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MINISTERIAL AND HIGH-LEVEL OPEN SESSION ON THE PROMOTION AND PROTECTION OF THE RIGHTS AND WELFARE OF CHILDREN IN SITUATIONS OF CONFLICT IN AFRICA

**4-5 DECEMBER 2023
BANJUL, THE GAMBIA**

CONCLUSIONS (2023)

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The Members of the Peace and Security Council (PSC) of the African Union (AU), and the representatives of the AU Member States, the Africa Platform on Children Affected by Armed Conflicts (AP-CAAC), AU Organs/institutions and the Regional Economic Communities and Regional Mechanisms for Conflict Prevention, Management and Resolution (RECs/RMs), as well as the representatives of partners, including the African Union Network of Think Tanks for Peace (NeTT4Peace), and African Civil Society Organizations (CSOs) community (hereafter referred to as the Participants) took part in the Ministerial and High-Level Open Session on the Promotion and Protection of the Rights and Welfare of Children in situations of conflict in Africa, held in Banjul, Republic of The Gambia, from 4 to 5 December 2023.

The Ministerial and High-Level Open Session was officially opened by H.E. Dr. Mamadou Tangara, Minister of Foreign Affairs, International Cooperation and Gambians Abroad of the Republic of The Gambia and Chairperson of the PSC for the month of December 2023; with remarks by H.E. Ambassador Bankole Adeoye, AU Commissioner for Political Affairs, Peace and Security and Co-chair of the AP-CAAC. The Session was also inspiringly addressed by three children from Mozambique, Nigeria and South Sudan who shared their experiences in conflicts and how to prevent and address violations.

Following extensive deliberations, Participants:

REAFFIRMED Africa's commitment to continue to take appropriate measures to promote and protect the rights and welfare of the African child, as per the African Charter on the Rights and Welfare of the Child, the African Charter on Human and Peoples' Rights, and other relevant universal human rights instruments and relevant Assembly and PSC decisions;

UNDERScoreD AU's commitment to the realisation of Agenda 2063 and the enshrined Aspirations, particularly 3, 4 and 6, as well as the flagship programme of Silencing the Guns by 2030.

EXPRESSED GRAVE CONCERN over the continued prevalence of violent conflicts in their various manifestations on the Continent, which undermine the fundamental rights and welfare of children.

COMMENDED Member States which have signed, ratified and domesticated the African Charter on the Rights and Welfare of the Child, and accordingly, **URGED** the remaining five (5) Member States which are yet to do so to sign, ratify and domesticate the African Charter on the Rights and Welfare of the Child in order to make the Charter fully owned by the entire Member States of the AU;

THE PARTICIPANTS, ACCORDINGLY AGREED ON THE FOLLOWING:

1. The primary responsibility for the protection of children and implementation of the national, regional and continental frameworks, rests with Member States; in this regard, AU Member States need to redouble efforts and prioritize local programmes which promote the rights and protection of children and anchor a culture of child protection both in peace time and conflict situations;
2. The need for firm commitments to support Member States and the Regional Economic Communities and Regional Mechanisms (RECs/RMs) to facilitate comprehensive actions in favour of child protection in conflict situations; and prevent the grave violations against children's rights and welfare – wanton killing and maiming of children, recruitment or use of children in armed forces or armed groups, attacks on schools or hospitals, rape or other grave sexual violence, abduction, and denial of humanitarian access, including by promoting exchanges of lessons learned and best practices, fostering regular exchanges, and establishing or strengthening existing capacity-building efforts, including with the support of the United Nations as required;

