

Open Session on Protection of Children Affected by Armed Conflicts

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Tomorrow (19th November), the African Union (AU) Peace and Security Council (PSC) is expected to have an open session on children affected by armed conflicts (CAAC). This is the second open session of the month.

It is expected that following opening remarks by Chairperson of the PSC for November Tesfaye Yilma, Permanent Representative of Ethiopia, the AU Commissioner for Peace and Security Smail Chergui and the AU Commissioner for Social Affairs, Amira El Fadil are set to make statements. Moreover, the Special Rapporteur on CAAC of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC), Benyam Dawit Mezmur, will be making a presentation. Remember Miamingi, Child Protection Expert, is also expected to deliver a briefing on behalf of the Peace and Security Department (PSD) focusing on the Policy on integration of child protection into the African Peace and Security Architecture (APSA). The PSC is also expected to receive updates on the state of children in situations of conflict in the continent from respective representatives of United Nations Children's Fund (UNICEF), International Committee of the Red Cross (ICRC) and Save the Children.

Tomorrow's session will be the second session in 2020 focusing on the CAAC theme, the first one having taken place in May 2020 with a specific focus on the impacts of COVID-19 on children during the 924th PSC session. While COVID-19 related realities have lessened much of the attention on the plight of children in conflict situations, there is evidence

demonstrating that the condition of children affected by armed conflicts continues to worsen. Tomorrow's session is anticipated to serve as an opportunity to reflect on the situation of children, which has been further exacerbated due to the impact of COVID-19. It is also to be recalled that at its 924th meeting on the impact of COVID-19 on children, Council stressed that Member States' responses to the pandemic should prioritise most vulnerable children in conflict situations including refugee and internally displaced children as well as children with disabilities. Tomorrow's session may follow up on efforts committed in that regard.

The ACERWC has recently adopted a General Comment on children in conflict situations – 'General Comment on Article 22 of the African Charter on the Rights and Welfare of the Child (ACRWC): Children in Armed Conflict'. The General Comment is mainly aimed at providing guidance to Member States on how to prevent violations of children's rights in armed conflicts or situations of tension and strife. Among the novel issues addressed in the General Comment are the extraterritorial applicability of rights and duties enshrined under Article 22 of ACRWC, and stipulating the age of 18 as minimum age of recruitment into an army or armed groups. In addition, the General Comment provides direction on how to ensure protection of children in those situations, which may not meet the threshold of armed conflict but nonetheless create conditions for the violation of children's rights. The PSC is expected to review and adopt a decision relating to this General Comment, in addition to reflecting on some of its features as to determine how it can integrate it as a document informing its works and decision-making.

Tomorrow's session will also present the opportunity for the PSC to consider and adopt the 'Policy on Integration of Child Protection into the African Peace and Security Architecture (APSA)' and Miamingi's presentation is expected to highlight the main aspects of the policy. The initiative to ensure

integration of child protection within the framework of APSA was initially proposed by Save the Children in 2016, to be carried out as a three years project. The PSC is expected to welcome the final Policy developed by the PSD and reflect on the opportunities and challenges of integrating child protection concerns within APSA, including relevant organs of Regional Economic Communities and Regional Mechanisms (RECs/RMs).

It is also to be recalled that Assembly/AU/Dec.718 (XXXII) adopted at the 32nd Ordinary Session of the AU Assembly convened on 10-11 February 2019, underscored four strategic resolutions related to child protection. These are: the establishment of an accountability, monitoring and reporting mechanism; the development of a child protection architecture for the AU; the establishment of child focal points in all AU missions; and the establishment of an office of Special Envoy on children in situations of conflict. The PSC may call on all relevant actors to ensure implementation of Assembly/AU/Dec.718 (XXXII) having regard also to its contribution for the successful realisation of the goals of AU's 2020 theme – Silencing the Guns in Africa – as well as Aspiration 4 of Agenda 2063 which places the need for a peaceful and secure continent as a prerequisite for the full realisation the entire Agenda.

At its 841st session held in April 2019 on the CAAC theme, the PSC made a request for Specialised Technical Committees (STC) dealing with education and humanitarian issues to propose practical recommendations regarding education of refugee and internally displaced children. Moreover, the AU Commission (AUC) was requested to expedite the preparation of the evaluation report on the implementation of PSC's previous decisions on women and children in armed conflicts. The PSC may follow up on the status of these decisions at tomorrow's session.

The updates regarding the situation of children in armed

conflicts may be expected to reflect on some of the grave violations faced by children in countries with active conflicts as well as countries affected by terrorism. Various reports throughout 2020 have for instance indicated that children have suffered multiple violations in Boko Haram affected countries, mainly in Nigeria. Fear of stigma, retaliation and detention of children believed to be associated with the terrorist group are some of the main violations experienced in addition to the most common atrocious incidents of abduction and sexual violence perpetrated by Boko Haram. The worrying trend in the denial of humanitarian access to children in conflict zones in countries such as Central African Republic (CAR) is also another concern, which might feature on tomorrow's briefings. The recent attacks on a school in Kumba, Cameroon, that killed at least six teachers and seven schoolchildren is another manifestation of the grave violations to which children are exposed in conflict situations at times for the simple reason of being at school.

The expected outcome of the session is a press statement. The PSC may adopt the policy on integrating child protection into APSA. It may also welcome the adoption of the General Comment and request the AUC to explore mechanisms to integrate the tool in the deliberation and engagement of the PSC on CAAC. The PSC may express its condemnation of violations targeting civilians and children including the attack on a school in Kumba in Cameroon and urge that measures are taken for safeguarding schools and children from attacks. It may call on concerned Member States and other relevant actors to comply with human rights law and International Humanitarian Law (IHL) as well as obligations assumed under various international and regional instruments for the protection of children, by refraining from recruiting child soldiers or otherwise involving children in the crossfires of conflicts. Council may also call upon Member States emerging from armed conflicts to ensure that reintegration of child soldiers is part of their

post-conflict reconstruction, stabilisation and development efforts. Member States may also be encouraged to adopt and implement all relevant legal and normative standards aimed at protecting children affected by armed conflicts. It may further urge member States of the AU to take mitigating measures to address the compounding impact of COVID19 for children affected by conflict