



DEFINITION OF THE CHILD: THE INTERNATIONAL/REGIONAL LEGAL FRAMEWORK

The African Charter on the Rights and Welfare of the Child, 1990

Article 2: Definition of a Child

For the purposes of this Charter, a child means every human being below the age of 18 years.

Convention on the Rights of the Child, 1989

Article 1: For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.



COUNTRY	OVERARCHING DEFINITION OF THE CHILD IN AFRICA
Algeria	<p>18 years</p> <p>3rd and 4th periodic reports on the Convention on the Rights of the Child: Algeria, 2009</p> <p>Algerian law conforms to the provisions of article 1 of the Convention, where the child is generically defined as a, “human being below the age of 18 years”.</p>
Angola	<p>No definition</p> <p>Constitution, 2010</p> <p>Article 24: the age of majority shall be 18</p>
Benin	<p>No definition</p> <p>Child Code, 2007</p> <p>Article 459: a minor is the person of either sex who has not yet reached the age of eighteen (18) years of age.</p> <p>Law on conditions for the movement of minors and suppression of trafficking in children, 2006</p> <p>Article 2: The term “child” means any person aged below 18 years.</p>
Botswana	<p>18 years</p> <p>Children Act, 2009</p> <p>Article 2: “Child” means any person who is below the age of 18 years;</p>

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Burkina Faso	<p>No definition</p> <p style="text-align: center;">Act on the Definition and Prosecution of Trafficking in Children, 2003</p> <p>Article 1: For the purposes of this Act, a child is every human being below the age of eighteen (18) years.</p>
Burundi	<p>No definition</p> <p style="text-align: center;">Code on Persons and the Family, 1993</p> <p>The minor is a person who has not attained the age of twenty-one years.</p>
Cameroon	<p>18years</p> <p style="text-align: center;">Second periodic report on the Convention on the Rights of the Child: Cameroon, 2008</p> <p>Cameroon subscribes to the definition of the child as enunciated in the Convention. Children are considered to be every human being below the age of 18 years.</p>
Cape Verde	<p>No definition</p> <p style="text-align: center;">Civil Code, 1997</p> <p>Article133 Minors: minors are persons who have not yet reached the age of eighteen.</p>
Central African Republic	<p>18years</p> <p style="text-align: center;">Initial state report on the Convention on the Rights of the Child: Central African Republic, 1998</p> <p>The child is defined as “a person of either sex who has not yet reached the age of 18” in the Draft Family Code (Art.</p>

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Chad	<p>No definition</p> <p>Initial state report on the Convention on the Rights of the Child: Chad, 1997</p> <p>A minor or child is a human being under the age of 18.</p>
Comoros	<p>No definition</p> <p>Family Code, 2005</p> <p>Article 123: anyone who has not attained the age of majority is considered to be minor. The age of legal majority is fixed at eighteen Gregorian years.</p>
Congo Brazzaville	<p>18 years</p> <p>Child Protection Code, 2010</p> <p>Article 1: For the purposes of this Act, a child means every human being below the age of eighteen years and that has not yet reached the age of majority by special arrangement.</p>
Cote d'Ivoire	<p>No definition</p> <p>Minority Act, 1970</p> <p>Article 1: A minor is an individual of either sex who has not yet reached twenty-one years</p>
Democratic Republic of	<p>18 years</p>

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Congo	<p style="text-align: center;">Child Protection Code, 2009</p> <p>Article 2(1): child: Anyone under the age of 18 years.</p>
Djibouti	<p>No definition</p>
Egypt	<p>18 years</p> <p style="text-align: center;">Child Law, 2008</p> <p>For the purpose of this Law, the term “child” within the context of care and welfare, shall mean all individuals who have not reached the age of eighteen (18) complete calendar years.</p> <p>The age of a child shall be verified by means of a birth certificate, an identification card or any other official document.</p>
Equatorial Guinea	<p>No definition</p> <p style="text-align: center;">The Civil Code, 1889</p> <p>Article 315: Older age begins at 18years of age. The calculation of the years of the age of majority includes the day of birth.</p>
Eritrea	<p>No definition</p> <p style="text-align: center;">Initial State Party Report on the Convention on the Rights of the Child, 2001</p>

