

# CHALLENGES AND PERSPECTIVES OF SUSTAINABLE DEVELOPMENT FOR CHILDREN AFFECTED BY ARMED CONFLICTS IN AFRICA: A CASE STUDY FROM THE DEMOCRATIC REPUBLIC OF THE CONGO

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Children are extremely vulnerable in times of conflict and crisis. In 2022, more than two-thirds of the world's children were living in a conflict-ridden country. The arguments raised in this contribution are contextualized and introduced into the broader reflection on the merits of the adoption, in 1989, of the Convention on the Rights of the Child (CRC). Our findings and recommendations aim justly to highlight how the implementation of this instrument shaped the African system in protecting the child, and explore the ways in which children's rights and armed conflict interact, as the situation in the Democratic Republic of the Congo is still attesting to it.

DOI

[https://doi.org/  
10.18690/um.pf.8.2025.4](https://doi.org/10.18690/um.pf.8.2025.4)

ISBN

978-961-299-056-5

**Keywords:**

African Union,  
Armed Conflicts,  
Dignity,  
Environmental Issues,  
Insecurity



University of Maribor Press

## 1 Introduction

This paper focuses on the specific outcomes that the conference aims to achieve:

- a) Reflecting on the Past: Assessing the impact and achievements of the CRC since its adoption in 1989, and highlighting significant milestones and success stories in the implementation of children's rights globally;
- b) Looking to the Future: Examining the evolving landscape of children's rights in the face of contemporary global challenges and discussing the implications of sustainable development on children's rights, in particular;
- c) Exploring the ways in which children's rights and armed conflict interact, thereby affecting children as a distinct vulnerable group. To study the interactions between these factors led us to consider the situation in the Democratic Republic of the Congo (DRC). The methodology research is based on data from a number of sources, including reports, a review of existing literature, scholarly works, and the Indicators Database of the United Nations and other non-governmental organizations. The paper also examines the implementation of the 2030 (United Nations), 2040 & 2063 African Agendas for Sustainable Development. This involves monitoring their content and impact on children's rights, particularly in the DRC. The main conclusions lead to some recommendations. The discussion paper is non-exhaustive.

Children are extremely vulnerable in times of conflict and crisis. “In 2022, more than two-thirds of the world’s children were living in a conflict-ridden country”.<sup>1</sup> The arguments raised in this contribution are contextualized and introduced into the wider reflection on the merits of the adoption, in 1989, of the Convention on the Rights of the Child (CRC). Four general principles are the major focuses of this important text of international law: non-discrimination, the best interest of the child, the right to life, survival, and development, and participation and inclusion of the child. Accordingly, the Treaty underscores the special protections afforded to children and emphasizes that the best interests of the child be a primary consideration in all actions concerning them.<sup>2</sup> It has become a crucial pillar in the recognition and protection of the children; idealistically, wherever they are. Shortly after, in Africa, the Charter on the Rights and Welfare of the Child (ACRWC/the

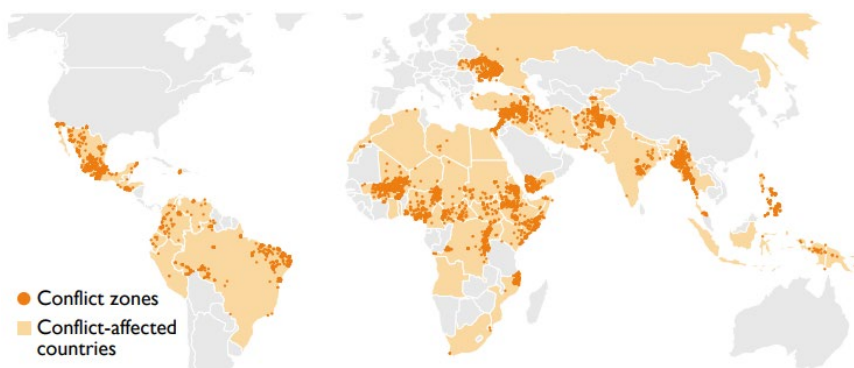
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<sup>1</sup> See the table below (Peace Research Institute, Oslo).

