

## **BIBLIOGRAPHY**

### **PRIMARY SOURCES**

#### **AFRICAN HUMAN RIGHTS SYSTEM**

##### **African Human Rights Instruments**

African Charter on the Rights and Welfare of the Child, CAB/LEG/24.9/49 (1990)

#### **EUROPEAN HUMAN RIGHTS SYSTEM**

##### **Recommendations**

Recommendation Rec(2005)5 of the Committee of Ministers to member states of the rights of children living in residential institutions adopted by the Committee of Ministers on 16 March 2005, available at: <https://wcd.coe.int/ViewDoc.jsp?id=835953&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75> [accessed: 4 November 2009]

#### **UNITED NATIONS HUMAN RIGHTS SYSTEM**

##### **Human Rights Instruments**

Declaration of the Rights of the Child, G.A. res. 1386 (XIV), 14 U.N. GAOR Supp. (No. 16) at 19, U.N. Doc A/4354 (1959)

Universal Declaration on Human Rights 1948

International Covenant on Civil and Political Rights 1966

International Covenant on Economic, Social and Cultural Rights 1966

Convention on the Elimination of All Forms of Discrimination against Women 1979

Convention on the Rights of the Child 1989

##### **International Labour Organisation Instruments**

Convention concerning Prohibition and Immediate Action for the Elimination of the Worst Form of Child Labour, C182 International Labour Organisation (1999)

The Worst Form of Child Labour Recommendations, R190 International Labour Organisation (1999)

## **Guidelines**

General guidelines for periodic reports: 20/11/96, CRC/C/58. (Basic reference document) adopted by the Committee at its 343<sup>rd</sup> meeting (thirteenth session) on 11 Oct 1996

Guidelines for the Alternative Care of Children, A/HRC/11/L.13, Human Rights Council adopted at 11<sup>th</sup> session on 15 June 2009

## **General Comments & General Discussions**

CRC General Comment No 3: HIV/AIDS and the rights of the child, CRC/GC/2003/3 (17 March 2003)

CRC General Comment No 5: General measures of implementation of the Convention on the Rights of the Child (arts. 4, 42 and 44, para 6) CRC/GC/2003/5 (May 2003)

CRC General Comment No 9: The rights of the children with disabilities, CRC/C/GC/9 (27 February 2007)

CRC General Comment No. 12 The right of the child to be heard (Article 12 of the CRC) CRC/C/GC/12 (20 July 2009)

CRC Day of General Discussion on Children Living in a World of AIDS, CRC/C/79, Annex VI (5 October 1998)

CESCR General Comment No 3: Nature of state obligations (Article 2 par. 1 of ICESCR) 14/12/90 (1990)

CESCR General Comment No 13: The right to education (Article 13 of the ICESCR) E/C.12/1999/10 (08 December 1999)

CESCR General Comment No 14: The right to the highest attainable standard of health, (Article 12 of the ICESCR) E/C.12/2000/4 (11 August 2000)

CESCR General Comment No 16: The equal right of men and women to enjoy economic, social and cultural rights (article 3 of the ICESCR) E/C.12/2005/4 (11 August 2005)

CESCR General Comment No 19: the right to social security (article 9 of ICESCR) E/C.12/GC/19 (30 January 2008)

HRC General Comment No 16: The right to privacy (Article 17 of ICCPR) HRC/GEN/1/Rev.6 (1988)

HRC General Comment No 17: Rights of the child (Article 24 of the ICCPR) HRC/GEN/1/Rev.1 at 1994 (07/04/89)

HRC General Comment No 18: Non-discrimination (Article 2 of the ICCPR) 10/11/89

HRC General Comment No 19: The right to family (Article 23 of the ICCPR)  
24/07/90

HRC General Comment No 25: The right to participate in public affairs, voting rights and the right of equal access to public service (Art 25 of the ICCPR)  
CCPR/C/21/Rev.1/Add.7 (12 July 1996)

HRC General Comment No 31: Nature of the general legal obligation imposed on states parties to the Covenant: 26/05/2004 CCPR/C/21/Rev. 1/Add. 13 (29 March 2004)

CRC Recommendations from Day of General Discussion: State violence against children, CRC/C/97 (22 September 2000)

CRC Recommendations from Day of General Discussion: Children without parental care, CRC/C/153 (17 March 2006)

### **State reports**

Initial report of Uganda submitted under article 40 of the ICCPR, CCPR/C/UGA/2003/1 (2003)

Initial report of Zimbabwe submitted under article 40 of the ICCPR, CCPR/C/74/Add.3 (29 September 1997)

Second periodic report of Kenya submitted under article 40 of the ICCPR, CCPR/C/KEN/2004/2 (27 September 2004)

Second periodic report of Rwanda submitted under article 44 of the United National Convention on the Child, CRC/C/70Add.22 (2004)

### **Concluding observations**

Concluding observation of the CEDAW on the state report submitted by Malawi under article 16 of the CEDAW, CEDAW/C/MWI/CO/5 (3 February 2006)

Concluding observations of the Human Rights Committee on the state report submitted by Benin under article 40 of the ICCPR, CCPR:CO:82:BEN (1 December 2004)

Concluding observation of the CRC on the state report submitted by Algeria under article 44 of the CRC, CRC/C/15/Add.269 (12 Oct 2005)

Concluding observation of the CRC: Angola (CRC/C/15/Add.246: 3 Nov 2004)

Concluding observation of the CRC: Benin (CRC/C/BEN/CO/2: 20 Oct 2006)

Concluding observation of the CRC: Botswana (CRC/C/15/Add.242: 3 Nov 2004)

Concluding observation of the CRC: Burkina Faso (CRC/C/15/Add.193: 9 Oct 2002)

Concluding observations of CRC: Burundi (CRC/C/15/Add.133: 16 Oct 2000)

Concluding observation of the CRC: Cameroon (CRC/C/15/Add.164: 6 Nov 2001)

Concluding observation of the CRC: Cape Verde (CRC/C/15/Add.168: 7 Nov 2001)

Concluding observation of the CRC: Central African Republic (CRC/C/15/Add.138: 18 Oct 2000)

Concluding observation of the CRC: Comoros (CRC/C/15/Add.141: 23 October 2000)

Concluding observation of the CRC: Congo (Republic of) (CRC/C/COG/Co/1: 20 October 2006)

Concluding observation of the CRC: Côte d'Ivoire (CRC/C/15/Add.155: 9 July 2001)

Concluding observation of the CRC: Democratic Republic of Congo (CRC/C/15/Add.153: 09 July 2001)

Concluding observations of the CRC: Djibouti (CRC/C/15/Add.131: 28 June 2000)

Concluding observation of the CRC: Egypt (CRC/C/15/Add.145: 21 February 2001)

Concluding observation of the CRC: Equatorial Guinea (CRC/C/15/Add.245: 3 November 2004)

Concluding observation of the CRC: Eritrea (CRC/C/15/Add.204: 2 July 2003)

Concluding observation of CRC: Eritrea (CRC/C/ERI/CO/3: 2008)

Concluding observation of the CRC: Ethiopia (CRC/C/ETH/CO/3: 21 February 2001)

Concluding observation of the CRC: Gabon (CRC/C/15/Add.171: 3 April 2002)

Concluding observations of the CRC: The Gambia (CRC/C/15/Add.165: 6 November 2001)

Concluding observation of the CRC: Ghana (CRC/C/GHA/CO/2: 17 Mar 2006)

Concluding observation of the CRC: Guinea Bissau (CRC/C/15/Add.177: 13 June 2002)

Concluding observations of the CRC: Lesotho (CRC/15/add.147: 21 Feb 2001)

Concluding observation of the CRC: Liberia (CRC/C/15/Add.236: 1 July 2004)

Concluding observation of the CRC: Madagascar (CRC/C/15/Add.218: 27 Oct 2003)

Concluding observations of the CRC: Malawi (CRC/C/15/Add.174: 2 April 2002)

Concluding observations of the CRC: Malawi (CRC/C/MWI/CO/2: 27 March 2009)

Concluding observation of the CRC: Mali (CRC/C/MLI/CO/2: 3 May 2007)

- Concluding observations of CRC: Mauritania (CRC/C/MRT/CO/2: 2009)
- Concluding observation of the CRC: Mauritius (CRC/C/MUS/CO/2: 17 Mar 2006)
- Concluding observation of the CRC: Morocco (CRC/C/15/Add.211: 10 July 2003)
- Concluding observation of the CRC: Mozambique (CRC/C/15/Add.172: 3 April 2002)
- Concluding observations of CRC: Mozambique (CRC/C/MOZ/CO/2: 2009)
- Concluding observation of the CRC: Niger (CRC/C/15/Add.179: 13 June 2002)
- Concluding observation of the CRC: Nigeria (CRC/C/15/Add.257: 13 April 2005)
- Concluding observation of the CRC: Rwanda (CRC/15/Add. 234)
- Concluding observation of the CRC: Senegal (CRC/C/SEN/CO/2: 20 Oct 2006)
- Concluding observation of the CRC: Sierra Leone (CRC/C/15/Add.116: 24 Feb 2000)
- Concluding observation of the CRC: South Africa (CRC/15/Add.122: 22 Feb 2000)
- Concluding observation of the CRC: Sudan (CRC/C/15/Add.190: 9 Oct 2002)
- Concluding observation of the CRC: Tanzania (CRC/C/15/Add. 156: 9 July 2001)
- Concluding observation of the CRC: Togo (CRC/C/15/Add.255: 31 Mar 2005)
- Concluding observation of the CRC: Uganda (CRC/C/UGA/CO/2: 23 Nov 2005)
- Concluding observation of the CRC: Swaziland (CRC/C/SWZ/CO/1: 16 Oct 2006)
- Concluding observation of the CRC: Zambia (CRC/C/15/Add.206: 2 July 2003)

