

A Research Paper

Titled

Creating a Fortress for Progenies of Armed Conflict: A Global Perspective

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Declaration

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"... every day, thousands of people kill themselves because of a broken heart.... emotional pain hurts much worse than physical pain" Oliver Markus¹

Abstract²

A number of crimes are perpetrated under the cover of conflict and chaos. One of the most horrible is sexual violence. This paper examines the predicament of children born as a result of rape, forced maternity and forced marriages during armed conflict. These children's plights include emotional, social and economic difficulties. I will also consider the predicament of war children across the globe and make some suggestions to enable the society create a safe place for these victims, heal their wounds and curb the reoccurrence of such violence and crimes in future.

Armed conflicts do not just occur and come to an end without consequences. There are victims which the society cannot deny or neglect. The aim of this work is to call attention to children whose existence is the direct result of sexual violence during armed conflict and promote peaceful settlement of conflicts through mediation, negotiation and diplomacy.

¹ Oliver Markus, "Sex and Crime: Oliver's Strange Journey" (2015, Westhoff Publishers, United States of America) <http://www.goodreads.com/work/quotes/40219907-sex-and-crime-oliver-s-strange-journey>

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Introduction

It happens often, very often that the distress and pain associated with war does not end when the white flag is waved to invite and accept peace or the whistle is blown to cease destruction. Many will relive the turmoil of the war for a long time; perhaps for the rest of their lives. That is the sad ordeal of the progenies of armed conflict. Many may never have the opportunity to experience paternal care. Many, in addition to their economic disadvantage are mentally flustered and likely to drop out of educational institutions.

Highly distrustful and over-protective, many cannot maintain a healthy social relationship. Angry and frustrated, many yield to a life of crime to revenge the hostility that had initiated their lives. Nonetheless, it is possible for these individuals to live a normal life in spite of the circumstances of their birth. International organisations, governmental, non-governmental organizations and individuals can contribute to ease the pain of these victims.

Definition of Terms

Several terms like war, armed conflict, rape and progenies of armed conflict will be defined in this section to ease the comprehension of this research work:

a. War/Armed Conflict

War has been defined as a state of armed conflict between different countries or different groups within a country.³ The main component of war is armed conflict. Conflict is a strong disagreement between people, groups, etc., that often results in angry argument or a difference in ideas or feelings that prevents agreement.⁴ However it should be noted that conflict can be armed or unarmed. Armed conflict is a contested incompatibility which concerns government and/or its territory where the use of armed force between two parties, of which at least one is the government of a state, results in at least 25 battle-related deaths.⁵

b. Rape

Rape is a crime, usually committed by a man; it entails forcing another person to have sexual intercourse with the offender against their will.⁶ Usually, one sex asserts power by using force or violence to achieve submissiveness and fear in another person and in the process commit an offence against the dignity or privacy of that person.⁷ During armed conflict, women and girls are usually coerced by the fear of death or incarceration by armed men. For the purpose of this work, the ambit of rape includes forced sexual acts in which a victim is compelled to rape someone else⁸ and sexual acts performed in forced marriages in conflict zones.

³ Oxford Dictionaries, "War" <http://www.oxforddictionaries.com/definition/english/war>

⁴ The Merriam Webster Dictionary, "Conflict" <http://www.merriam-webster.com/dictionary/conflict>

⁵ Department of Peace and Conflict Research – Uppsala University, "Definition of Armed Conflict" http://www.pcr.uu.se/research/ucdp/definitions/definition_of_armed_conflict/

⁶ Oxford Dictionaries, "Rape" <http://www.oxforddictionaries.com/definition/english/rape>

⁷ B Uwameiye and Iserameiya E, "Gender Based Violence against Women and Its Implication on the Girl Child Education in Nigeria" International Journal of Academic Research in Progressive Education and Development (January 2013, Vol 2 No 1) <http://www.hrmars.com/admin/pics/1558.pdf> 1

⁸ Centers for Disease Control and Prevention, "Sexual Violence: Definitions" <http://www.cdc.gov/violenceprevention/sexualviolence/definitions.html>

c. Progenies of Armed Conflict

The term “progenies of armed conflict” has also been expressed as war children or children born of war in other research works.⁹ Progenies of armed conflict are persons of any age conceived as a result of violent, coercive or exploitative sexual relations like rape in conflict zones. The term includes off springs of forced marriages in conflict zones. Progenies of armed conflict will be used interchangeably with war children or children born of war in this work.

