

Concept Note

Open Session of the Peace and Security Council on the Theme “Child Soldiers / Out of School Children in Armed Conflict in Africa”, 26 July, 2017.

1. The issues of child soldiers / out of school children in armed conflict in Africa are of major interest not only to Peace and Security Council members but also to the broader membership of the African Union. In addition to being interested in dealing with the menace, Member States are particularly keen on the understanding of the root causes, examining the efficacy of existing mechanisms towards addressing the challenge and calling for more sustainable, appropriate actions to stem the tide. This is evidenced by the fact that the African Union and the United Nations Security Council have debated the issues on several occasions, but time is now ripe for real action.
2. Members of the Council have expressed their commitment to continue to provide windows for the broader membership of the AU to air their views. Nigeria, which is the chair of the Peace and Security Council for the month of July, is pleased to convene this open session to honour that commitment, as one of the highlights of its Chairmanship.

Background

3. Africa is no stranger to violent conflict. In the last two decades, the continent has witnessed widespread genocide, interstate wars, brutal terrorist attacks and bloody, protracted civil wars. Armed groups such as Al-Shabaab, Boko Haram, Lord Resistance Army (LRA) and the Islamic State in Iraq and the Levant (ISIL) among others have become increasingly reliant upon the recruitment of children to help in the commission of violent acts. In addition, these young individuals sometimes serve as sex slaves and suicide bombers for these armed groups or are sold into slavery in exchange for weapons, money, and other scarce resources.
4. Compounding the situation is the disproportionate number of out-of-school children in Africa, particularly in countries affected by armed conflict and the resultant effect of extreme poverty. This disturbing trend has received much attention in recent years from political leaders, human rights activists, and other members of the international community including the African Union. Several initiatives have been launched during the past decades to help alleviate the problem. Much work still remains, however, before an effective strategy can be developed and implemented that will discourage the use of children in battle.

Causes of Child Soldiering / Out of School Children

Proliferation of Small Arms and Light Weapons

5. Indeed, the increased availability of small arms and inexpensive weapons has encouraged even the youngest of individuals to engage in direct combat. Very little effort and training is required for a 10-year-old to use an automatic weapon that weighs only a few pounds but still

results in massive slaughter. For example it is easier and cheaper to buy AK47 than to attend a movie or provide a decent meal.

Voluntary Recruitment

6. African children become active participants in violent conflict by voluntarily offering their services to armed groups even in national armies because of the enticement of receiving a modest wage that can support family members. In addition, motivation for revenge, poverty and community's glorification of war are some reasons why children join armed groups.

Forced Recruitment

7. Some local insurgent or military leaders in Africa meet recruitment quotas by kidnapping, press-ganging, or abducting children from their own villages. Once taken by the insurgent groups or local military units, young children are often subjected to brutal methods in order to "toughen them up" and turn them into ruthless "killing."

Out of School Children

8. Out of School Children constitute a dangerous consequence to their communities and larger society and are ready tools for Child soldiers. Most of these children are out of school because their parents rely on them for labor. More are affected because of the long distance and dangerous routes to their schools.

9. Some children cannot attend because the local schools lack enough class rooms, water points, latrines, or accessible facilities for children with disabilities. Others are excluded from education because they speak a language that is not accommodated by the teachers and textbooks available where they live. The greatest challenges are faced by children who encounter several of these barriers. The culture of the people in Africa which places more emphasis on the education of the male child, indeed affect the education of the female child who is expected to be married out early.

Existing Mechanisms for addressing the issue of Child Soldiering / Out of School Children

10. The international community including the African Union made several attempts in recent years to alleviate the challenge of child soldiers and out of School Children on the African continent. Numerous regional and other conferences held with strong outcomes of initiating concrete measures that would discourage the use of children in combat as well as encourage the education of children in Africa. Prominent among these were:

Maputo Declaration on the Use of Children as Soldiers

11. The declaration condemned the use of any child less than 18 years of age by any armed force or armed group, and even where that child claims or is claimed to be a volunteer. It called for the demobilization and release of current child soldiers and urged the African governments

to take appropriate action against any government or armed opposition group that engages in the practice;

African Union Kampala Convention,

12. Article 9 (1d) of the convention among other things, request State Parties to prevent sexual and gender based violence in all forms, notably rape, forced prostitution sexual exploitation and harmful practices, slavery, recruitment of Children and their use in hostilities, forced labor, human trafficking and smuggling. Article 9 (2b) further request states to provide IDPs with humanitarian assistance including education.