## SECONDARY SOURCES

### Books

- Abramson, B, *A commentary on the United Nations Convention on the Rights of the Child, article 2: the right of non-discrimination* (2008) Martinus Nijhoff: The Hague
- Adepoju, A (eds) *Family, population and development in Africa* (1997) Zed Books: London & New Jersey
- Alfredsson, G & Eide, A (eds) *The Universal Declaration of Human Rights: a Common standard of achievement* (1999) Martinus Nijhoff Publishers: The Hague
- Allan, G & Crow, G, *Families, households and society* (2001) Palgrave: Basingstoke
- Andreassen, B A & Marks, S (eds) *Development as a human rights: legal, political and economic dimensions* (2006) Harvard University Press: Connecticut

Andrews, A B & Kaufman, N H (eds) *Implementing the UN Convention on the Rights of the Child: a standard of living adequate for development* (1999) Praeger: Westport: Connecticut

Band, D & Russell, S (eds) *Exploring the core content of socio-economic rights: South African and international perspective* (2002) Protea Book House: Pretoria

Bourdillon, M F C, *The Shona peoples: an ethnography of the contemporary Shona, with special reference to their religion* (1976) Mambo Press: Gwelo

Cantwell, N & Holzscheiter, A, *A commentary on the United Nations Convention on the Rights of the Child article 20: children deprived of their family environment* (2008) Martinus Nijhoff: The Hague

Cornia, G A (ed) *AIDS, public policy and child well-being* (June, 2002) UNICEF-Innocenti Research Centre: Florence: Italy

Davel, T & Skelton, A (eds) *Commentary on the Children's Act* (2007) Juta: Pretoria

David, P, *A commentary on the United Nations Convention on the Rights of the Child, article 31: the right to leisure, play and culture* (2006) Martinus Nijhoff: The Hague

Detrick, S (ed) *The United Nations Convention on the Rights of the Child: a guide to the "Travaux Preparatoires"* (1992) Martinus Nijhoff: Dordrecht: Boston

Detrick, S, *A commentary on the United Nations Convention on the Rights of the Child* (1999) Martinus Nijhoff: The Hague: Boston

Elmer, M C, *The sociology of the family* (1945) Ginn & Company: Boston

Evans-Pritchard, E E, *Kinship and marriage among the Nuer* (1995) Clarendon Press: Oxford

Freeman, M, *A commentary on the United Nations Convention on the Rights of the Child, Article 3: The best interests of the child* (2007) Martinus Nijhoff Publishers: The Hague

Garner, B A (ed) *Black's Law Dictionary* (1999) St Paul: Minnesota

Holy, L, *The anthropological perspectives on kinship* (1996) Pluto Press: London

Iiffe, J, *The African poor: a history* (1987) Cambridge University Press: Cambridge

Kayongo-Male, D & Onyango, P, *The sociology of the African family* (1984) New York: Longman

Kilbourn, P & M McDermid, M (eds) *Sexually exploited children: Working to protect and heal* (1998) MARC Publications: Monrovia: California

LeBlanc, L J, *The Convention on the rights of the child* (1995) University of Nebraska Press: Nebraska

Lugalla, J L P & Kibassa, C G (eds) *Poverty, AIDS, and street children in East Africa* (2002) The Edwin Mellen Press: New York

Marshall, G, *The Oxford Dictionary of Sociology* (1998) Oxford University Press: Oxford

Mayer, P, *Socialisation: the approach from social anthropology* (1970) Tavistock publications: London: New York

Mower, A G, *The Convention on the Rights of the Child: international Law Support for Children* (1989) Greenwood Press: Westport: Connecticut

Murdock, G P, *Social structure* (1949) The Macmillan company: New York

Murray, C, *Families divided: The impact of migrant labour in Lesotho* (1981) Cambridge University Press: Cambridge

Nowak, M, *A commentary on the United Nations Convention on the Rights and the Child, Article 6: the right to life, survival and development* (2005) Martinus Nijhoff Publishers: The Hague

Nowak, M, *U.N. Covenant on Civil and Political Right: CCPR commentary* (1993) N.P. Engel Publisher: Strasbourg

Pearsall, J, *The Oxford Concise Dictionary* (2001) Oxford University Press: Oxford

Rishmawi, M, *A Commentary on the United Nations Convention on the Rights of the Child: article 4 The Nature of States Parties' Obligations* (2006) Martinus Nijhoff: The Hague

Roscoe, J, *The Baganda, an account of their native customs and beliefs*, (2<sup>nd</sup> edition) (1965) Frank Cass & Co .LTD: London

Schapera, I (ed) *Western civilization and the natives of South Africa: studies in culture contact* (1935) Duckworth: London

Shorter, A, *The East African Societies* (1974) Routledge & Kegan Paul: London: Boston

Singhal, A & Howard, W S (eds) *The Children of Africa confront AIDS: from vulnerability to possibility*, Ohio University research in international studies: Africa series no 80 (2003) Ohio University Press: Athens

Sloth-Nielsen, J (ed), *Children's rights in Africa: a legal perspective* (2008) Ashgate: London

Sepulveda M, T van Banning, G D Gudmundsdottir & C Chamoun, *Universal and regional human rights protection, cases and commentaries* (2004) University of Peace: San Jose: Costa Rica

*The American Heritage Dictionary of the English Language* (2000) Houghton Mifflin: Wilmington

- The Concise Oxford dictionary*, 10<sup>th</sup> edition (1999) Oxford University Press: Oxford
- Timms, J E, *Children's representation: a practitioner's guide* (1995) Sweet & Maxwell: London
- Todres, J (ed) *The UN Convention on the Rights of the Child: an analysis of treaty provisions and implications of US ratification* (2006) Transnational Publishers: New York
- Van Bueren, G, *The international law of the rights of the child* (1995) Martinus Nijhoff : The Hague
- Vansina, J, *The Tio kingdom of the middle Congo 1880-1892* (1973) Oxford University Press: London
- Veerman, P E, *The rights of the child and the changing image of childhood* (1992) Martinus Nijhoff Publishers: Dordrecht
- Verhellen, E, *Convention on the Rights of the Child: background, motivation, strategies, main themes* (1994) Garant Uitgevers N V: Antwerpen
- Viljoen, F & Precious, S (eds), *Human rights under threat: four perspectives on HIV, AIDS and the law in southern Africa* (2007) Pretoria University Law Press: Pretoria
- Wagner, G, *The Bantu of Western Kenya: with special reference to the Vugusu and Logoli vol I* (1970) Oxford University Press: Oxford

### **Chapters in books**

- Adepoju, A, 'Introduction' in Adepoju, A (eds) *Family, population and development in Africa* (1997) Zed Books: London & New Jersey
- Adepou, A & Mbugua, W, 'The African family: an overview of changing forms' in Adepoju, A (ed) *Family, population and development in Africa* (1997) Zed Books Ltd: London & New Jersey
- Armstrong, A, 'Law and the family in Southern Africa' in Adepoju, A (ed) *Family, population, and development in Africa* (1997) Zedbooks: London & New Jersey
- Barnett, T & Whiteside, A, 'Poverty and HIV/AIDS: impact, coping and mitigation policy' in Cornia, G A (ed) *AIDS, public policy and child well-being* (2002) UNICEF-Innocenti Research Centre: Florence: Italy
- Basaza, R & Kaija, D, 'The impact of HIV/AIDS on children: lights and shadows in the "successful case" of Uganda', in Cornia, G A (ed) *AIDS, public policy and child well-being* (June, 2002) UNICEF-Innocenti Research Centre: Florence: Italy
- Cantwell, N, 'Chapter one' in Detrick, S (ed) *The United Nations Convention on the Rights of the Child: a guide to the travaux préparatoires*, (1992) Martinus Nijhoff: Dordrecht: Boston



Cornia, G A, 'Overview of the impact and best practice responses in favour of children in a world affected by HIV/AIDS' in Cornia, G A (ed) *AIDS, public policy and child well-being* (2002) UNICEF-Innocenti Research Centre: Florence: Italy

Davel, T, 'Inter-country adoption from an African perspective' in Sloth-Nielsen, J (ed) *Children's rights in Africa: a legal perspective* (2008) Ashgate: London

Desmond, C & Gow, J, 'The current and future impact of the HIV/AIDS epidemic on south Africa's children' in Cornia, G A (ed) *AIDS, public policy and child well-being* (2002) UNICEF-Innocenti Research Centre: Florence: Italy

Eba, P, 'Pandora's Box: the criminalisation of HIV or exposure in SADC countries' in Viljoen, F & Precious, S (eds) *Human rights under threat: four perspectives in HIV, AIDS and the law in southern Africa* (2007) Pretoria University Law Press: Pretoria

Findley, S E, 'Migrations and family interactions in Africa' in Adepoju, A (eds) *Family, population and development in Africa* (1997) Zed Books: London & New Jersey

Foster, G, 'HIV and AIDS: orphans and sexual vulnerability', in Kilbourn, P & M McDermid, M (eds) *Sexually exploited children: working to protect and heal* (1998) MARC Publications: Monrovia: California