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	Transitional Civil Code of Eritrea (art 198) defines a minor” as someone of either sex who has not yet reached the age of 18 years (age of majority).
Ethiopia	<p>No definition</p> <p style="text-align: center;">The Revised Family Code, 2002</p> <p>Article 215: A minor is a person of either sex who has not attained the full age of eighteen years.</p>
Gabon	<p>18 years</p> <p style="text-align: center;">Initial state party report on the Convention on the Rights of the Child: Gabon, 2000</p> <p>According to Article 1 of the Convention, a “child” means every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.</p> <p>Gabon adopts the definition of the CRC</p>
Gambia	<p>18 years</p> <p style="text-align: center;">Children’s Act, 2005</p> <p>Section 2 (1): “Child” means a person under the age of 18 years;</p>
Ghana	<p>18years</p> <p style="text-align: center;">Children’s Act, 1998</p> <p>Section 1: A child is a person below the age of 18 years;</p>

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Guinea	<p>18 years</p> <p style="text-align: center;">Child Code, 2008</p> <p>Article 1: Every human being below the age of 18 years is a Child</p>
Guinea-Bissau	
Kenya	<p>18 years</p> <p style="text-align: center;">Constitution, 2010</p> <p>Article 260: child” means an individual who has not attained the age of eighteen years;</p> <p style="text-align: center;">The Children Act, 2001</p> <p>Article 2: “child” means any human being under the age of eighteen years;</p>
Lesotho	<p>18 years</p> <p style="text-align: center;">Children's Protection and Welfare Act, 2011</p> <p>Section 2(a): Child means a person under the age of eighteen years;</p>
Liberia	<p>18 years</p> <p style="text-align: center;">An Act to Establish the Children’s Law of Liberia, 2011</p> <p>Section 3: child shall mean any person below the age of 18 years</p>

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Libya	<p>16 years</p> <p style="text-align: center;">Children's Protection Act, 1997</p> <p>Article 1: A child is a person under 16 years</p>
Madagascar	<p>18 years</p> <p style="text-align: center;">Code on Child Protection, 2007</p> <p>Article2: A child is any human being under the age of 18 years.</p>
Malawi	<p>16 years</p> <p style="text-align: center;">Constitution,1994</p> <p>Article 23(5): For purposes of this section, children shall be persons under sixteen years of age.</p> <p style="text-align: center;">Child Care, Protection and Justice Act, 2010</p> <p>Section 2: "child" means a person below the age of sixteen years</p>
Mali	<p>18 years (conditional definition)</p> <p style="text-align: center;">Code on Child Protection, 2002</p> <p>Article 2: Child, as defined in this code is any human person under the age of eighteen years and who has not yet reached the age of majority by special provisions.</p>
Mauritania	<p>18 years</p>

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	<p style="text-align: center;">Ordinance on the Judicial Protection of the Child, 2005</p> <p>Article 1: For the purposes of this Ordinance, every human being under eighteen years is a child and shall be registered immediately after birth.</p>
Mauritius	<p>18 years (conditional definition)</p> <p style="text-align: center;">Child Protection Act, 1995</p> <p>Section 2: “child” means any unmarried person under the age of 18.</p>
Morocco	<p>No definition</p> <p style="text-align: center;">Family Code, 2004</p> <p>Article 209: The age of legal majority is eighteen complete Gregorian years.</p>
Mozambique	<p>18 years</p> <p style="text-align: center;">Law on the Promotion and Protection of the Rights of the Child, 2008</p> <p>Article 3: concept of a child</p> <p>A child is any person under 18 years of age</p>
Namibia	<p>18 years</p> <p style="text-align: center;">Initial state party report on the Convention on the Rights of the Child: Namibia, 1992</p> <p>Children’s Act 1961: A child is any person under the age of 18 years</p>

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	<p style="text-align: center;">Constitution, 1998</p> <p>Article 15 Children's Rights: 2. For the purposes of this paragraph child shall be under the age of sixteen (16) years.</p>
Niger	<p>No definition</p> <p style="text-align: center;">Second periodic report on the Convention on the Rights of the Child, 2007</p> <p>Only the draft Child Code Encompasses a definition (the draft has not been adopted until 2009)</p>
Nigeria	<p>18 years</p> <p style="text-align: center;">Childs Right Act, 2003</p> <p>Section 277:Child means a person under the age of eighteen years</p>
Rwanda	<p>18 years</p> <p style="text-align: center;">Law Relating the Rights and Protection of the Child, 2012</p> <p>Child is every person below the age of 18.</p> <p style="text-align: center;">Law Regulating Labour in Rwanda, 2009</p> <p>Article 1(45): Any human being below the age of eighteen (18) years</p>
Sao Tome & Principe	<p>18 years</p> <p style="text-align: center;">Initial state party report on the Convention on the Rights of the Child: Sao Tome and Principe, 2003</p> <p>Constitution and the laws of Sao Tome and Principe, a child is defined as any person under 18, except where, as</p>