<sup>2</sup> *Cf.* the UN’s Children and Armed Conflicts (CAAC) Agenda.

Charter) has been adopted by the 26th Ordinary session of the Assembly of Heads of State and Government of the Organization of African Unity (OAU), in Addis Ababa (July, 1990). This instrument grants many important rights for the welfare of the child<sup>3</sup>, specifically survival and development (Article 5), protection against child labour (Article 15), protection against child abuse, torture (Article 16) and armed conflicts (Article 22). These human rights are linked with the four principles derived from the CRC, namely the Non-discrimination (Article 2), Best interest of the child (Article 3), Right to life survival and development (Article 6), Right to be heard (Article 12). Chapter 2 of that ACRWC established within the Organization of African Unity a Committee in order to promote and protect the rights and welfare of the child.

Paradoxically, the African continent presents many situations that violate these rights. One of the huge contexts of violation concerns armed conflicts that opened the door of the negation/violation of the rights previously cited.



**Figure 1: Conflict-affected countries and conflict zones, 2022**

Source: Conflict trends, *Ibidem*

Our findings aim justly to highlight how the implementation of the CRC/ACRWC shaped the African system in protecting the child, and they tend to provide some answers in terms of specific norms and mechanisms of protection. Yet, despite this progress, the situation of armed conflicts shows that some other significant milestones are needed. A case study from the Democratic Republic of the Congo will clearly demonstrate the contemporary challenges children are currently facing,

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<sup>3</sup> Kaime, 2014, pp. 637-638.

*inter alia*, one of the world's worst humanitarian and food insecurity disasters, and how it has become the second largest internally displaced people's crisis globally: 25.4 million people are food insecure, including 13.2 million children. 7.3 million people are currently displaced, 3.7 million are children.<sup>4</sup> It seems that the analysis requires some necessary discussions and recommendations on sustainable development by assessing future prospects for African children: economic and social stability, education, health, social protection, and environmental issues.

## **2 Reflecting on the Past: a Logic of Compatibility with the Proclaimed Universal Principles**

The preamble to the ACRWC makes some important statements regarding its conception of the rights and welfare of the child. Firstly, it identifies the Charter's foundation as the principles of international law on the rights and welfare of the child as contained in the declarations, conventions and other instruments of the Organization of African Unity and the United Nations. Significantly, the Charter specifically mentions the CRC. Secondly, the Charter states that the concept of the rights and welfare of the child should be inspired and characterized by the virtues of African cultural heritage, historical background, and the values of African civilization. In other words, the Charter requires that the rights and welfare of the child, which are derived from universal sources, must be alive to the reality of African children".<sup>5</sup> That is why Tokho Kaime examined the cultural-based critiques of the international human rights paradigm generally and children's rights in particular, with specific reference to Africa. In this sense, it seems that there were gaps between what was provided for in the Charter and the concrete analysis of the effectiveness of the rights proclaimed, even though the Charter, and its subsequent texts intended to act as an innovative bridge between international law and African regional law.

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<sup>4</sup> Save the Children, 2024.

<sup>5</sup> Kaime, 2014, p. 121.

## 2.1 The African System on Children Human Rights: a Very Continuum of the CRC

The ACRWC entered into force on 29 November 1999, ten years after its adoption. The implementation was evidence that the new system of protection of the rights of the child gained a subsequent level of acceptance and crystallized the way in which continental organs and member states deal with children. In fact, under the Children's Charter, "children are no longer viewed as objects of concern and sympathy, but are accepted as autonomous rights holders".<sup>6</sup>

Under the Children's Charter, "children<sup>7</sup> are no longer viewed as objects of concern and sympathy but are accepted as autonomous rights holder"<sup>8</sup>, as expressed in the CRC, which is actually the source of inspiration for the African System on Children's Human Rights. In the Preamble of the ACRWC, we note, for instance, that the African Member States of the OAU:

- Consider that the Charter of the OAU recognizes the paramountcy of Human Rights and the African Charter on Human and People's Rights proclaims and agrees that everyone is entitled to all the rights and freedoms recognized and guaranteed therein, without distinction of any kind, such as race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status;
- Reaffirming adherence to the principles of the rights and welfare of the child contained in the declaration, conventions and other instruments of the Organization of African Unity and in the United Nations and in particular the UN CRC; and the OAU Heads of State and Government's Declaration on the Rights and Welfare of the African Child;
- Recall the Declaration on the Rights and Welfare of the African Child (AHG/ST. 4 Rev. I) adopted by the Assembly of Heads of State and Government of the Organization of African Unity, at its Sixteenth Ordinary Session in Monrovia, Liberia, from 17 to 20 July 1979;
- Recognized the need to take all appropriate measures to promote and protect the rights and welfare of the African Child;

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<sup>6</sup> African Union, *Africa's Agenda for Children 2040. Fostering an Africa Fit for Children*, p. 2.

<sup>7</sup> Article 2 of the ACRWC: "*A child means every human being below the age of 18 years*".

<sup>8</sup> *Africa's Agenda for Children 2040*, p. 2.

- Reaffirm their adherence to the principles of the rights and welfare of the child contained in the CRC;
- Underscore with concern that the situation of most African children remains critical due to the unique factors of their socio-economic, cultural, traditional and developmental circumstances, natural disasters, armed conflicts, exploitation and hunger, and on account of the child's physical and mental immaturity, they need special safeguards and care;
- Furthermore, they recognize that the child, due to the needs of his physical and mental development, requires particular care with regard to health, physical, mental, moral and social development, and requires legal protection in conditions of freedom, dignity, and security.<sup>9</sup>

To put in force these declarations and principles, the African Committee of Experts on The Rights and Welfare of the Child (ACERWC) was set up and mandated to monitor the implementation of the Charter as well as promote and protect children's rights in Africa.<sup>10</sup> The ACERWC, consisting of 11 members, has been created as a supervisory body to monitor States' implementation of its provisions. Reflecting the mandate of the African Commission on Human and Peoples' Rights (African Commission), it performs its supervisory function by examining State reports.

Reflecting the mandate of the African Commission, the Children's Committee performs its supervisory function by examining state reports, considering individual communications, and undertaking investigations. In this respect, the African pendant provides for more intrusive monitoring, compared to the UN Committee on the Rights of the Child, which is only mandated to examine State reports submitted under the CRC. The African Children's Committee held its first meeting in 2002. Initially severely under-resourced and largely unknown, the Committee made a slow start. The Committee was without a fully functional Secretariat for the initial years, until its first substantive Secretary was appointed in 2007. Since then, the African Children's Committee has worked hard within the OAU/AU structures to assert its legal authority as the continent's leading children's rights body.<sup>11</sup> The system just described is theoretically somehow a ground-breaking one.

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<sup>9</sup> African Charter on the Rights and Welfare of the Child, p. 7 - 8.

<sup>10</sup> ACERWC is an African Union Organ.

<sup>11</sup> Africa's Agenda for Children 2040, p. 4.

## 2.2 A Ground-Breaking System

The African system shows a new way of protecting or thinking about the rights of the child, as established by its Agendas, which contain some plans and actions for States and people. Indeed, in Africa, Sustainable Development<sup>12</sup> policies is operated by Africa's Agenda for Children 2040, which fosters an Africa Fit for Children.<sup>13</sup> Implementation takes place in five phases:

- a) "The Agenda is implemented in each State party, on the basis of a national implementation plan, guided by the overall Action Plan, for each implementation phase;
- b) The end dates of each of the five implementation phases are 2020, 2025, 2030, 2035 and 2040;
- c) Each State party reports to the African Children's Committee at the end of each phase;
- d) Implementation should be aligned with States' other international obligations and commitments;
- e) AU member States should align their national implementation plans and the various Action Plans with their commitments and obligations under AU Agenda 2063, the SDGs and other international treaties".