Foster, G, 'Safety nets for children affected by HIV/AIDS in Southern Africa' in Pharoah, R (ed) *A generation at risk? HIV/AIDS, vulnerable children and security in Southern Africa* (2004) ISS Monograph Series No 109

Friedman, A & Pantazis, A, 'Children's rights' in Woolman, S, Roux, T & Bishop, M (eds) *Constitutional Law of South Africa* (2008) Juta: Pretoria

Gakuru, O, Kariuki, P & Bikuri, K, 'Children in debt: the experience of street children in Nairobi' in Lugalla, J L P & Kibassa, C G (eds) *Poverty, AIDS, and street children in East Africa* (2002) The Edwin Mellen Press: New York

Kóyugi, B O & Muita, J, 'The impact of a growing HIV/AIDS epidemic on the Kenyan children' in Cornia, G A (ed) *AIDS, public policy and child well-being* (June, 2002) UNICEF-Innocenti Research Centre: Florence: Italy

Lagoutte, S & Anason, A T, 'Article 16' in Alfredsson, G & Eide, A (eds) *The Universal Declaration of Human Rights: a common standard of achievement* (1999) Martinus Nijhoff Publishers: The Hague

Liebenberg, S, 'The interpretation of socio-economic rights' in Woolman, S, Roux, T & Bishop, M (eds) *Constitutional Law of South Africa* (2008) Juta: Pretoria

Liebenberg, S, 'Socio-economic rights: Revisiting the reasonableness review/minimum core debate' in Woolman, S & Bishop, M (eds) *Constitutional conversations* (2008) Pretoria University Law Publications: Pretoria

Ntozi, J P M & Nakayiwa, S, 'AIDS in Uganda: how has the household coped with the epidemic?' in J C Caldwell, I O Orubuloye & J P M Ntozi (eds) *Confronting African HIV/AIDS epidemic*, Canberra: Health Transition Centre, National Centre for Epidemiology & Population Health (1999) available at:

[http://htc.anu.edu.au/pdfs/ContinuingHIV/Ntozi\\_Naka.pdf](http://htc.anu.edu.au/pdfs/ContinuingHIV/Ntozi_Naka.pdf) [accessed: 18 November 2009]

Ocholla-Ayayo, A B C, 'African family between tradition and modernity' in Adepoju, A (ed) *Family, population and development in Africa* (1997) Zed Books Ltd: London & New Jersey

Opong, C, 'African family systems and socio-economic crisis' in Adepoju, A (ed) *Family, population and development in Africa* (1997) Zedbooks: London & New Jersey

Pais, M S, 'Convention on the Rights of the Child' in *Manual on human rights reporting: under six major international human rights instruments* (1997) Office of High Commission for Human Rights, Geneva

Qvortrup, J, 'The meaning of child's standard of living' in Andrews, A B & Kaufman, N H (eds) *Implementing the UN Convention on the Rights of the Child: a standard of living adequate for development* (1999) Praeger: Westport: Connecticut

Revas, C R, 'An introduction to the UN Convention on the Rights of the Child' in Todres, J (ed) *The UN Convention on the Rights of the Child: an analysis of treaty provisions and implications of US ratification* (2006) Transnational Publishers: New York

Sano, H-O & Hansen, J K, 'The implications and value added of a rights-based approach' in Andreassen, B A & Marks, S (eds) *Development as a human rights: legal, political and economic dimensions* (2006) Harvard University Press: Cambridge, Massachusetts

Schapera, I, 'The old Bantu culture' in Schapera, I (ed) *Western civilization and the natives of South Africa: studies in culture contact* (1935) Duckworth: London

Skelton, A & Proudlock, P, 'Interpretation, object, application and implementation of the Children's Rights' in Davel, C J & Skelton, A M, (eds), *Commentary on the Children's Act* (1997) Juta: Pretoria

Skinner, A *et al.*, 'Understanding the psychological and emotional needs of AIDS orphans in Africa' in Singhal, A & Howard, W S (eds) *The Children of Africa confront AIDS: from vulnerability to possibility*, Ohio University research in international studies: Africa series no 80 (2003) Ohio University Press: Athens

Sloth-Nielsen, J, 'Chapter 7 Protection of Children' in Davel, C J & Skelton, A M (eds) *Commentary on Children's Act* (2007) Juta: Pretoria

Sloth-Nielsen, J & Mezmur, B, 'HIV/Aids and children's rights in law and policy in Africa: confronting hydra head on' in Sloth-Nielsen, J (ed) *Children's rights in Africa: a legal perspective* (2008) Ashgate: London

Sloth-Nielsen, J, 'Domestication of children's rights in national legal system in African context: progress and prospects' in Sloth-Nielsen, J (ed) *Children's rights in Africa: a legal perspective* (2008) Asgate: London

Van Bueren, G, 'Of floors and ceilings: minimum core obligations and children' in Band, D & Russell, S (eds) *Exploring the core content of socio-economic rights: South African and international perspective* (2002) Protea Book House: Pretoria

Viljoen, F, 'Introduction' in Viljoen, F (ed) *Righting stigma: exploring a rights-based approach to addressing stigma* (2005) AIDS and Human Rights Research Unit, University of Pretoria

### Articles in journals

Abebe, T & Aase, A, 'Children, AIDS and the politics of orphan care in Ethiopia: The extended family revisited' (2007) 64 *Social Science & Medicine* 2058

Abebe, T & Skovdal, M, 'Livelihoods, care and the familial relations of orphans in eastern Africa' (2010) 22/5 *AIDS Care* 570

Aldous, J, 'Urbanisation, the extended family, and kinship ties in West Africa' (1962) 41/1 *Social Force* 11

Alston, P, 'The best interest principle: Reconciliation of culture and human rights' (1994) 8 *International Journal of Law and the Family* 1

Andersson, N, Cockcroft, A & Shea, B, 'Gender-based violence and HIV: relevance for HIV prevention in hyper-endemic countries of southern Africa' (2008) 22 (Suppl 4) *AIDS* 73

Andrews, G, Skinner, D & Zuma, K, 'Epidemiology of health and vulnerability among children orphaned and made vulnerable by HIV/AIDS in sub-Saharan Africa' (2006) 18/3 *AIDS Care* 269

Apt, N A, 'Ageing and the changing role of the family and the communities: an African perspective' (2002) 55 *International Social Security Review* 39

Archard, D & Skivenes, M, 'Balancing a child's best interest and a child's view' (2009) 17 *International Journal of Children's Rights* 1

Arnab, R & Serumaga-Zake, P A E, 'Orphans and vulnerable children in Botswana: the impact of HIV/AIDS' (2006) 1/3 *Vulnerable Children and Youth Studies* 221

Aspaas, H R, 'AIDS and orphans in Uganda: geographical and gender interpretation of household resources' (1999) 36/2 *Social Science Journal* 204.

Barrientos, A & DeJong, J, 'Reducing child poverty with cash transfer: a sure thing?' (2006) 24/5 *Development Policy Review* 537

Baylies, C, 'The impact of AIDS on rural households in Africa: A shock like any other?' (2002) 33/4 *Development and Change* 611

Bennett, W H, 'A critique of the emerging Convention on the Rights of the Child' (1987) 20/1 *Cornell International Law Journal* 1

Bhargave, A & Bigombe, B, 'Public policies and the orphans of AIDS in Africa' (2003) 326 *British Medical Journal* 1387

Bicego, G, Rutstein, S & Johnson, K, 'Dimensions of the emerging orphan crisis in sub-Saharan Africa' (2003) 56 *Social Science & Medicine* 1235

Bonthuys, E, 'Realising South African children's basic socio-economic claims against parents and the State: What courts can achieve (2008) 22 *International Journal of Law, Policy and the Family* 333

Caldwell, J C & Caldwell, P, 'Is the Asian family planning program model suited to Africa' (1988) 19/1 *Studies in Family Planning* 19

Caldwell, J C, 'The African HIV epidemic: reflections on a research program' (2002) 19/2 *Journal of Population Research* 173

Caldwell, J C, 'The impact of the African HIV epidemic' (1997) 7/2 *Health Transition Review* 169

Chirwa, D M, 'The merits and demerits of the African Charter on the Rights and Welfare of the Child' (2002) 10 *International Journal of Children's Rights* 157

Chirwa, W C, 'Social exclusion and inclusion: challenges to orphan care in Malawi' (2002) 11/1 *Nordic Journal of African Studies* 93

Cluver, L, Gardner, F & Operario, D, 'Poverty and psychological health among AIDS-orphaned children in Cape Town, South Africa' (2009) 21/6 *AIDS Care* 732

Cohen, C P, 'The role of the United States in the drafting of the Convention on the Rights of the Child' (2006) 20 *Emory International Law Review* 185

Couzens, M & Zaal, F N, 'Legal recognition for child-headed households: an evaluation of emerging South African framework' (2009) 17 *International Journal of Children's Rights* 299

Cross, C, 'Sinking deeper down: HIV/AIDS as an economic shock to rural households' (2001) 32/1 *Society in Transition* 133

Cushing, G & Greenblatt, S B, 'Vulnerability to foster care drift after the termination of parental rights' (2009) 19/6 *Research on Social Work Practice*

David, D & Clancherty, G, 'Developmental vulnerabilities and strengths of children living in child-headed households: A comparison with children in adult-headed households in equivalent impoverished communities' (2005) 4/1 *African Journal of AIDS Research* 21