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	provided for in applicable legislation, the individual attains full age earlier.
Senegal	<p>No definition</p> <p style="text-align: center;">Family Code, 1989</p> <p>Article 276: Minor is a person of either gender that has not yet attained the age of 18, and hence has not yet attained voting age or legal or civil maturity.</p>
Seychelles	<p>18 years</p> <p style="text-align: center;">The Children’s Act, 1982</p> <p>Section 2: "child", except where used to express a relationship and except in sections 9 to 14, means a person under 18 years of age and includes a young person;</p>
Sierra Leone	<p>18years</p> <p style="text-align: center;">The Child Right Act, 2007</p> <p>Article 2: “child” means a person below the age of eighteen;</p>
Somalia	<p>No definition</p> <p style="text-align: center;">Juvenile Justice Law, 2007 ((Republic of Somaliland))</p> <p>Article 1: In this act, unless the context indicates otherwise a child means any human being below the age of 15 years old.</p>

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	<p style="text-align: center;">Constitution, 2012</p> <p>Article 29(8): In this Article a “child” is defined as any person under 18 years of age.</p> <p style="text-align: center;">Constitution of Punt Land, 2001</p> <p>Article 19: Children Rights:</p> <p>1. Children are defined as any child under the maturity age of 15 years</p>
South Africa	<p>18 years</p> <p style="text-align: center;">Children’s Act, 2005</p> <p>Article 1: “child” means a person under the age of 18 years;</p> <p style="text-align: center;">Constitution, 1997</p> <p>Art 28(3) children: In this section "child" means a person under the age of 18 years.</p>
South Sudan	<p>18 years</p> <p style="text-align: center;">Child Act, 2008</p> <p>Article 5: “Child” means a human being under the age of eighteen years;</p> <p style="text-align: center;">The Transitional Constitution of the Republic of South Sudan, 2011</p> <p>Article 17(4): For the purposes of this Constitution, a child is any person under the age of eighteen years.</p>

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Sudan	<p>18 years</p> <p style="text-align: center;">The Child Act, 2010</p> <p>Article 4: “Child” means every person, who is not above the age of eighteen years;</p>
Swaziland	<p>No definition</p> <p style="text-align: center;">Initial state party report on the Convention on the Rights of the Child, Swaziland, 2005</p> <ul style="list-style-type: none"> - Child Care Service Order (1977) considers a child to be below 16, - Employment Act (1980) states a child as a person below 15 years - Reformatories Act (1920) defines a juvenile adult as between 16 and 21 years (for purposes of detention). - The Adoption of Children Act (1952) defines a child as being below 19 years - The Immigration Act (1982) considers a child to be below 18 years of age.
Tanzania	<p>18 years</p> <p style="text-align: center;">Law of the Child Act, 2009</p> <p>Section 4(1): A person below the age of eighteen years shall be known as a child.</p>
Zanzibar	<p>18 years</p> <p style="text-align: center;">Children’s Act, 2011</p> <p>Article 2: “Child” means a person below the age of 18 years;</p>

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Togo	<p>18 years</p> <p style="text-align: center;">Children’s Code, 2007</p> <p>Article 2: Under the present Code, a child means every human being below the age of eighteen18 years</p>
Tunisia	<p>18 years</p> <p style="text-align: center;">Code On Child Protection, 1995</p> <p>Article 3: For the purpose of this Code, child is every human being below the age of eighteen years and who has not attained the age of majority by special provisions.</p>
Uganda	<p>18 years</p> <p style="text-align: center;">Constitution, 1995</p> <p>Article 257(c): “child” means a person under the age of eighteen years;</p> <p style="text-align: center;">Children Act 1997</p> <p>Article 2 Definition of child: A child is a person below the age of eighteen years.</p>
Zambia	<p>No definition</p> <p style="text-align: center;">Draft Constitution, 2012</p> <p>Article 311: “child” means a person who is below the age of eighteen years, and “children” shall be construed accordingly;</p>

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Zimbabwe	<p data-bbox="392 370 510 402">18 years</p> <p data-bbox="1045 428 1293 461" style="text-align: center;">Constitution, 2013</p> <p data-bbox="392 483 1730 516">Section 4.38 (1): every child that is to say every boy and girl under the age of 18 years has the right to...</p>

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