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PEACE AND SECURITY COUNCIL  
MINISTERIAL MEETING

4 – 5 DECEMBER 2023  
BANJUL, THE GAMBIA

PSC/CN/INAUGURAL (2023)

**CONCEPT NOTE**

**MINISTERIAL AND HIGH LEVEL OPEN SESSION OF  
THE PEACE AND SECURITY COUNCIL OF THE AFRICAN UNION ON  
THE PROMOTION AND PROTECTION OF THE RIGHTS AND WELFARE OF CHILDREN  
IN CONFLICT SITUATIONS IN AFRICA**

## I. BACKGROUND

1. Conflicts in Africa are becoming more fragmented and complex in nature and scope, while the theatre of war in some places has moved into urban areas. Not only do armed groups and networks target and attack civilian populations and use them as human shields, but they also target children and young people as recruits. In some situations, parties to conflicts, especially armed conflicts, have been using children as soft targets. The impact of armed conflict on children and civilian populations leads to deaths, life-changing injuries, and destruction of infrastructure needed to guarantee access to food, shelter, water, health and education, child protection, and other essential social services for children. Attacks on schools and hospitals are on the increase, and children are losing protected environments. Once the conflicts end, children have particular short- and long-term post-conflict reconstruction needs, such as tracing of family members, redress and social reintegration, psycho-social rehabilitation programs including disarmament, demobilisation, and reintegration (DDR) programs, as well as child/youth participation within transitional justice frameworks. Factors that increase the vulnerability of children to armed conflict include the increasing involvement of non-state actors in conflict, the asymmetric nature of conflict, weak child protection mechanisms for preventing, responding, monitoring and reporting violations, and the impunity of the violators.

2. The 26<sup>th</sup> Ordinary Session of the Assembly of Heads of State and Government of the AOU, in July 1990, adopted the African Charter on the Rights and Welfare of the Child which entered into force in November 1999. The adoption of this Charter is a manifestation of African leaders of the OAU/AU in ensuring that the rights of the African child are protected. Therefore, the African Union (AU) through the African Peace and Security Architecture (APSA), and the African Governance Architecture (AGA) are tools established by the AU to intensify peace, security and stability efforts, including efforts to address the situation of children in conflict. The African Union Assembly adopted key Decisions, such as [Assembly/AU/Dec.718 (XXXII)] of 2019, and [Assembly/ AU/Dec.755(XXXIII)] of 2020, which echoed/endorsed the PSC decision for the establishment of a Child Protection Architecture.

3. Furthermore, the adoption of the Policy on Mainstreaming Child Protection in the APSA and the Child Protection Policy for AU Peace Support Operations (PSOs) by the Specialised Technical Committee on Defence, Safety, and Security (STCDSS), in 2022, provide instructive guidance towards the protection of children as a fundamental precursor to achieving sustainable peace and security in the Continent and sets policy guidance on the establishment of the child protection architecture.

4. Additionally, within the human rights landscape, there has been commendable progress in the promulgation of normative frameworks such as the African Charter on the Rights and Welfare of the Child (ACRWC), African Charter on Human and People's Rights (ACHPR) and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), all which have provisions for the protection of children in armed conflict and emergencies. The AU Organs, such as the Peace and Security Council (AU), the African Committee of Experts on the Rights and Welfare of the Child (ACERWC), African Commission on Human and Peoples' Rights (ACHPR), African Court on Human and Peoples' Rights (AfCHPR) have mandates to protect children in situations of conflict, in line with various AU instruments.

5. Despite the presence of human rights frameworks and monitoring mechanisms, there is a general paucity of evidence on whether these instruments, monitoring bodies, institutions and mechanisms effectively collaborate within a well-coordinated system to prevent and protect children from child rights violations. The available continental literature and assessments of the continental child protection landscape in situations of armed conflict, tensions, strife, and emergencies indicate that policies, mechanisms, programmes and institutions need to be supported and enhanced for more collaboration and coordination in addressing the challenges facing children in conflict situation. There

are limited synergies among the different entities mandated to protect children in the theatre of conflict, and the absence of an over-arching architecture to proffer cross-linkages among the existing instruments, and duty-bearers presents a major obstacle to the full protection of children's rights in conflict prevention, peace-making, peace-building and post-conflict reconstruction processes in the region.