Deininger, K, Garcia, M & Subbarao, K, 'AIDS-induced orphanhood as a systemic shock: magnitude, impact and programme interventions in Africa' (2003) 31/7 *World Development* 1201

Dalen, N, Nakitends, A J & Musisi, S, "'They don't care what happens to us.'" The situation of double orphans heading households in Rakai District, Uganda' (2009) 9 *Bio-Med Central Public Health* 321

- Desmond, C, Richter, L, Makiwane, M & Amoateng, A, 'Child-headed households: Dissecting our understanding of who is at risk' (2003) Special edition, *ChildrenFirst* 55
- Dillon, S, 'Making legal regime for inter-country adoption reflecting human rights principles: Transforming the United Nations Convention on the Rights of the Child with the Hague Convention on Inter-Country Adoption' (2003) 21 *Boston University International Law Journal* 11
- Dirks, R, 'Social responses during severe food shortages and famine' (1980) 21/1 *Current Anthropology* 25
- Donnelly, J & Howard, R E, 'Assessing national human rights performance: a theoretical framework' (1988) 10 *Human Rights Quarterly* 214
- Elbadawi, I & Sambanis, N, 'Why are there so many civil wars in Africa? Understanding and preventing violent conflict' (2000) 9 *Journal of African Economic* 244
- Engle, P L & Lhotska, L, 'The role of care in programmatic actions for nutrition: designing programmes involving care' (1999) 20/1 *Food and Nutrition Bulletin* 121
- Evans, R M C, 'Social networks, migration, and care in Tanzania' (2005) 11/2 *Journal of Children and Poverty* 111
- Filmer-Wilson, E, 'The human rights-based approach to development: the right to water' (2005) 23/2 *Netherlands Quarterly of Human Rights* 213
- Fleshmen, M, 'AIDS orphans: facing Africa's "silent crisis"' (2001) 15/3 *Africa Recovery* 18
- Foster, G, 'Beyond education and food: psychosocial well-being of orphans in Africa' (2002) 91/5 *Acta Paediatrica* 502
- Foster, G, 'Children who live in communities affected by AIDS' (2006) 367 *Lancet* 700
- Foster, G, 'The capacity of the extended family safety net for orphans in Africa' (2000) 5/1 *Psychology, Health and Medicine* 56
- Foster, G, Makufa, C, Drew, R & Kralovec, E, 'Factors leading to the establishment of child-headed households: the case of Zimbabwe' (1997) 7/2 *Health Transition Review* 155
- Gibson, G & Paul, C, 'Foster care and the educational attainment of Jamaican children' (2005) 24 *Population Research and Policy Review* 197
- Goody, J, 'Futures of the family in rural Africa' (1989) 15 *Population and development review: Supplement - Rural development and population: institutions and policy* 119

Hammarberg, T, 'The UN Convention on the rights of the child- and how to make it work' (1990) 12 *Human Rights Quarterly* 97

Hecht, R, Alban, A, Taylor, K, Post, S, Andersen, N D & Schwarz, R, 'Putting it together: AIDS and the millennium development goals' (2006) 3/11 *PLoS Medicine* 1992

Hosegood, V, 'The demographic impact of HIV and AIDS across the family and household life-cycle: implications for efforts to strengthen families in sub-Saharan Africa' (2009) 21/S1 *AIDS Care* 13

Hosegood, V, Floyd, S, Marston, M, Hill, C, McGrath, N, Isingo, R, Crampin, A & Zaba, B, 'The effect of high HIV prevalence on orphanhood and living arrangements of children in Malawi, Tanzania, and South Africa' (2007) 61/3 *Population Studies* 327

Howard, B H, Phillips, C V, Matinhure, N, Goodman, K, McCurdy, S & Johnson, C, 'Barriers and incentives to orphan care in a time of AIDS and economic crisis: a cross-sectional survey of caregivers in rural Zimbabwe' (2006) 6/27 *BMC Public Health* 1

Kaseke, E, 'The role of social security in South Africa' (2010) 53 *International Social Work* 159

Kleem, C, 'Airplane trips and organ banks: random events and Hague Convention on Inter-country Adoption' (2000) 28 *Georgia Journal of International and Comparative Law* 325

Kruger, H, 'The legal nature of parental authority' (2003) 66/2 *Tydskrif vir Hedendaagse Romeins-Hollandse Reg* 277

Kuhanen, J, Shemeikka, R, Notkola, V & Nghixulifwa, M, 'Junior-headed households as a possible strategy for coping with the growing orphan crisis in northern Namibia' (2008) 7/1 *African Journal of AIDS Research* 123

Lagoutte, S, 'Surrounding and extending family life: the notion of family life in the case-law of the European Court of Human Rights' (2003) 21/3 *Mennesker & Rettigheter* 292

Larson, A, 'Social epidemiology of Africa's AIDS epidemic' (1990) 89/354 *African Affairs* 5

Liebenberg, S, 'Taking stock: the jurisprudence of children's socio-economic rights and its implications for government policy' (2004) 5/4 *ESR Review* 2

Lloyd, A, 'Evolution of the African Charter on the Rights and Welfare of the Child and the African Committee of Experts: *Raising the gauntlet*' (2002) 10 *International Journal of Children's Rights* 179

Mabala, R, 'From HIV prevention to HIV protection: addressing the vulnerability of girls and young women in urban area' (2006) 18 *Environment and Urbanisation* 419

- Madhavan, S, 'Fosterage patterns in the age of AIDS: continuity and change' (2004) 58 *Social Science & Medicine* 1443
- Maes, A, 'Informal economic and social security in sub-Saharan Africa' (2003) 56/3-4 *International Social Security Review* 39
- Marks, S & Rathbone, R, 'The history of the family in Africa: Introduction' (1983) 24/2 *The Journal of African History* 149
- Marks, S, 'Epidemic waiting to happen? The spread of HIV/AIDS in South Africa in Social and Historical Perspective' (2002) 61/1 *African Studies* 16
- Masmas, T N, Jensen, H, Silva, D, Hoj, L, Sandtrom, A & Aaby, P, 'The social situation of motherless children in rural and urban areas of Guinea-Bissau' (2004) 59 *Social Science & Medicine* 1231
- Matthias, C R & Zaal, F N, 'Supporting familial and community care for children and legislative reform and implementation challenges in South Africa' (2009) 18 *International Journal of Social Welfare* 291
- Mezmur, B D, 'Inter-country adoption as a measure of last resort in Africa: Advancing rights of a child rather than a right to a child' (2009) 6/10 *Sur-International Journal on Human Rights* 82
- Meintjes, H, Hall, K, Marera, D & Boulle, A, 'Orphans of the AIDS epidemic? The extent, nature and circumstances of child-headed households in South Africa (2010) 22/1 *AIDS Care* 40
- Miljeteig-Olssen, P, 'Advocacy of children's rights - the Convention as more than a legal document' (1990) 12 *Human Rights Quarterly* 148
- Miller, C M, Gruskin, S, Subramania, S V, Rajaraman, D & Heyman, S J, 'Orphan care in Botswana's working households: growing responsibilities in the absence of adequate support' (2006) 98/8 *American Journal of Public Health* 1429
- Monasch, R & Boerma, J T, 'Orphanhood and childcare patterns in sub-Saharan African: an analysis of national surveys from 40 countries (2004) 18/2 *AIDS* 55
- Naidu, V & Harris, G, 'The impact of HIV/AIDS morbidity and mortality on households- a review of households studies' (2005) 73 *South African Journal of Economics* 533
- Nicholson, C, 'The impact of child labour legislation on child-headed households in South Africa' (2008) 30 *Thomas Jefferson Law Review* 413
- Ntozi, J P M, 'Effect of AIDS on children: the problem of orphans in Uganda' (1997) 7 *Health Transition Review* 23
- Nyambedha, E O, 'Policy implications of the inadequate support systems for orphans in Western Kenya' (2001) 58 *Health Policy* 83

Nyamukapa, C & Gregson, S, 'Extended families and women's roles in safeguarding orphans' education in AIDS-affected rural Zimbabwe (2005) 60 *Social Science & Medicine* 2155

Oleke, C, Blystad, A & Rekdal, O B, "'When the obvious brother is not there": Political and cultural contexts of the orphan challenge in northern Uganda' (2005) 61 *Social Science & Medicine* 2628

Olowu, D, 'Protecting children's rights in Africa: a critique of the African Charter on Rights and Welfare of the Child' (2002) 10 *International Journal of Children's Rights* 127

Pare, P, 'Why have street children disappeared?- The role of international human rights law in protecting vulnerable groups' (2003) 11 *International Journal of Children's Rights* 10

Parker, S, 'The best interests of the child: Principles and problems' (1994) 8 *International Journal of Law and the Family* 28

Pieterse, M, 'Reconstructing the private/public dichotomy? The enforcement of children's constitutional social rights and care entitlement' (2003) *Journal of South African Law* 1

Plessis, P & Conley, L, 'Children and poverty in South Africa: The right to social security' (2007) 2/4 *Educational Research and Review* 55

Richter, L & Desmond, C, 'Targeting AIDS orphans and child-headed households: A perspective from national survey in South Africa 1995-2005' (2008) 20/9 *AIDS Care* 1019

Roalkvam, S, 'The children left to stand alone' (2005) 4/3 *African Journal of AIDS Research* 211