African Charter on the Rights and Welfare of the Child

13. Africa remains the only continent with a region-specific child rights instrument, the African Charter on the Rights and Welfare of the Child, including the right of a child to education. While built on the same principles as the UN Convention on the Rights of the Child, the AU Children's Charter highlights issues of special importance in the African context. The charter has been signed, ratified and domesticated by a number of African countries.

Safe Schools Declaration adopted at the Oslo Conference on Safe Schools

14. The declaration secured the endorsement of the Guidelines for Protecting Schools and Universities from Military Use during Conflict by 54 countries to date. A number of countries have embarked on concrete and practical measures to prevent the use of schools for military purposes, through inclusion in training, military orders and political directives, and policy and doctrine development.

Paris Commitment and Principles on the Protection of Children in Armed conflict

15. The commitment and Principles were adopted at the international conference 'Free children from war' in Paris, February 2007. They consolidate global humanitarian knowledge and experience in working to prevent recruitment, protect children, support their release from armed forces or armed groups and reintegrate them into civilian life. The Paris commitments and Paris principles build on the seminal Cape Town principles and best practices.

Resolution 1612 (2005) of the United Nations Security Council.

16. The Resolution called for the creation of a monitoring and reporting mechanism for the implementation of action plans and for a concrete, time-bound commitment by parties to conflicts to halt violations of children's rights. It created tools to engage with and hold parties accountable for their responsibilities under international law regarding the protection of children. Notable successes and achievements under this framework include: (a) The release of over 115,000 children from armed forces and armed groups since 2000; 18,000 children were

released in 2015 alone; (b) The signing of 25 action plans with parties to conflict towards ending violations against children.

Recommendations / Expected Outcome

17. **The establishment of Child Protection Architecture at the AU is timely.** As clearly recognized in Chapter VII of the UN Charter, the AU should continue to complement the efforts of the UNSC in the maintenance of peace and security, and in particular in dealing with the issue of child soldiers/out of school children. The AU through its Peace and Security Council should frontally and collectively dismantle an ad HOC process on Child Soldiers.

18. **Decentralizing the Operational aspect of Protecting Children/Out of School Children during Armed Conflict by AU.** This would place greater responsibility on African states to deal with the issue of child soldiers/out of School Children. The AU needs to develop a coherent strategy and offer robust leadership to pressure states and armed groups to comply with the child rights acts and the international law.

19. **The Continental body needs to take the lead in developing best practice and strengthening the Monitoring and Reporting Mechanism process.** This would clearly involve bringing pressure to bear on its member states on the question of accountability, since fighting impunity is necessary.

20. **A designated AU Special Representative of the Chairperson of the Commission on Children and Armed Conflict could be considered.** The AU could, for instance, require that states in which violations of children's rights have been reported by the continental monitoring mechanism to criminalize such violations in domestic law and prosecute them via national jurisdictions. It could also build on its existing protection mechanisms where training packages on children and armed conflict for civilian and uniformed personnel could be developed.

21. **Participation and Programme Outline.** Overall, the Peace and Security Council members, all AU Member States and Representatives from capitals, United Nations Agencies/ Organs, international Non-Governmental Organizations, International Non-Governmental Organizations, Regional Economic Commissions, other Inter-Governmental Organizations, Development Partners and Observer Missions to the AU are invited to participate in the Open Session. A formal outcome of the Peace and Security Council in the form of Press Statement is expected for the open Session.

African Union Commission (AUC)

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PSC Outcomes

Press Statements

2017-07-26

Press Statement of the 706th Meeting of the Peace and Security Council of the African Union Held on 22 July 2017, Addis Ababa, Ethiopia.

Peace and Security Council

African Union Commission

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