⁹ Zahra Ismail, “Emerging from the Shadows: Finding a Place for Children Born of War” (2008)
<http://epu.ac.at/fileadmin/downloads/research/Ismail.pdf> 6

*"There can be no keener revelation of a society's soul than the way in which it treats its children."
Nelson Mandela¹⁰*

The Predicaments of Progenies of Armed Conflict

Sexual violence is one of the most horrible crimes committed during conflict all over the world and its consequences linger long after the fighting has stopped.¹¹ According to the Grieg Report on the War and Children Identity in Bergen - Norway, the number of living "children born of war" is estimated at 500,000.¹² Progenies of armed conflict are vulnerable to social exclusion and stigma in the societies into which they are born.¹³

Other sets of vulnerabilities include physical and psycho-social challenges, poor access to resources, risk of separation in future relationships, abuse or neglect by caretakers, and early childhood mortality including those resulting from infanticide.¹⁴ In many instances, these children also experience psycho-social stress associated with feeling responsible for the care of their traumatized mothers.¹⁵ I will consider some of these issues in detail:

- a. **Stigmatization**: Stigmatization has been defined as the act of treating a particular type of behaviour as wrong or embarrassing and trying to make people who behave in this way

¹⁰ Nelson Mandela, "Compassion in Jesus' Name: Famous Quotes about children"

<http://www.compassion.com/poverty/famous-quotes-about-children.htm>

¹¹ Kai Grieg, "The War Children of the World: War and Children Identity Project" (Norway, 2001)

www.warandchildren.org 7 in Save the Children, "Hidden Survivors: Sexual Violence against Children in Conflict" (September 2012)

http://www.savethechildren.org.uk/sites/default/files/images/Hidden_Survivors.pdf

¹² R Carpenter, "Protecting Children Born of Sexual Violence and Exploitation in Conflict Zones: Existing Practice and Knowledge Gaps" December 2004 – March 2005 www.pitt.edu/~charli/childrenbornofwar 5-6

¹³ R Carpenter, "Protecting Children Born of Sexual Violence: A New Report to the Humanitarian Sector" (2002, Ford Institute for Human Security)

http://www.fordinstitute.pitt.edu/docs/papers/Protecting_Children_Report.pdf 2

¹⁴ *ibid*

¹⁵ R Carpenter, "Protecting Children Born of Sexual Violence and Exploitation in Conflict Zones: Existing Practice and Knowledge Gaps" December 2004 – March 2005 www.pitt.edu/~charli/childrenbornofwar 7

feel ashamed.¹⁶ In the case of progenies of armed conflict, most of them are stigmatized as “illegitimate”, “devil’s children”, “children of shame”, “monster babies” and “enemy children”.¹⁷ Their human rights may be compromised in a number of ways, from rejection, abuse or neglect by immediate and extended family members to stigma by the broader community and even denial of citizenship.¹⁸

- b. **Social Exclusion**: Social exclusion involves the denial of resources, rights, goods, services and the inability to participate in the normal relationships and activities, available to the majority of people in a society, whether in the economic, social, cultural or political arena.¹⁹ Many children born of war are deprived of the love of their extended family and the comfort of social networks particularly where their foreign biological origins are evident in their physical features.²⁰

In most cultures, such individuals prefer to exclude themselves from social circles to hide their identity and pain. In their instability and distress, they reproduce the violence that had initiated their birth. In the words of Lloyd deMause, “...the source of most human violence and suffering has been hidden in the history of billions of innocent human beings who afflicted by war grow up as emotionally crippled adults and become vengeful time bombs who periodically restage their early traumas ...”²¹ It has been suggested that these children are particularly vulnerable to becoming street children or being trafficked

¹⁶ Macmillan Dictionary, “Stigmatize” <http://www.macmillandictionary.com/dictionary/british/stigmatize>

¹⁷ R Carpenter, “Protecting Children Born of Sexual Violence and Exploitation in Conflict Zones: Existing Practice and Knowledge Gaps” December 2004 – March 2005 www.pitt.edu/~charli/childrenbornofwar 6-8

¹⁸ *ibid* 6

¹⁹ Poverty and Social Exclusion Website, “Social Exclusion” <http://www.poverty.ac.uk/definitions-poverty/social-exclusion>