Sabean, D W, 'The history of the family in Africa and Europe: Some comparative perspectives' (1983) 24/2 *The Journal of African History* 164

Safman, R M, 'Assessing the impact of orphanhood on Thai children affected by AIDS and their caregivers' (2004) 16/1 *AIDS Care* 11

Sallanas, M *et al.*, 'Breakdown of teenage placements in Swedish foster and residential care' (2004) 9/2 *Child and Family Social Work* 141

Seitles, M D, 'Effect of the Convention on the Rights of the Child upon street children in Latin America: a study of Brazil, Colombia and Guatemala' (1997) 16 *In the Public Interest* 159

Sloth-Nielsen, J & Mezmur, B D, 'Surveying the research landscape to promote children's legal rights in an African context' (2007) 7 *African Human Rights Law Journal* 349



Sloth-Nielsen, J, 'Of newborns and nubile: some critical challenges to children's rights in Africa in the Era of HIV/Aids' (2005) 13 *International Journal of Children's Rights* 73

Sloth-Nielsen, J, 'The child's right to social services, the right to social security and primary prevention of child abuse: some conclusions in the aftermath of *Grootboom*' (2001) 17 *South African Journal on Human Rights* 220

Sloth-Nielsen, J, 'Too little, too late: provisioning for children in child-headed households' (2002) 3/1 *ESR Review* 31

Sloth-Nielsen, J & Mezmur, B D, 'A dutiful child: The implications of article 31 of the African Children's Charter' (2008) 52/2 *Journal of African Law* 159

Spectar, J, 'The olde order crumbleth: HIV-Pestilence as a security issue and new thinking about core concepts in international affairs' (2003) 13/2 *Indiana International and Comparative Law Review* 481

Stokes, C S, 'Explaining the demographic transition: Institutional factors in fertility decline' (1995) 60/1 *Rural Sociology* 1

Suda, C, 'Street children in Nairobi and the African cultural ideology of kin-based support system: change and challenge' (1997) 6 *Child Abuse Review* 199

Stewart, L, 'Interpreting and limiting the basic socio-economic rights of children in cases where they overlap with the socio-economic rights of others' (2008) 24 *South African Journal on Human Rights* 472

Tostensen, A, 'Towards feasible social security systems in sub-Saharan Africa', (2004) 5 *Chr. Michelsen Institute Development Studies and Human Rights Working Paper*, available at: [www.cmi.no/publications](http://www.cmi.no/publications) [accessed: 10 July 2007]

Urassa, M, Boerma, J T, Ng'weshemi, J Z, Isingo, R, Schapink, D, 'Orphanhood, child fostering and the HIV epidemic in rural Tanzania' (1997) 7/2 *Health Transitional Review* 141

Van Blerk, L & Ansell, N, 'Alternative care giving in the context of AIDS in southern Africa: Complex strategies for care' (2007) 19 *Journal of International Development* 865

Vaughan, M, 'Which family?: Problem in the reconstruction of the history of the family as an economic and cultural unit' (1983) 24/2 *The Journal of African History* 276

Wolff, P H & Fesseha, G, 'The orphans of Eritrea: are orphanages part of the problem or part of the solution?' (1998) 155/10 *American Journal of Psychiatry* 1319

Yamba, C B, 'Loveness and her brothers: Trajectories of life for children orphaned by HIV/AIDS in Zambia' (2005) 4/3 *African Journal of AIDS Research* 205

Zimmer, Z & Dayton, J, 'Older adults in sub-Saharan Africa living with children and grandchildren' (2005) 59/3 *Population Studies* 295

Zwi, A B & Cabral, A J, 'Identifying high-risk situations to prevent AIDS' (1991) 303  
*British Medical Journal* 1527

### **Reports & research papers**

African Child Policy Forum, *The African Report on Child Well-being* (2008)

African Child Policy Forum, *Reversed roles and stressed souls: child-headed households in Ethiopia* (2008)

Agency for Cooperation and Research in Development, *Research into the living conditions of children who are heads of households in Rwanda* (2001)

Akresh, R, 'Risk, Network Quality and Family Structure: Child Fostering Decisions in Burkina Faso', Yale University Economic Growth Centre Discussion Paper No 922, available at: <http://ssrn.com/abstract=643163> [accessed: 23 April 2007]

Alliance for Children's Entitlement to Social Security (ACCESS) *Calling for a comprehensive social security system*, Submission on the Children's bill (B70-2003) to the portfolio committee on social development (2004)

Ansell, N & van Blerk, L, *HIV/AIDS and children's migration in Southern Africa*, Southern African Migration Project (2004)

Apt, N A, 'Rapid urbanisation and living arrangements of older persons in Africa', Department of Economic and Social Affairs, United Nations, available at: [http://www.un.org/esa/populations/publications/bulletin42\\_43/apt.pdf](http://www.un.org/esa/populations/publications/bulletin42_43/apt.pdf) [accessed: 8 May 2007]

Armstrong, P, B Lekezwa & Siebrits, K, 'Poverty in South Africa: a profile based on recent household surveys', Stellenbosch Economic Working paper 04/08 (2008)

Ayieko, M A, 'From single parent to child-headed households: The case of children orphaned by AIDS in Kisumu and Siaya districts in Kenya', study paper No 7, HIV and Development Programme, UNDP

Barrientos, A & DeJong, J, 'Child poverty and cash transfers', Child Poverty Research and Policy Centre report, No. 4 (2004) available at: <http://www.childhoodpoverty.org/index.php/action=documentfeed/doctype=pdf/id=84> / [accessed: 7 July 2007]

Bigombe, B & Khadiagala, G M, 'Major trends affecting families in sub-Saharan Africa', Department of Economic and Social Affairs of United Nations, available at: <http://www.un.org/esa/socdev/family/Publications/mtbigombe.pdf>, [accessed: 8 May 2007]

Black Sash, *Reference Guide to Paralegals*, Black Sash (2010)

Cantwell, N, 'The challenges of out-of-home care', working papers in *Early Childhood Matters*, Bernard van Leer Foundation (2005)

Case, A, C Paxson & Ableidinger, J, 'Orphans in Africa: Parental death, poverty and school enrolment' Princeton: Centre for health and wellbeing, Princeton University (2004)

Catholic Relief Service, *Report on the mid-term review of the STRIVE project* (2003)

Children's Institute, Children's Amendment Bill: Summary of key recommendations by the Children's Bill Working Group (2007)

Children's Institute, *Child-headed households in South Africa: A statistical brief 2009*

Children's Institute, 'Children without adult caregivers and access to social assistance', workshop report, University of Cape Town (20-21 August, 2003)

Creamer, K, *The impact of South Africa's evolving jurisprudence on children's socio-economic rights in budget analysis*, Occasional Paper, IDASA (2002)

Csaky, C, *Keeping children out of harmful institutions: Why we should be investing in family-based care*, Save the Children UK (2009)

Delany, A, Ismail, Z, Graham, L & Ramkissoo, Y, *Review of the Child Support Grant: Uses, Implementation and Obstacles*, Community Agency for Social Enquiry for South African Social Security Agency & UNICEF (2008)

Dijk, D V, 'Is extended family and community supporting child-headed households?', Child in Distress Network, available at: [http://www.cindi.org.za/files/van\\_Dijk.pdf](http://www.cindi.org.za/files/van_Dijk.pdf) [accessed: 17 November, 2009]

Dombo, M, Muwonge, J & Brandt, D, *Special report 2001: HIV/AIDS and Human Development in Africa*, World Vision (2001)

Economic Commission for Africa, *Economic social conditions in Southern Africa 2003: The challenges of private sector development in Southern Africa* (2005)

Final report on Meeting on African children without family care (20 November, 2002, Windhoek), Family Health International, available at: <http://www.fhi.org/NR/rdonlyres/etf6gwchzubu2qqz66flj5db3x536bmzrizjmbmrnyx2uda4kpkqftyi5cpy33ecrvyf32m6tzghe/Namibiaaltcareworkshop2002.pdf> [accessed: 17 November, 2009]

Food and Agricultural Organisation of the United Nations, *Measuring impacts of HIV/AIDS on rural livelihoods and food security* (2002)

Foster, G *Bottlenecks and drip-feeds: channelling resources to communities responding to orphans and vulnerable children in southern Africa*, Save the Children (2005)

Foster, G, 'Under the radar- Community safety nets for children affected by HIV/AIDS in poor households in sub-Saharan Africa', UNRISD/ Training and Research Support Centre (2005)

Fourie, P & Schonteich, M, 'Die, the beloved countries: Human security and HIV/AIDS in Africa', South African Regional Poverty Network, available at:

[www.sarpn.org.za/documents/d0000177/P170\\_Security\\_HIVAIDS.pdf](http://www.sarpn.org.za/documents/d0000177/P170_Security_HIVAIDS.pdf) [accessed: 19 May 2005]

Goonsekere, S, *A rights-based approach to realizing gender equality*, available at: <http://www.un.org/womenwatch/daw/news/rights.htm> [accessed: 15 Sept 2006]

Human Rights Watch, 'In the shadow of death: HIV/AIDS and children's rights in Kenya' 13/4A (2001)

Hunt, P, Nowak, M & Osmani S, *Summary of the draft guidelines on a human rights approach to poverty reduction*, Office of High Commission for Human Rights (2004)

International Crisis Group, *HIV/AIDS as a security issue* (2001)

