liberia)
- African Network for Prevention and Protection Against Child Abuse and Neglect Liberia (Liberia)
- Community Initiatives for Sustainable Development (Kenya)
- Association Burkinabè pour la Survie de l'Enfance (Burkina Faso)
- Friends with Environment in Development (Uganda)
- Initiative for the Promotion of Democracy and Good Governance (The Gambia)
- Joy for Children Uganda (Uganda)
- Monde Des Enfants (Guinea)
- Global Responsibility- Austrian Platform for Development and Humanitarian Aid (Austria)
- Institute for Social Reformation & Action (The Gambia)
- Accountability Counsel (United States)