²⁰ R Carpenter, “Protecting Children Born of Sexual Violence and Exploitation in Conflict Zones: Existing Practice and Knowledge Gaps” December 2004 – March 2005 www.pitt.edu/~charli/childrenbornofwar 9

²¹ Lloyd deMause, “Thinkexist.com” http://en.thinkexist.com/reference/quotes_about_children_and_war/

because social exclusion can lead to depression, low self-esteem, feelings of worthlessness and a craving for belonging even in licentious settings.²²

- c. **Poor Access to Resources**: Progenies of armed conflict are likely to experience economic hardship because they are raised by single mothers in most instances; they often lack access to social benefits and education where their citizenship is questioned. They also lack access to information about their identities or family origins which could have negative implications on their health care.²³ In cultures where such children are stigmatized, their insufficiencies are more pronounced because they recoil in shame rather than reach out to family members, neighbors, governmental agencies or social groups for assistance.
- d. **Early Marriage and Unhealthy Relationships**: If children that are born of war do not recover emotionally, their social lives and relationships could be irreversibly marred. Many children suffer in silence until the consequences starts manifesting in depression, low self-esteem, low productivity and the attendant health problems.²⁴ Many of them drop out of school, get married prematurely and engage in unhealthy relationships that will repeat the cycle of pain they are familiar with. Studies have also found that if children experience or suffer from the consequences of sexual violence, they are much more likely to perpetrate sexual violence as adults.²⁵ Hence, it is very important to work

²² *ibid*

²³ *ibid* 12

²⁴ B Uwameiye and Iserameiya E, "Gender Based Violence against Women and Its Implication on the Girl Child Education in Nigeria" *International Journal of Academic Research in Progressive Education and Development* (January 2013, Vol 2 No 1) <http://www.hrmars.com/admin/pics/1558.pdf> 2

²⁵ C Ricardo, M Eads and G Barker, "Engaging Boys and Young Men in the Prevention of Sexual Violence: A Systematic and Global Review of Evaluated Interventions (Sexual Violence Research Initiative, Washington DC)" (2011) in Save the Children, "Hidden Survivors: Sexual Violence against

with children to promote emotional healing, reform their beliefs and attitudes in order to break every negative cycle.²⁶

- e. **Physical and Psycho-Social Challenges**: In numerous instances, these innocent children experience psycho-social stressors associated with feeling responsible for the care of their traumatized parent.²⁷ They may also face health risks due to the circumstances of their birth and the psycho-social trauma of their mothers (especially if their mothers are rejected by their peers and the society) may affect their early childhood development.²⁸ Depression and anxiety could also affect their growth and development depriving them of reaching their full potential in the society.

Children in Conflict” (September 2012)

http://www.savethechildren.org.uk/sites/default/files/images/Hidden_Survivors.pdf 4

²⁶ *ibid*

²⁷ R Carpenter, Protecting Children Born of Sexual Violence: A New Report to the Humanitarian Sector (2002, Ford Institute for Human Security)

http://www.fordinstitute.pitt.edu/docs/papers/Protecting_Children_Report.pdf

²⁸ R Carpenter, “Protecting Children Born of Sexual Violence and Exploitation in Conflict Zones: Existing Practice and Knowledge Gaps” December 2004 – March 2005 www.pitt.edu/~charli/childrenbornofwar 6

*"Children are the living messages we send to a time we will not see."
John Kennedy²⁹*

Progenies of Armed Conflict: A Global Perspective

The fact that there are progenies of armed conflict, children whose conception would not take place but for the war is not a new reality. From the Middle East of the World to African countries like Nigeria and Uganda, there are many persons whose origin can be traced to sexual violence that occurred during the war. In this section, I will consider several instances in diverse countries where children were born in war settings:

Nigeria

There have been many sources of armed conflict in Nigeria since its independence on 1st October 1960 like the Nigerian civil war, also known as the Biafran war which lasted from 6 July 1967 to 15 January 1970.³⁰ In recent times, the Boko Haram crisis has rocked the peace of Nigeria. The Boko Haram group, also known as Jama'atu Ahlus-Sunnah Lidda'Awati Wal Jihad, is an extremist Islamic sect in Nigeria that has violently attacked government offices, organizations, churches and markets particularly those located in the north of Nigeria and the Capital city, Abuja.³¹