International Human Rights Internship Programme, *Ripple in still water: Reflection by activists on local- and national-level work on Economic, Social and Cultural Rights*, available at: <http://www1.umn.edu/humanrts/edumat/IHRIP/ripple/toc.html> [accessed: 28 Sept 2009]

International Social Security & UNICEF, 'Improving protection for children without parental care: a call for international standard' (2004)

Sloth-Nielsen, J *Realising the rights of children growing up in child-headed households: a guide to laws, policies and social advocacy*, Community Law Centre, University of Western Cape (2004)

Makoni, C C, *Hamonisation of national and international law to protect children's rights: the Zimbabwe case study*, African Child Policy Forum (2008)

Mann, G, *Family matters: the care and protection of children affected by HIV/AIDS in Malawi*, Save the Children-USA (2002)

Meintjes, H, Budlender, D, Giese, S & Johnson, L, *Children "in need of care" or in need of cash? Questioning social security provisions for orphans in the context of the South African AIDS pandemic*, A joint working paper of the Children's institute and the Centre for Actuarial Research, University of Cape Town (2002)

Mirugi-Mukundi, G, *Realising the social security rights for children of South Africa, with particular reference to the child support grant*, Community Law Centre (2009)

Moses, S & Meintjes, H, 'Submission from the Children's Institute, University of Cape Town on residential care in the Children's Amendment Bill [B19B of 2006]', Children's Institute, University of Cape Town (2007)

National Association of Child Care Workers, 'Reviewed submission on the draft Children's Amendment Bill', National Association of Child Care Workers (2007)

Nyamu-Musembi, C & Cornwell, A 'what is the rights-based approach all about? Perspectives from international development agencies', Institute of Development Studies, Working Paper 234, Institute of Development Studies (2004)

O’Kane, C, Moedlagl, C, Verweigen-Slammescu, R & Winker, E, ‘Child rights situation analysis- Rights-based situational analysis of children without parental care and at risk of losing their parental care: Global literature scan’, SOS-Kinderdorf International (2006)

Pendlebury, S *et al.*, *South African Child Gauge 2008/2009*, Children’s Institute, University of Cape Town (2009)

Pharoah, R (ed) *A generation at risk? HIV/AIDS, vulnerable children and security in Southern Africa* (2004) ISS monograph series 109

R Smart, *Policies for orphans and vulnerable children: A framework for moving ahead*, Policy (2003)

Richter, L & Rama, S, *Building resilience: a rights-based approach to children and HIV/AIDS in Africa*, Save the Children Sweden (2006)

Rosa, S, *Counting on children: realising the right to social assistance for child-headed households in South Africa*, Children’s Institute, University of Cape Town (2004)

Save the Children- UK, *Children at the centre: a guide to supporting community groups caring for vulnerable children* (2007)

Save the Children: UK, *Missing mothers: meeting the needs of children affected by AIDS* (2006)

Sherr, L, ‘Young children and HIV/AIDS: mapping the field’, working papers in *Early Childhood Development*, Bernard van Leer Foundation (2005)

SOS-KDI, ‘Children without parental care or at risk of losing it’, SOS-KDI recommendation-background paper, available at: [http://www.europarl.europa.eu/hearings/20070417/libe/sos\\_children\\_en.pdf](http://www.europarl.europa.eu/hearings/20070417/libe/sos_children_en.pdf) [accessed: 2 November 2008]

Tamukong, J, *The impact of HIV/AIDS on teachers and other education personnel in West and Central Africa: A synthesis of the literature from 2000-2004*, Educational Research Network for West and Central Africa, Cameroon (2004)

Tsegaye, S, *HIV/AIDS, orphans and child-headed households in sub-Saharan Africa*, African Child Policy Forum (2008)

USAID, *Understanding the needs of orphans and other children affected by HIV and AIDS in Africa: state of the science*, working draft (2005)

United Nations Department of Economic and Social Affairs, Population Division *Child adoption: Trends and policies* (2009)

Wilson, P A, *Combating AIDS in the developing world, achieving the Millennium Development Goals*, Task Force on HIV/AIDS, malaria, TB and access to essential medicines, working group on HIV/AIDS Report (2005)

Working Group on Special protection for Inter-Agency Task Team on Children and HIV/AIDS, 'Cash transfers: real benefit for children affected by HIV and AID' (2007) available at: [http://www.unicef.org/aids/files/Cash\\_Transfers\\_paper\\_-\\_social\\_protection\\_working\\_group\\_-\\_Oct\\_07\\_single\\_pages.pdf](http://www.unicef.org/aids/files/Cash_Transfers_paper_-_social_protection_working_group_-_Oct_07_single_pages.pdf) [accessed: 17 November, 2009]

World Vision, *HIV/AIDS and human development in Africa*, Special Report (2001)

### **Human Science Research Council Publications**

Davids, A & Skinner, D (eds), *Situational analysis of the socio-economic conditions of OVC in four districts in South Africa* (2005) Cape Town: HSRC Publishers

Deacon, H & Stephney, I, *HIV/AIDS, stigma, children: a literature review* (2007) Cape Town: HSRC Publishers

Deacon, H, Stephney, I & Prosalendis, S, *Understanding HIV/AIDS stigma: a theoretical and methodological analysis*, HSRC research monograph (2005) Cape Town: HSRC Publishers

Dlamini, P K, *A description selected interventions for the care of orphans and vulnerable children in Botswana, South Africa and Zimbabwe*, HSRC monograph (2004) Cape Town: HSRC Publishers

Jewkes, R, 'Child sexual abuse and HIV infection' in Richter, L, Dawes, A & Higson-Smith, A (eds) *Sexual abuse of young children in Southern Africa* (2004) Cape Town: HSRC Publishers

Jooste, S, Managa, A & Simbayi, L, *A Census of orphans and vulnerable children in two South African communities* (2006) Cape Town: HSRC Publishers

Shisana, O & Mehtar, S, *HIV risk exposure among young children: a study of 2-9 year olds served by public health facilities in the Free State* (2005) Cape Town: HSRC Publishers

Shisana, O & Simbayi, L, *Nelson Mandela/HSRC Study on HIV/AIDS*, Nelson Mandela Foundation & Human Science Research Council (2002) Cape Town: HSRC Publishers

Skinner, D & Davids, A (eds), *Multiple vulnerabilities: qualitative data for the study of orphans and vulnerable children in South Africa* (2006) Cape Town: HSRC Publishers

Skinner, D, Tsheko, N, Mtero-Munyati, S, Segwabe, M, Chibatamoto, P, Mfecane, S, Chandiwana, B, Nkomo, N, Tlou, S & Chitiyo, G (2004) *Defining orphaned and vulnerable children*, Social Aspects of HIV/AIDS and Health Research Programme, Occasional paper No. 2 (2004) Cape Town: HSRC Publishers

Steyn, A F, *Family structures in the RSA* (1994) Cape Town: HSRC Publishers

Streak, J, Yu, D & van der Berg, S, 'Measuring child poverty in South Africa' (2008) 6/4 Human Science Research Council Review (November, 2008) available at: [http://www.hsrc.ac.za/HSRC\\_Review\\_Article132.phtml](http://www.hsrc.ac.za/HSRC_Review_Article132.phtml) [accessed: 11 August 2009]

Tsheko, G N (ed), *Situational analysis of the socio-economic conditions of OVC in seven districts in Botswana* (2007) Cape Town: HSRC Publishers

Tsheko, G N, Bainame, K, Segwabe, M & Odirile, L W, *A census of orphans and vulnerable children in two villages in Botswana* (2006) Cape Town: HSRC Publishers

Simbayi, L C, Kleintjes, S, Ngomane, T, Tabane, C, Mfecane, S & Davids, A, *Psychosocial issues affecting orphaned and vulnerable children in two South African communities*, Human Science Research Council & Nelson Mandela Foundation (2006) Cape Town: HSRC Publishers

Richter, L, Manegold, J & Pather, R, *Family and community interventions for children affected by AIDS* (2004) Cape Town: HSRC Publishers

Richter, L, Manegold, J & Pather, R, *Family and community interventions for children affected by AIDS*, HSRC monograph (2004), available at: [www.hsrcpublishers.ac.za](http://www.hsrcpublishers.ac.za) [accessed: 03 Oct 2007]

### **UNICEF and UNAIDS Publications**

*A human rights-based approach to programming for children and women in Viet Nam: key entry points and challenges* (2004) UNICEF-Viet Nam

*Africa's orphaned generations* (2003) UNICEF

*Caring for children affected by HIV and AIDS* (2006) UNICEF-Innocenti Research Centre

*Children missing face of AIDS: United for children and united against AIDS* (2005) UNICEF & UNAIDS

*Children on the brink 2004: a joint report new orphan estimates and a framework for action* (2004) UNICEF & UNAIDS

*Children orphaned by AIDS: frontline responses from eastern and southern Africa*, (1999) UNICEF & UNAIDS

*Enhanced protection for children affected by AIDS: a companion paper to the Framework for the Protection, Care and Support of Orphans and Vulnerable Children Living in a World with HIV and AIDS* (2007) UNICEF

*Female Genital Mutilation: a statistical exploration* (2005) UNICEF

*Guide to the Optional Protocol on the involvement of children in armed conflict* (2005) UNICEF

Hodgkin, R & Newell, P, *Implementation handbook of the Convention on the Rights of the Child* (2002) UNICEF