The Africa's Agenda for Children 2040 stated that "Africa is set on a course towards a different and better Africa" and that the vision "that inspires this course is captured in the African Union (AU)'s Agenda 2063. This instrument clearly states that the ideals of Agenda 2063 will not be achieved without young people and children in particular. Thus, the latter must be the engine of Africa's renaissance. The continent must thus ensure the future progress, peaceful coexistence, and well-being of its sons and daughters. In order to enable them to take charge of Africa's future, their full potential must be unleashed in the full enjoyment of their rights.

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<sup>12</sup> The 2030 Agenda for Sustainable Development, adopted by all United Nations Member States in 2015, provides "a shared blueprint for peace and prosperity for people and the planet, now and into the future". The 17 Sustainable Development Goals and 169 targets demonstrate the "scale and ambition".

<sup>13</sup> Cf. 2030 Agenda for Sustainable Development, 2015, p. 1.

The Africa's Agenda for Children 2040 lists ten aspirations to be achieved by 2040:

- a) Aspiration 1: The African Children's Charter, as supervised by the African Children's Committee, provides an effective continental framework for advancing children's rights. The African Children's Charter is the primary AU treaty dealing with children's rights.
- b) Aspiration 8: Children benefit from a child-sensitive criminal justice system.
- c) Aspiration 9: Every child is free from the impact of armed conflicts and other disasters or emergency situations.
- d) Aspiration 10: African children's views matter.

By 2040:

- a) Armed conflict on the continent is significantly reduced;
- b) The proliferation of arms, in particular small arms and light weapons, has been halted;
- c) Armed forces deployed during hostilities are proactively supported by military training, which includes specific modules dealing with issues such as the identification of children, the verification of age, and the handover referral system of children to civilian authorities at the earliest possible instance;
- d) There are no child soldiers; no child is recruited into the armed forces or plays a direct part in armed hostilities;
- e) The social, cultural, economic and political determinants of conflict and violence are addressed through changing of attitudes and behavior;
- f) Basic services are restored in States facing conflict and instability; children's well-being, reflected in low infant mortality rates and extensive access to health care and education, is the worst in States undergoing protracted conflict and instability;
- g) Children, in particular the youth and adolescents, play a key role in peace-building and prevention so as to draw attention to the structural and more immediate causes of conflict as they relate to children;
- h) Children involved in and affected by armed conflict are reintegrated into communities and provided with adequate psychosocial support;
- i) Children's rights are integrated into peace-making, peace-building and preventive actions;



- j) Children are equipped to be resilient in the face of disasters or other emergency situations;
- k) Separated and unaccompanied children are prioritised and provided with special protection.

Concerning Agenda 2063, it enumerates the following ‘aspirations’ for the Africa “we want”:

- a) A prosperous Africa based on inclusive growth and sustainable development;
- b) An integrated continent, politically united, based on the ideals of Panafricanism and the vision of Africa’s Renaissance;
- c) An Africa of good governance, democracy, respect for human rights, justice and the rule of law;
- d) A peaceful and secure Africa;
- e) An Africa with a strong cultural identity, common heritage, values and ethics;
- f) An Africa whose development is people-driven, relying on the potential of African people, especially its women and youth, and caring for children;
- g) Africa as a strong, united, resilient and influential global player and partner.<sup>14</sup>

Africa has made some progress on SDG 17 and the related Agenda 2063 goals, but significant gaps remain. In some instances, the current trend needs to be reversed in order for Africa to achieve SDG 17.<sup>15</sup> The CRC and many African instruments are setting a substantial normative framework relating to the rights of the child in Africa. Over the decades, the African continent has been riddled with wars, often involving child soldiers, and always adversely affecting the rights and well-being of children<sup>16</sup>. “Internal and external conflicts remain significant obstacles to Africa’s development, impacting economic growth and social well-being. Climate change exacerbates these issues, worsening food insecurity and poverty across the continent”.<sup>17</sup> Conflicts

<sup>14</sup> Africa’s Agenda for Children 2040, p. 2.

<sup>15</sup> Such as: strengthening domestic resource mobilization, attracting private investment, expanding regional and international cooperation, boosting intra-African trade through the AfCFTA, developing regional value chains and diversifying exports, enhancing debt sustainability and leveraging innovative financing instruments are key to mobilizing resources for the SDGs.

