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Editorial introduction to special focus: The African Children's Charter at 30: Reflections on its past and future contribution to the rights of children in Africa

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This special focus on children in this edition of the *African Human Rights Law Journal* celebrates 30 years since the adoption of the African Charter on the Rights and Welfare of the Child (African Children's Charter) in 1990. As part of the commemoration of this momentous milestone, a number of initiatives have been undertaken by various stakeholders to reflect on progress made towards achieving the standards set out in the African Children's Charter. The research undertaken in this issue is one such contribution.

As the regional standard on the rights of children, the African Children's Charter no doubt has contributed to the significant changes in the current context of children in the region. Specifically, the Children's Charter has provided a uniquely African voice to child rights standards in the region, triggering the development of normative and policy frameworks, and midwifing a fledgling community of child rights practice across the continent. There is no doubt that the Charter has contributed immensely to the establishment of an accountability framework on the rights of children on the continent, provided a basis for rallying engagement

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with policy and key stakeholders, fed a growing academic and jurisprudential discourse on the rights of children in an African context, and provided the visibility of children and their particular circumstances in the region.

The special focus on children's rights is a collection of articles that emanated from a call for papers for a symposium titled 'Symposium on the 30th anniversary of the adoption of the African Children's Charter: Visualising the African child in 2050' that was planned for July 2020. The symposium, however, was cancelled due to COVID-19 pandemic restrictions. The articles in the issue provide scholarly critique and analysis of the contributions of the African Children's Charter in moulding the current and future context of children in Africa through informing practice, transforming child rights discourse, and nudging new developments in child rights frontiers. The articles depart from three main points of view: documenting progress in respect of some selected provisions; revisiting the relevance of some of its provisions in light of lessons learned from their implementation; and acknowledging and analysing some emerging issues that may not have been contemplated by the Children's Charter at the time of its adoption. The COVID-19 pandemic also provided a particularly unique backdrop against which to evaluate the meaningfulness of the protections and standards established under the African Children's Charter.

The articles featured in the current edition are the first of two planned editions in commemoration of the 30 years of the Children's Charter. The second series of articles will appear in the first edition of the *AHRLJ* in 2021.

The current issue contains four articles on children's rights. The first article in the section provides a critical reflection on the evolution of child protection norms and practice as guided by the Charter. Given the centrality of child protection and safeguarding in child rights formulation and practice, it is a critical contribution to the discourse on children's rights. The second article advocates an approach to children's participation in medical decision-making processes guided by the rationality of the best interests' principle, a child's evolving capacity and a child's age. The next article, dealing with childhood sexuality, provides a timely contribution to an issue that remains topical yet hardly meaningfully explored in relation to the rights of children, especially in Africa. The fourth article interrogates the interaction of article 30 of the African Children's Charter with the best interests of children in prison with their mothers. This reflection is important in light of the high credit that it is accorded as one of the unique provisions of the Children's Charter, and as the subject of

the very first General Comment of the African Committee of Experts on the Rights and Welfare of the Child.