3. Effective operationalization of relevant accountability frameworks for parties involved in armed conflict to unconditionally adhere to all international and regional conventions and respect for International Humanitarian law (IHL) and International Human Rights Law (IHRL) and hold accountable all perpetrators for grave violations against children;
4. The imperative to develop a Continental Child Justice Framework addressing both punitive measures and, as well as the recourse and restitution elements for child survivors;
5. Child protection should be gender transformative and mainstreamed in all governance, peace and security mechanisms and processes, including early warning, conflict prevention, management, resolution, peace support operations, and post-conflict reconstruction and development;
6. The imperative of Member States to ensure sensitization on the rights of children in the communities and endorse, domesticate and implement the Safe Schools Declaration to ensure continuity of education in conflicts;
7. Member States are urged to redouble efforts in ensuring mental health and comprehensive psycho-social support programmes for children affected by conflict, including rehabilitation and integration in contextually relevant and age-appropriate cognitive development programmes;
8. Child protection should be mainstreamed in the processes of peacemaking and peacebuilding and children, including those with disabilities, need to be actively involved in development planning and peace processes at all levels of governance to ensure integration of their interests in policies, as well as ensure the implementation of those policies; the AUC should therefore ensure the participation of children in post-conflict reconstruction and development through mainstreaming of child protection in the revised AU draft policy on PCRD to assist RECs/RMs and Member States, within an overall umbrella of children's involvement in planning, policy making and implementation;
9. The AU Commission should mainstream child protection in the Continental Early Warning System and ensure the inclusion of child protection sensitive indicators in close cooperation and coordination with RECs/RMs.
10. Children's interests should meaningfully be considered in DDR to facilitate the rehabilitation and reintegration into communities and effectively address the phenomenon of re-recruitment of children in situations of conflict, particularly in protracted conflicts;
11. Troop and Police Contributing Countries (T/PCCs) should enhance training programs for law enforcement, military personnel, and judicial officials to incorporate child protection laws and best practices in preventing, investigating, and prosecuting crimes against children in conflict situations;
12. The imperative of establishing a robust continental reporting, monitoring and evaluation framework with clearly defined indicators, in line with Assembly Decision [Assembly/AU/Dec.718 (XXXII)], aimed at providing accurate, reliable and up-to-date data on the plight of children in situations of violent conflict and crisis;
13. Member States to facilitate the availability of sustainable and sufficient funding for child protection institutions at national level and call on partners and the international community to provide financial support to promote activities related to the promotion of child rights and protection;

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14. The critical role of the media covering the situations of children in conflict areas, and emphasized the need to ensure that the identity of children is protected from the information broadcasted.
15. For the AU Commission to expedite the appointment of the AU Special Envoy for Children in Conflict Situations in Africa.
16. The need to prioritise the education and the protection of children in conflict situations activities in the 2024 AU theme of the year 'Educate an African Fit for the 21st Century: Building Resilient Education Systems for Increased Access to Inclusive, Life Long, Quality, and relevant Learning in Africa'.
17. The need for the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) under its promotion mandate, to continue building the capacity Member States and RECs/RMs on mainstreaming the protection of children in conflict situations and in collaboration with the AU Commission to strengthen the already existing AU roster of child protection experts.
18. The need to reinforce the partnership and create synergies between the African Union and the United Nations on the protection of children in conflict situations, within the Joint AU-UN Framework for Enhanced Partnership in Peace and Security, signed in 2017, and the AU-UN Joint Framework on Human Rights, signed in 2023, with the support of the Office of the UN Special Representative for Children and Armed Conflict, the UN Office to the African Union, and UNICEF, in line with the principles of complementarity and mutual respect and building on comparative advantages.
19. **Furthermore, Participants:**
20. **AGREED** to institutionalise the "Annual High-level Open Session on the Promotion and Protection of the Rights and Welfare of Children in Situations of Conflict in Africa" and for it to be formalised as the 'Banjul Process', to be held, on a rotational basis, at a venue to be agreed upon. **REQUESTED** AP-CAAC to use this forum to report its annual activities and share experiences while exploring ways and means to address issues of children in conflict situations on the continent; **ALSO AGREED** that children should participate and actively take part at the Annual High-level Open Session on the Promotion and Protection of the Rights and Welfare of Children in Situations of Conflict in Africa.
21. In this regard, the Banjul Process should serve as a continental community of practice on Children in conflict situations to facilitate lessons learning and sharing experiences consistently with AP-CAAC, Member States, RECs/RMs and CSOs; and **EMPHASIZED** the need for an annual publication on the state of children in conflicts on the Continent, highlighting lessons arising and policy gaps to timely and effectively respond;
22. **EXPRESSED GRATITUDE** to the Government and People of the Republic of The Gambia for graciously hosting the inaugural High-Level Open Session on the Promotion and Protection of the Rights and Welfare of Children in Situations of Conflict in Africa.

Adopted on 5 December 2023 in Banjul, The Gambia