<sup>16</sup> See *The Prosecutor v. Dominic Ongwen*, case n° ICC-02/04-01/15-1819-Red 06-05-2021 1/139 ECT. The International Criminal Court (ICC) found Dominic Ongwen, a former child soldier who became a commander of the Ugandan rebel group The Lord’s Resistance Army (LRA), guilty of war crimes and crimes against humanity.

<sup>17</sup> 2024 Africa Sustainable Development Report. Reinforcing the 2030 Agenda and Agenda 2063 and eradicating poverty in times of multiple crises: the effective delivery of sustainable, resilient and innovative solutions, Table 2, p. 19.

affect the right to sustainable development of the child. Children suffer disproportionately from the effects of war. They bear the brunt of the conflict, risking their lives, losing their homes, being separated from their families, and being exposed to sexual violence, mines, unexploded ordnances and improvised explosive devices and recruitment to armed groups. The number of armed conflicts in Africa increased 37 percent, (from 75 to 98) during the 2015–2022 period, representing about 53.8 percent of global conflicts”.<sup>18</sup>

### **3 Looking to the Future: Looking for a Possible World Without Conflicts**

In recent years, the impact of conflicts and climate change in conflict-affected countries has emerged as a critical concern.<sup>19</sup> Our findings underscore how the implementation of the CRC/ACRWC designed the African system to protect the child, and how it tends to provide some answers in terms of specific norms and mechanism of protection. Yet, despite this progress, the situation of armed conflicts shows that some other significant milestones are needed. A case study from the Democratic Republic of the Congo will strongly reveal the contemporary challenges children are currently facing in this country. Moreover, the study will try to suggest necessary recommendations on sustainable development by raising several important questions regarding the impact of conflicts and the lack of a rejoicing fulfilment of these rights in the African context.

#### **3.1 Children’s Fundamental Rights, Lives, and Futures Detrimentially Affected by Conflicts: Studying the DRC Case**

Significant gaps remain in order to fulfill Agenda 2040 and 2063 goals. In some instances, the current trend needs to be reversed in order for Africa to implement all the policies.<sup>20</sup> As examined, the CRC and many African instruments are setting a substantial normative framework relating to the rights of the child in Africa. In these

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<sup>18</sup> *ibid.*, p. 17.

<sup>19</sup> Office of the Special Representative of the Secretary-General for Children and Armed Conflict United Nations Secretariat New York (2023). Climate Insecurity Impacts on Children and Armed Conflict. A Discussion Paper, NY 10017, USA, see “Preface”.

<sup>20</sup> Strengthening domestic resource mobilization, attracting private investment, expanding regional and international cooperation, boosting intra-African trade through the AfCFTA, developing regional value chains and diversifying exports, enhancing debt sustainability and leveraging innovative financing instruments are key to mobilizing resources for the SDGs.

analyses, we can note a lack of effectiveness of the guarantees granted by the international and regional instruments protecting children's rights. In the context of the African human rights system, it implies the denial of the right to sustainable development for children, and the main elements of such a right.<sup>21</sup> Thus, our analysis examines specific issues regarding children's rights in Africa, within the particular contest of the DRC.

### 3.2 Context and Background of the Situation in the DRC

To understand the scope and magnitude of the effects that armed conflicts have, both in the short, medium, and long term on the rights of the children, such the recruitment and use of child soldiers by parties to armed conflict in violation of international obligations applicable to them and all other violations and abuses committed against children in situations of armed conflict, let us a brief insight on the situation in the DRC.<sup>22</sup>

### 3.3 Country Insights

The Democratic Republic of Congo is Central Africa's largest country with a surface area comparable with Western Europe, and one of the world's most resourced countries.<sup>23</sup> This State presents one of the most challenging conflict and post-conflict peace processes in the world. "The country's complex web of political, societal, ethnic, and economic differences creates an extremely fragmented culture with justifiable cause for continued violence by its many group".<sup>24</sup>

**Table 1: Country Insights for Democratic Republic of Congo (2021)**

| Country insights<br>World Health Organization |                                                                                                               |
|-----------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| Population                                    | 102,262,808 (2023, see the graphic <i>ex. infra</i> )                                                         |
| Total Area                                    | 2,344,858 sq km (11 <sup>th</sup> largest in the world)                                                       |
| Neighbors                                     | Central African Republic, Congo (Brazzaville), Angola, Zambia, Tanzania, Burundi, Rwanda, Uganda, South Sudan |
| Life Expectancy                               | 61.6 years (2021)                                                                                             |

Source: WHO, 2024

<sup>21</sup> Boshoff & Getaneh Damtew, 2022, p. 119.

