



ICRC

**965th Virtual meeting of the AU Peace and Security Council
open session on children in armed conflict situations in Africa**

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Honorable Chair,

Honorable members of the Peace and Security Council,

Excellencies,

Distinguished guests,

Ladies and Gentlemen,

All protocols observed,

The International Committee of the Red Cross (ICRC) congratulates the AU PSC for dedicating this open session to the protection of children in situations of conflict in Africa and express its appreciation for the invitation and the opportunity to share this brief statement on the state of children in situations of conflict on the continent.

From its presence in the field, the ICRC witnesses the immense suffering imposed on children as a consequence of armed conflict. Children not only represent a large segment of those affected by armed conflict, but are also particularly vulnerable. They are often **separated** from their families, **displaced** or otherwise find themselves 'on the move'. Sometimes they are **detained, sexually abused** or deprived of **access to an education** and other essential services, including medical care and psychosocial support.

Therefore, the initiative of this Council to reflect on the state of children's rights in situations of conflict, is a clear sign that protection of children in Africa remains a challenge.

To name a few, this is what we see in the field

1- Children Unaccompanied, Separated, Missing or Internally Displaced

When separated from their families during armed conflicts, children become even more vulnerable. Deprived of care and protection, they are more likely to have their basic rights violated and to be at risk of abuse, exploitation or use by armed forces or armed groups.

Displaced or Migrant children are particularly vulnerable in the course of their journey particularly when they may find themselves alone.

In the case of internally displaced children, access to basic services such as education becomes a challenge in their own country. This is due mainly to administrative barriers resulting from the lack of identification documents or loss of academic record and files.

Recommendations

The ICRC wishes to stress the commitment expressed by States to take the necessary measures, in accordance with the African Charter on the Rights and Welfare of the Child, to ensure that children receive protection and humanitarian assistance as set out in the Charter.

States have an obligation under international law to prevent family separation, to preserve family unity and to support families in their search for missing relatives and in clarifying their fate and whereabouts,

2- No Access or Difficult Access to Education for children

We regularly witness how education is severely affected by armed conflicts, with the generalized degradation of education systems. Children are likely to face significant constraints in accessing education due to the general state of insecurity, or lawful military operations, but mainly due to the numerous violations of international humanitarian law (IHL) that too often occur during armed conflict.

Sometimes, school buildings are targeted directly, damaged incidentally, or used for military purposes. Weapons and munitions are occasionally stored or abandoned near or in schools. Parties to armed conflict also come specifically to schools to recruit children and use them in hostilities, and children are sometimes raped or subjected to other forms of sexual violence in or around schools.

The ICRC is concerned that children displaced by armed conflict are often excluded from the educational system for extended periods of time. Often, schools become shelters for displaced people during armed conflict, which may further hamper access to education for resident children.

Recommendations

Under international humanitarian law, schools are presumed to be civilian objects and protected as such against direct attack. The ICRC therefore calls on States and parties to armed conflict to comply with their IHL obligations, including provisions that aim at guaranteeing education for children during armed conflict.

Parties to armed conflict should therefore make every effort possible to prevent schools being used for purposes that could cause them to lose their protection as civilian objects.

3- Children in or and detention

Children may be found in detention, and this can be for various reasons, including their association with an armed force or an armed group.

Children are also significantly affected by the detention of a parent, guardian or other close relative.

Detention can indeed have an adverse effect on children physical and mental health. The serious negative effects of detention on the mental health are magnified when it comes to children, as their developmental needs cannot be met in such a setting.

Recommendations

Children must be detained only as a measure of last resort and for the shortest time possible.

Detaining authorities must protect children with measures that take their specific needs into consideration. This includes protecting children from all forms of ill-treatment, including sexual violence; providing legal advice and support; separating children from adult detainees; maintaining contact between children and their families.

States' assessment of the protection and assistance to be offered to children should be based primarily on his or her vulnerabilities and needs. Their best interests shall be a primary consideration in all actions concerning them, including decisions to initiate or continue detention as well as strict application of the principle of *non-refoulement*.

4- Children Associated with armed forces or armed groups

In armed conflict, children are exposed to recruitment and use by armed forces or armed groups, either to actively taking part in the fighting or used in supporting roles.

Regardless of whether such recruitment is forcefully or voluntarily, children associated with armed actors are particularly vulnerable, as they are often imprisoned, wounded or killed.

The specific situation and needs of girls associated with armed forces or armed groups are still too often overlooked and left unaddressed.

Boys and girls associated with armed forces or armed groups may face difficulties upon their return to their families and communities, due to stigmatization, which poses an even greater challenge to family reunification.

Recommendations

Children who are unlawfully recruited or used and accused of having committed domestic or international crimes during armed conflict should be regarded primarily as victims, not only as alleged perpetrators, and treated as such.

The ICRC calls upon States which have not done so, to ratify the Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflicts, which has lifted the age for compulsory recruitment to 18 and called on States to raise the minimum age for voluntary recruitment above 15.

States must prevent the recruitment of children and ease their reintegration into society, by adhering to the Paris Commitments, which complement existing law on the matter.

To conclude, Mr Chairperson,

Overall, the ICRC notes with grave concern, honorable members of the Peace and Security Council, a growing discrepancy between the laws, policies and political commitments and the reality for children in conflicts across our continent.

Principles which mitigate effects of violence and war on children, including those recruited by armed groups and displaced by conflict must be upheld.

The ICRC is of the view that much of the human suffering generated by armed conflict, especially for children, could be prevented if States and parties to armed conflict fulfilled their obligations to respect and ensure respect for IHL, including those fundamental rules designed to protect the civilian population, which includes children.

Thank you for your attention.