*Improving protection for children without parental care- care for children affected by HIV/AIDS: The urgent need for international standard* (2004) International Social Services & UNICEF

*Inter-country adoption*, UNICEF-Innocenti Digest No 4 (1998) International Child Development Centre (Florence, Italy) UNICEF

*Orphans and other vulnerable children and adolescents in Zimbabwe: A study on street children in Zimbabwe*, UNICEF, available at: [http://www.unicef.org/evaldatabase/files/ZIM\\_01-805.pdf](http://www.unicef.org/evaldatabase/files/ZIM_01-805.pdf) [17 July 2007]

*Rapid situation assessment report on the situation of street children in Cairo and Alexandria including children's drug abuse and health/nutritional status*, World Food Programme, UNICEF, UN Office for Drug Control and Crime Prevention (Cairo, 2001), available at: [http://www.unicef.org/evaldatabase/files/EGY\\_2001\\_005.pdf](http://www.unicef.org/evaldatabase/files/EGY_2001_005.pdf) [accessed: 17 July 2007]

*Report on the Global AIDS Epidemic 2008* (2008) UNAIDS

*Report on the Global AIDS Epidemic 2007* (2007) UNAIDS

*Report on the Global AIDS Epidemic 2006* (2006) UNAIDS

*The status of the World Children: maternity and newborn health* (2009) UNICEF

*Treat 3 by 2005 Progress on global access to HIV antiretroviral therapy: A report on "3 by 5" and beyond* (2006) World Health Organisation & UNAIDS

Whiteside, A & Whalley, A, *Reviewing 'Emergencies' for Swaziland: Shifting the Paradigm in a New Era* (2007) UNAIDS

### **International Labour Organisation Publications**

D Ghai, 'Social security priorities and patterns: a global perspective', Education and outreach programme Discussion paper DP/141/2002, International Institute for Labour Studies, ILO available at: <http://www.ilo.org/public/english/bureau/inst/download/dp14102.pdf> [accessed: 7 July 2007]

Kaliyati, J, Madzingira, N, Jokomo, Z, Francis-Chizororo, M & Mate, R, 'HIV/AIDS and child labour in Zimbabwe', International Programme on the Elimination of Child Labour, Working paper No 2 (2002)

Mturi, A & Nzimande, N, *HIV/AIDS and Child Labour in South Africa: a rapid assessment the case of KwaZulu-Natal*, Study No 4 (2003)



Rau, B, 'Combating child-labour and HIV/AIDS in sub-Saharan Africa: a synthesis report', International Programme on the Elimination of Child Labour, Working paper No 1 (2003)

Semkiwa, H H, Tweve, J, Mnenge, A, Mwaituka, Y, Mlawa, H M & Kawala, E, 'HIV/AIDS and child labour in the United Republic of Tanzania: a rapid assessment', International Programme on the Elimination of Child Labour, Working paper No 3 (2003)

Sibale, B B & E Kachale, E, *Educational perspectives related to the impact of the HIV/AIDS pandemic on child labour in Malawi*, Policy paper No 7

*Social security: a new consensus* (2001) ILO: Geneva

### **World Bank Publications**

Ainsworth, M, Fransen, L & Over, M (eds), *Confronting AIDS: evidence from the developing world: selected background papers for the World Bank Policy Research Report, Confronting AIDS: public priorities in a global epidemic* (1998)

K Beegle, K, De Weerdt, J & Dercon, S, *Orphanhood and the long-run impact on children* (September, 2005) World Bank, DANIDA & Economic Research Council, UK, available at: [http://www.sarpn.org.za/documents/d0001651/P2000-Orphanhood\\_children\\_Sept2005.pdf](http://www.sarpn.org.za/documents/d0001651/P2000-Orphanhood_children_Sept2005.pdf) [21 November 2009]

Subbarao, K & D Coury, D, *Reaching out to Africa's orphans: a framework for public action*, African Regional Human Development Series (2004)

K Subbarao, K, Mattimore, A & Plangemann, K, *Social protection of Africa's orphaned and other vulnerable children: issues, good practice programme options*, Africa regional human development working paper series (2001) Africa region, World Bank

Menon, R, Wauer, M, Konde-Lure, J, Sewankambo, N & Chuanjun, L, 'The economic impact of adult mortality on households in Rakai district, Uganda', *Confronting AIDS: Evidence from the developing world*, Selected background papers for the World Bank Policy Research Report, *Confronting AIDS: Public priorities in global epidemic* (1999) World Bank and European Commission, Oxford University Press

Sander, C & Maimbo, S M, 'Migrant labour remittances in Africa: reducing obstacles to development contributors', Africa Region Working Paper Series No 64 (November 2003), available at: <http://www.worldbank.org/afr/wps/wp64.pdf> [accessed: 9 May 2007]

*Confronting AIDS: public priority in global epidemic* (1999) World Bank, European Commission and UNAIDS, Oxford University Press, available at: <http://www.worldbank.org/aids-econ/confront/confrontfull/tables.html> [accessed: 25 June 2007]

D Narayan, 'Conceptual framework and methodological challenges' in Narayan-Parker, D (ed) *Measuring empowerment: Cross-disciplinary perspectives* (2005)

### **Country reports and statistical documents**

A Munthali & S Ali, *Adaptive strategies and coping mechanisms: the effect of HIV/AIDS on the informal social security system* (June 2000) National Economic Council, Malawi

Anderson, B A & Phillips, H E, *Trends in percentage of children who are orphaned in South Africa 1995-2005* (2006) Pretoria, Statistics South Africa (2006)

Botswana Country Report under the United Nations General Assembly Special Session on HIV/AIDS Commitment 2008

Ethiopia, Orphans and Vulnerable Children National Plan of Action (2004-2006)

Human development Report 2007/2008, *Fighting climate change: Human solidarity in a divided world*, UNDP Human Development Report (007/2008) available at: [http://hdr.undp.org/en/media/hdr\\_20072008\\_en\\_complete.pdf](http://hdr.undp.org/en/media/hdr_20072008_en_complete.pdf)

Kenya National Human Development Report 2006: Human Security and Human Development: a deliberate choice, UNDP

Kenya United Nations General Assembly Special Session on HIV/AIDS Progress Report 2008

Kenya, National Plan of Action for Orphans and Vulnerable Children (OVC) 2005/06-2009/2010, Republic of Kenya

Lesotho Country Report under United Nations General Assembly Special Session on HIV/AIDS Commitment 2008

Lesotho National Human Development Report 2006

Malawi Monitoring and Evaluation Report under United Nations General Assembly Special Session on HIV/AIDS Commitment 2008

Malawi National Human Development Report 2005: Reversing HIV and AIDS in Malawi (2005) UNDP

Malawi, *Child Care and Protection* (2004) Malawi Law Commission Discussion Paper

Malawi, *Review of Children and Young Persons Act Cap 26:03* (2003) Special Law Commission, Malawi

Mozambique Country Report under United Nations General Assembly Special Session on HIV/AIDS Commitment 2008

Mozambique National Human Development Report 2007: Challenges and Opportunities: the Response to HIV and AIDS

Mozambique, National Action Plan for Orphaned and Other Vulnerable Children (2005) Ministry for Women and Social Action, Republic of Mozambique

Rwanda, National Plan of Action for Orphans and Other Vulnerable Children 2008-2011, Government of Rwanda

South Africa Country Report under the United Nations General Assembly Special Session on HIV/AIDS Commitment (2008)

South Africa Country Report under the United Nations General Assembly Special Session on HIV/AIDS Commitment (2010)

South Africa, *Children's Act explained: Booklet 2 prevention, intervention and care*, Department of Social Development of the Republic of South Africa and UNICEF (2010)

South Africa, *A National Poverty Line for South Africa* (21 February 2007) Statistics South Africa, National Treasury

South Africa, General Household Survey 2008, Department of Statistics, South Africa (2008)

South Africa, *Mid-year Population Estimates 2009*, Statistics South Africa, Pretoria, South Africa (2009)

South Africa, *National HIV and Syphilis Prevalence Survey 2007* (2008) South African National Department of Health

South Africa, *Project 110 Report of review of the Child Care Act*, South African Law Reform Commission (2002)

South Africa, *Report on National HIV and Syphilis antenatal sero-prevalence survey in South Africa 2005* (2006) Department of Health of South Africa

Zambia Human Development Report 2007, *Enhancing household capacity to respond to HIV and AIDS* (2007) UNDP

### **National Strategic Plans on Orphans and Vulnerable Children**

National Plan of Action for Orphans and Vulnerable Children (OVC) 2005/06-2009/2010, Republic of Kenya

National Policy on Orphans and Vulnerable Children 2003, Ministry of Gender and Community Services, Malawi

National Action Plan for Orphaned and Other Vulnerable Children, Ministry for Women and Social Action, Republic of Mozambique (2005)

National Plan of Action for Orphans and Vulnerable Children, 2006-2010, Ministry of Gender Equality and Welfare, Namibia

National Guideline and Standards of Practice on Orphans and Vulnerable Children 2007, Federal Ministry of Women Affairs and Social Development, Nigeria

National Plan of Action for Orphans and Other Vulnerable Children 2008-2011, Government of Rwanda

National Action Plan for OVC, 2006-2010, Swaziland

National Strategic Programme Plan of Interventions for Orphans and Other Vulnerable Children, 2006-2010, Ministry of Gender, Labour and Social Development, Uganda