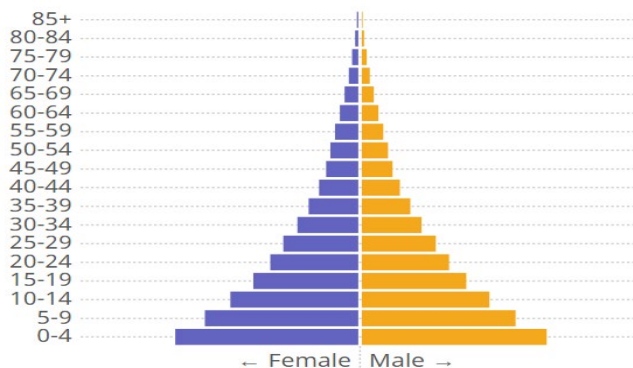
<sup>22</sup> Security Council, Resolution 1612, 26 July 2005.

<sup>23</sup> World Bank Overview: Democratic Republic of Congo. Where We Work, 2020.

<sup>24</sup> Institute for Peace and Security Studies, 2021.

**2023**

Population by age and sex. Democratic Republic of the Congo


**Figure 1: Population pyramid for Democratic Republic of Congo (2023)**

Source: World Health Organization

Based on the study of the Institute for Peace and Security Studies, DRC's conflict can be split into two periods: before the peaceful power transition in January 2019, and after. The former is characterized by authoritarianism and militarized approach, while the latter has a more democratic and diplomatic outlook. Thus, although there are links and continuities from the past, a new context is beginning to evolve. The country is fragile and the eastern part is the most vulnerable.<sup>25</sup> The conflict situation is leveraged to employ child (cheap) labor for mining (about 40,000) children, and sexual and gender-based violence (SGBV) is widespread.<sup>26</sup> The number of people killed in the first half of 2020 is about three times that of what was recorded within the same time frame in 2019. Over 4.5 million people have been internally displaced: 1.6 million from Ituri, 1.9 million from North Kivu, and 1 million from South Kivu provinces. Some armed groups in South Kivu pledged to end the crisis in their controlled areas, but the conflict has intensified in Ituri and North Kivu provinces as of September 2020.

<sup>25</sup> UNSCR (2020). "Implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region". Report of the Secretary General S/2020/272, <https://undocs.org/S/2020/272>.

<sup>26</sup> Human Rights Watch. World Report 2020: Events of 2019.

Beyond internal factors, the escalation of the conflict is also due to tensions between the DRC and neighboring countries such as Rwanda, even though it denies it.<sup>27</sup> In addition, the Congo Wars exposed soldiers from neighboring countries to the resources of the eastern DRC. These soldiers built and explored cross-border networks to fuel and leverage the conflict.<sup>28</sup>

A brief list of armed groups and forces in the Democratic Republic of the Congo<sup>29</sup>:

- The Armed Forces of the Democratic Republic of the Congo (FARDC) comprises approximately 134,000 personnel.
- Non-state Armed Groups: There are over 130 active armed groups in the DRC, both homebred and foreign, and their membership is young. These groups cooperate, clash, and experience internal crisis.
- The main armed groups include Allied Democratic Force (ADF) formed in 1998, Democratic Forces for the Liberation of Rwanda (FDLR) formed in 1994, and Mai-Mai Militias (a community-based group formed in the 1960s but reappeared in force in 1993).
- The conflict between the Congolese government and the M23, a rebel movement largely drawn from Congolese communities of Rwandan origin, took place in eastern Democratic Republic of Congo in areas close to the Rwandan and Ugandan borders between early 2012 and late 2013. It was the product of a failed 2009 peace deal between the DRC and an earlier rebel group, which formed the nucleus of the M23.