6. To respond to these concerns, the PSC during its 706<sup>th</sup> Meeting of 26 July 2017, adopted a Press Statement [PSC/PR/BR. (DCCVI)] recommended the establishment of a comprehensive Child Protection Architecture within the AU Commission as a platform to ensure the full implementation of various instruments adopted at continental and international levels aimed at protecting the rights of children in conflict situations.

7. Furthermore, underscoring the need for harmonization and coordination of efforts, as well as the importance and critical role of partners in the protection of children in conflict situations, the Africa Platform on Children Affected by Armed Conflicts (AP CAAC) was established by the Department of the political Affairs, Peace and Security of the AU. The AP CAAC is mandated to coordinate the efforts by the Member States, AU Commission, and the relevant partners based on strong advocacy for the implementation of AU Frameworks.

8. The PSC Decision envisages the Child Protection Architecture as a convening platform to coordinate existing initiatives of relevant actors in the realm of protecting children's rights in situations of conflict, thereby prompting a continental approach which aims to trigger a much-hoped-for integrated response to the multi-dimensional challenges faced by children in conflict situations.

9. Thus, the holding of this PSC ministerial and High-level Open Session, with the participation of other relevant stakeholders, is premised on calling for the establishment of an architecture that will serve as a structure for well-functioning, coordinated continental institutions to harmonize efforts and enhance coordination and cooperation of protection of children-related activities throughout the AU system and beyond, thereby significantly enhancing strategic coherence, convergence, and harmony in practice at national, regional and continental levels.

## **II. OBJECTIVES**

10. It is against this backdrop that the PSC will be convening a PSC ministerial and High-level Open Session to provide an opportunity for the PSC Members, the AU Member States affected by conflicts, the Africa Platform on Children Affected by Armed Conflicts (AP CAAC), the Regional Economic Communities, Regional Mechanisms (RECs/RMs), international partners, civil society and think tanks and all other relevant stakeholders for lessons learned and to exchange ideas on practical means and ways of preventing the violations of the rights of children in situations of conflict.

11. Among others, the Open Session will seek to:

- i. Share updated information on the state of children in conflict situations on the Continent and coordinated actions required;
- ii. Engage with children formerly associated with armed forces and armed groups as a practical situation to provide factual information to be considered by the PSC in its decision-making process in addressing grave violations against children in situations of conflict, as well as to facilitate and support their rehabilitation and reintegration into society;

- iii. To explore ways to strengthen the relationship between the PSC, AU member States, other AU Organs, RECs/RMs, monitoring bodies, institutions and mechanisms, and key partners so that they can effectively collaborate within a well-coordinated system to prevent and protect children from child rights violations;
- iv. Agree on a set of prioritized actions for strengthening the response of Member States, RECs/ RMs and other AU Organs in preventing grave violations against children in conflict situations.

### **III. EXPECTED OUTCOMES**

12. It is expected that the meeting will result in the identification of modalities of establishing a comprehensive AU Child Protection Architecture as a platform to enhance the effectiveness of the existing mechanisms and for adapting, strengthening, and streamlining the existing interventions aimed at protecting the rights of children in conflict situations.
13. The meeting will provide an opportunity to brainstorm on the means and ways to support and accelerate the appointment of an African Union Special Envoy on Children in Situations of Conflict to coordinate, boost and sustain efforts to mainstream child protection in the activities of the AUC.
14. At the end of the session, it is expected that the Council will adopt a communique to reflect the outcome of the deliberations.

### **IV. FORMAT AND PARTICIPATION**

15. The meeting will be chaired by the Minister of Foreign Affairs of The Gambia, Chairperson of the PSC for the month of December 2023. Participants will include Ministers of the PSC Members responsible for the welfare of children, child protection experts from AU Member States, representatives of the Africa Platform on Children Affected by Armed Conflicts, representatives of the RECs/RMs, as well as members of the international community. Child survivors will participate virtually. The key speakers will include:

- a) The PSC Chairperson and Co-chair of the Africa Platform on Children Affected by Armed Conflicts;
- b) AU Commissioner for Political Affairs, Peace and Security;
- c) Representative of AP CAAC;
- d) AU Committee of Experts on the Rights and Welfare of the Child;
- e) Child Representatives;
- f) UN SRSG and Head of UNOAU;
- g) UNSRSG CAAC, and
- h) UNICEF.

### **V. DATE AND VENUE**

16. The PSC ministerial and High-level Open Session will be held in Banjul, The Gambia, in the Sir Dawda Kairaba Jawara International Conference Centre from 4 to 5 December 2023. The meeting will be conducted in the following AU working languages, namely: English and French.