National Plan of Action for Orphans and Other Vulnerable Children, 2004, Zimbabwe

### **Theses**

Germann, S E, *An exploratory study of quality of life and coping strategies of orphans in living in child-headed households in the high HIV/AIDS prevalent city of Bulawayo, Zimbabwe*, Doctorate thesis, University of South Africa (June 2005)

Stern, R, *The child's right to participation- reality or rhetoric?*, Doctorate thesis, Uppsala University (2006)

Zimmerman, B, 'Orphan living situation in Malawi: a comparison of orphanages and foster homes', Master's thesis, Stanford University (19 May 2005) available at: [http://www.stanford.edu/dept/publicpolicy/programs/Honors\\_Theses/Theses\\_2005/Zimmerman.pdf](http://www.stanford.edu/dept/publicpolicy/programs/Honors_Theses/Theses_2005/Zimmerman.pdf) [accessed: 28 September 2009]

### **Conference papers & presentations**

Barnett, T & Whiteside, A, 'HIV/AIDS in Africa: Implications for "development" and major policy implications' Paper presented at the 4<sup>th</sup> SCUSA Inter-University Colloquium, UEA, Norwich (5-8 September 1999)

Bequele, A, 'Emerging challenges of children heading households: some reflections', Speech delivered at the opening session of 5<sup>th</sup> African Conference on child abuse and neglect on HIV/AIDS and children: challenges of care for and protection of children in Africa, Uganda (27-29 March 2007)

Bequele, A, 'Tackling the impact of HIV/AIDS on children in Africa: progress and challenges', keynote address given at the *Getting it right Conference*, Tanzania (27 September- 2 October 2008)

Dekker, A H, 'The role of informal social security in an inter-generational society', paper submitted for International Social Security Association 4<sup>th</sup> International Research Conference on Social Security, *Social security in a long life society*, Antwerp, Belgium (5-7 May 2003).

Foster, G, 'Children rearing children: a study of child-headed households', paper delivered in the conference, *The socio-economic impact of AIDS in Africa*, International Union for the Scientific Study of Population & University of Natal, Durban, South Africa (3-6 February 1997)

Grosh, M, 'Weaving the social safety net', Presentation at conference: *Protecting the vulnerable: the design and implementation of effective safety nets*, World Bank, Washington DC (2-13 December 2002)

Gudbrandsson, B, 'Rights of children at risk and in care', Conference paper delivered at the Conference of European Ministers Responsible for Family Affairs, 'Changes in Parenting: Children Today, Parents Tomorrow', XXVIIIth Session Lisbon, Portugal (16-17 May 2006)

Jallow, I, 'Ensuring effective caring practice within the family and community', *Biennale on Education in Africa*, Association for the Development of Education in Africa, Libreville, Gabon (27-31 March, 2006) available at: [http://www.adeanet.org/biennial-2006/doc/document/C2\\_1\\_jallow\\_en.pdf](http://www.adeanet.org/biennial-2006/doc/document/C2_1_jallow_en.pdf) [accessed: 07 November 2007]

Ljungman, C M, 'Applying rights-based approach to development: concepts and principles', Conference Paper, *Winner and losers of the rights-based approaches to development* (November 2004)

Kammerman, S B & S G Gabel, S G, 'Social protection for children and their families: a global overview', delivered at the 'Social protection initiatives for children, women, and families: an analysis of recent experience' UNICEF and the Graduate Program in International Affairs at the New School (30-31 October, 2006), available at: [www.unicef.org/policyanalysis/files/Social\\_Protection\\_for\\_Children\\_and\\_their\\_Families\\_-\\_A\\_Global\\_Overview.pdf](http://www.unicef.org/policyanalysis/files/Social_Protection_for_Children_and_their_Families_-_A_Global_Overview.pdf) [accessed: 11 January 2008]

Richter, L, *No small issue: children and families Universal Action Now*, Plenary Presentation at the XVII International AIDS Conference, Mexico City (6 August 2008)

Siakey, G 'Peace and human security in Africa' delivered at the First international meeting of directors of peace research and training institutions, *What agenda for human security in the twenty-first Century*, UNESCO, Paris (27-28 November 2000)

## Newspapers

'Charities report sharp rise in number of abandoned South Africa babies' *Guardian* (14 June 2009) available at: <http://www.guardian.co.uk/world/2009/jun/14/babies-abandoned-south-africa> [accessed: 29 July 2009]

'Children in conflict' BBC Report, available at: <http://www.bbc.co.uk/worldservice/people/features/childrensrights/childrenofconflict/headed.shtml> [accessed: 17 October 2009]

'Forty million orphans' *The Economist*, 56 (28 November 2002)

‘Malawi: Illegal orphanages mushroom’ *IRIN News*, available at: <http://www.irinnews.org/report.aspx?reportid=61374> [accessed: 01 March 2009]

‘Mozambique: Orphans getting caught in HIV cycle’ *IRIN News*, available at: <http://www.irinnews.org/report.aspx?ReportId=82033> [accessed: 10 March 2009]

‘South Africa: Most children living on the edge’ *IRIN News* (15 May 2007) available at: <http://www.irinnews.org/report.aspx?ReportId=69960> [accessed: 15 March 2007]

‘South Africa has most AIDS orphans’, *Mail & Guardian*, available at: <http://www.mg.co.za/article/2007-01-18-south-africa-has-most-aids-orphans> [accessed: 18 August 2009]

‘South Africa: research is discounting myth about orphans’ *IRIN Pulse News*, (10 November 2006), available at: <http://www.plusnews.org/aidsreport.asp?reportid=6535> [accessed: 15 March 2007].

‘Swaziland: Young heroes website appeals for help for AIDS orphans’ *IRIN news* (14 February 2006) available at: <http://www.aegis.com/news/irin/2006/IR060234.html> [accessed: 15 March 2007]

‘Training HIV/AIDS orphans in sub-Saharan Africa, *Food and Agricultural Organisation Newsroom* (May, 2005) available at: <http://www.fao.org/newsroom/en/news/2005/102183/index.html> [accessed: 7 March 2007]

## Websites

African Union - Signatory, accession and ratification table, available at: <http://www.africanunion.org/root/au/Documents/Treaties/List/African%20Charter%20on%20the%20Rights%20and%20Welfare%20of%20the%20Child.pdf> [accessed: 28 September 2009]

Avert - on HIV/AIDS in South Africa, available at <http://www.avert.org/safricastats.htm> [accessed: 30 May 2007]

Children’s Institute - on child-headed households, available at: <http://www.childrencount.ci.org.za/content.asp?PageID=68> [accessed: 20 October 2009]

Food and Agricultural Organisation, available at: <http://www.fao.org/FOCUS/E/aids/aids6-e.htm> [accessed: 11 June 2007]

Human Research Science Council, Information on children living with HIV and the risk of infection, available at: <http://www.hsrc.ac.za/Factsheet-41.phtml> [accessed: 9 February 2009]

Online dictionary on the definition of ‘vulnerability’, available at: [http://www.reference.com/browse/wiki/Social\\_Vulnerability](http://www.reference.com/browse/wiki/Social_Vulnerability) [accessed: 10 July 2007]

Oxford online dictionary, available at:  
[http://www.askoxford.com/concise\\_oed/care?view=uk](http://www.askoxford.com/concise_oed/care?view=uk) [accessed: 04 Nov 2007]

Paralegal Advice Website - information on grants, available at:  
<http://www.paralegaladvice.org.za/docs/chap09/03.html> [accessed: 16 August 2009]

South African Government Service, information on the required documents to apply for child support grants, available at:  
<http://www.services.gov.za/ServicesForPeople/Socialbenefits/socialservices/childsupportgrant.aspx?Language=en-ZA> [accessed: 29 July 2009]

South African Social Security Agency, information on grants available at:  
<http://www.sassa.gov.za/content.asp?id=1000000511> [accessed: 19 July 2009]

UN World Urbanisation Prospects: The 2005 revision population database, available at: <http://esa.un.org/unup/p2k0data.asp> [accessed: 9 May 2007]

UNDP, The human rights-based approach to development cooperation towards a common understanding among UN agencies (May, 2003) available at:  
[http://portal.unesco.org/shs/en/file\\_download.php/20ce988a40bad5d3fa1b02000403bccbStatement+on+a+Common+Understanding+of+HRBA.pdf](http://portal.unesco.org/shs/en/file_download.php/20ce988a40bad5d3fa1b02000403bccbStatement+on+a+Common+Understanding+of+HRBA.pdf) [accessed: 12 Oct 2006]

UNESCO on 'Street children', available at:  
[http://www.unesco.org/education/educprog/street\\_child/english/publicat/deplistreet.pdf](http://www.unesco.org/education/educprog/street_child/english/publicat/deplistreet.pdf) [accessed: 17 July 2007]

UNFPA Factsheet on child-marriage, available at:  
[http://www.unfpa.org/swp/2005/presskit/factsheets/facts\\_child\\_marriage.htm](http://www.unfpa.org/swp/2005/presskit/factsheets/facts_child_marriage.htm) [accessed: 03 September 2009]

UNICEF on South Africa, available at:  
[http://www.unicef.org/southafrica/support\\_3444.html](http://www.unicef.org/southafrica/support_3444.html) [access: 15 May 2007]

UNICEF on 'Child-headed households', available at:  
<http://www.unicef.org.nz/page/156/Childheadedhouseholds.html> [accessed: 17 November 2009]