### **3.4 Conflict in Eastern DRC is Having a Devastating Impact on Children's Education and Ecosystem**

Children's lives are being turned upside down as they leave behind their homes and schools. They face violence, hunger and disease every day. The DRC is currently facing one of the world's worst humanitarian and food insecurity disasters and has become the second largest internally displaced people's crisis globally: 25.4 million people are food insecure, including 13.2 million children; 7.3 million people are

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<sup>27</sup> DRC's Eastern Neighbors: The rivalry among Uganda, Rwanda, and Burundi as well as their internal crises prove to be a threat to the DRC.

<sup>28</sup> Institute for Peace and Security Studies, 2020, pp. 3 - 4.

<sup>29</sup> Institute for Peace and Security Studies, *id.*, p. 8.

currently displaced, 3.7 million are children. The increase in hunger and disease is a result of the terrifying violence that has been escalating since March 2022. This conflict has killed thousands and caused massive amounts of people to flee their homes. Between January and April 2024 alone, more than 900,000 people have been forced to flee their homes.

Olaitan O. Olusegun studied the specific ways armed conflicts harm the environment and the effects of environmental degradation on children. He noted that the environment is a great source of sustainability for humans and other aspects of the ecosystem. Unfortunately, the world, especially developing countries, has been hit by armed conflicts, which have significant implications for the environment and all forms of life that depend upon it for their existence. Such effects are, however, more profound on children, who are one of the most defenseless groups of persons in armed conflicts. Nuclear weapons, small arms, fires, destruction of forests, water pollution, and air pollution are all methods of warfare that destroy the environment with a severe impact on children.<sup>30</sup>

Armed conflicts have both immediate and long-term consequences on the environment and the well-being of humans. They threaten the livelihoods, health, and security of the population and reduce opportunities for sustainable development. (idem, p. 158). For example, in Nigeria, the degradation of the environment through armed conflict has affected agricultural products in the Northern parts of the country and led to poverty in some areas.<sup>31</sup>

The susceptibility of children to environmental threats is diverse and varied. As an illustration, children have a higher risk of suffering from the impact of environmental hazards mainly because their bodies develop quickly, both physically and mentally. Any exposure to harmful substances limits their growth and development. They have delicate organs that cannot repair themselves effectively when damaged by harmful substances. Furthermore, “the harmful toxins children are exposed to as a result of armed conflicts are higher than those of adults, as children eat more, drink more, and breathe in larger quantities of air than adults, which results in greater harm to their health”.<sup>32</sup>

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<sup>30</sup> Olusegun, 2021.

<sup>31</sup> Olufemi & Samson, 2012, pp. 12-13.

<sup>32</sup> Olusegun, 2021, p. 160.

## 4 Key Recommendations for a Way Forward

The search for a better future requires a set of solutions in order to avoid the risk of recidivism in terms of violation of children's rights. So, the States, African States in particular, and the international community should reassert their will to protect the rights of the child and the desire to preserve them from the continuing misery they face. Children are entitled to rights as established under several national, regional, and international legal frameworks. They should be adequately protected and cared for to preserve their well-being. Therefore, the study should suggest the following propositions:

- a) Attaching crucial importance to prevention in order to prevent children from being targeted or collateral victims of hostilities during armed conflict. Parties to the conflict must respect the rules of international humanitarian law and other international instruments, sparing civilian populations and targets such as children.<sup>33</sup>
- b) Operating post-conflict Assessment: the legal framework for their protection should be strengthened and enforced, while violators of these laws should be prosecuted. Working in the reintegration of children into their families, schools, communities, and in reducing the vulnerability of former child soldiers and street children. Addressing trauma and breaking isolation: incorporating basic psychological support for the affected children. Children and young people have specific needs and vulnerabilities in armed conflict or other situations of violence. These needs must be addressed more effectively.<sup>34</sup> So, post-conflict environmental assessment is also important as it helps to address the harm that could result from the damage that had been done to their environment during armed conflicts, as demonstrated previously.
- c) Rebuilding schools and educational systems in the affected areas. As stated by the AU, attacks against schools are “one of the six grave violations against children in conflict situations. Every boy and girl has the right to an education without fear of violence or attack, and every school should be a protected space for students to learn and fulfil their potential. As stated in the Safe Schools Declaration (2015) attacks against schools expose students and education

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<sup>33</sup> Notably, the 1977 Additional Protocols to the Geneva Conventions codified the concept of “special protection” of children under international humanitarian law and introduced the legal standard that children under the age of fifteen should not be recruited or be allowed to take part in hostilities.

<sup>34</sup> Gussing, 2011, p. 4.

- personnel to harm, deny many children and students their right to education, and deprive communities of the foundations for greater prosperity”.<sup>35</sup>
- d) Giving primary consideration to a child’s right to protection and that considers a child’s individual needs and views.<sup>36</sup>
  - e) Recalling the responsibilities of States to end impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes and other egregious crimes perpetrated against children.
  - f) Setting, in addition to the Day of the African Child celebrated on 16 June, a Day of the Child Victim of Armed Conflict in order to raise awareness among States and civil society, namely based on the concept of CABAC or another concept inspired by African local mechanisms based on “Child-sensitive” or “best-interests of the child”.<sup>37</sup>

#### What is CABAC?<sup>38</sup>

Children affected by armed conflict’ (CABAC) is a very broad category referring to the various groups of children that are adversely affected by armed conflict. There is no single universally agreed upon definition of the term, which has been used in various ways. The Movement’s 1995 Plan of Action on Children Affected by Armed Conflict promoted the principle of non-recruitment and non-participation in armed conflict of children under 18. Still, CABAC does not refer only to child soldiers. Children are the victims of serious violations of international humanitarian law, including recruitment into armed forces and armed groups. They are also victims of the indirect consequences of armed conflict and violence, suffering both physically and mentally. *In times of war or armed violence, children are at high risk of either losing their loved ones to death or being separated from them. Children and their families are often forced to relocate and move from place to place to escape conflict. Many children witness violence or themselves suffer violence or abuse. Children’s educational development is often interrupted.* CABAC has also been used to describe a school-based psychosocial programme as well as its accompanying manual.

CABAC is used to refer to children and young people who directly or indirectly suffer the consequences of armed conflict or armed violence. CABAC activities cover a wide range: nationwide campaigns aimed at promoting applicable law, instruction in humanitarian values and life skills, activities specifically targeting children living in high-risk communities, initiatives addressing the psychosocial needs of children, social reintegration programs for children released from armed forces or armed groups, and so on.<sup>39</sup>

<sup>35</sup> African Union, “The Africa Platform on Children Affected by Armed Conflicts (AP CAAC) Condemns the Terrorist Attack on the Lhubiriha Secondary School in Western Uganda”, in 27 June 2023 (Addis Ababa).

<sup>36</sup> Cf. notion of “Child-sensitive” approach or of “best-interests of the child”.

<sup>37</sup> About these concepts, see above.

<sup>38</sup> The 2010-2011 CABAC consultation excluded tracing and reunification activities because these are areas in which the ICRC has already developed expertise, and of which it has a global overview. Furthermore, tracing does not target children specifically, but rather the population at large. That is why it was decided to leave aside such activities.

<sup>39</sup> Gussing, 2011, p. 9.



- g) Last but not least, the African Union must strengthen its diplomatic responses and put in place decisive means to get African States to respect and preserve the rights of the African child. It must also strengthen its commitment and diplomatic leverage in favor of peace in the DRC. It should also encourage emergency response to disasters in areas affected by conflict by generating exemplary solidarity among African States.

Our contribution tried to focus more on armed conflict as one of the major threats to our generation of children. Hence, digitalization is not yet a matter for these children; the first need is stability, peace, and security to allow them to move forward. We owe the best we can give to children. It is not only a legal and moral imperative: it is a responsibility to Humanity. For Every Child, A Sustainable Future: Stop Conflicts!

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