²⁹ John Kennedy, "Compassion in Jesus' Name: Famous Quotes about children"
<http://www.compassion.com/poverty/famous-quotes-about-children.htm>

³⁰ BlackPast.org, "Nigerian Civil War (1967-1970)" <http://www.blackpast.org/gah/nigerian-civil-war-1967-1970>

³¹ Andrew Walker, "What is Boko Haram?" (2012, United States Institute of Peace)
<http://www.usip.org/sites/default/files/SR308.pdf>

The Boko Haram crisis has been instrumental to the abduction of 276 Chibok girls since April 2014 from their school; 219 of these girls are still missing.³² These girls 16 to 18 years old were abducted on the night of April 14-15, 2014, from Chibok, a Local Government Area in Borno, about a two-hour drive from the Nigerian border with Cameroon.³³ The militants entered the school in a convoy of trucks and buses, engaged in a gun battle with school security guards, forced the girls from their dormitories, loaded them into trucks and drove them into Sambisa forest, a forest in Borno state.³⁴

Recently, over 700 young Nigerian women abducted by Boko Haram were rescued with 214 visibly pregnant.³⁵ The women were rescued from Islamist militant group Boko Haram in the Sambisa forest, by the Nigerian military and taken to the displaced people's camp in Yola, Adamawa State, Nigeria.³⁶ Unfortunately, the Chibok girls were not among those rescued.

The women rescued from Boko Haram had been raped repeatedly, in what officials and relief workers considered as a deliberate scheme to dominate rural residents and create a new generation of Islamist militants in Nigeria.³⁷ Unfortunately, some community

³² United Nations, "Fight against Sexual Violence in Conflict Reaches 'New Juncture', Security Council Told" (15 April 2015, New York, United Nations Press)

<http://www.un.org/press/en/2015/sc11862.doc.htm>

³³ Don Melvin, "Boko Haram Kidnapping of 200 Nigerian Schoolgirls, a Year Later"

(14 April 2015, CNN) <http://edition.cnn.com/2015/04/14/africa/nigeria-kidnapping-anniversary/>

³⁴ *ibid*

³⁵ Virginie Ladisch, "What future for children born of war?" June 17 2015

<http://www.insightonconflict.org/2015/06/what-future-for-children-born-of-war/>

³⁶ _____, "Boko Haram Stoned Nigerian Girls to Death as Rescuers Approached" (Wednesday 11 November 2015, The Telegraph)

<http://www.telegraph.co.uk/news/worldnews/africaandindianocean/nigeria/11581406/Boko-Haram-stoned-Nigerian-girls-to-death-as-rescuers-approached.html>

³⁷ Adam Nossiter, "Boko Haram Militants Raped Hundreds of Female Captives in Nigeria" (18 May 2015, The New York Times)

members are already shunning the women as ‘Boko Haram wives’; this is not a good precedent for their children.³⁸

Northern Uganda

The story of Uganda is another instance that armed conflict zones serve as breeding grounds for progenies of armed conflict. In Northern Uganda, more than a million people were forced to flee their homes by the conflict between government forces and Joseph Kony’s Lords’ Resistance Army (LRA).³⁹ Since 1987, the LRA has abducted as many as 70,000 children and youth, forcing them to serve as soldiers, porters or sex slaves.⁴⁰ LRA has since spread to the Democratic Republic of Congo, South Sudan, and the Central African Republic though it originated in Northern Uganda.⁴¹

The Lord’s Resistance Army (LRA) and other armed groups committed sexual and gender-based violence against thousands of young women and girls over nearly three decades. Children born out of these sexual acts have been rejected by their communities and denied ownership of property, education and the means to earn a living.⁴²

Norway

German forces invaded Norway from 1940 till 1945 and left behind 10,000 to 12,000 children born to Norwegian mothers with German fathers during their occupation in

http://www.nytimes.com/2015/05/19/world/africa/boko-haram-militants-raped-hundreds-of-female-captives-in-nigeria.html?_r=0

³⁸ Virginie Ladisch, “What future for children born of war?” June 17 2015

<http://www.insightonconflict.org/2015/06/what-future-for-children-born-of-war/>

³⁹ War Child, “Uganda” <https://www.warchild.org.uk/what-we-do/uganda>

⁴⁰ Enough Project to End Genocide and Crimes against Humanity, “Lord’s Resistance Army - Beginnings in Uganda” <http://www.enoughproject.org/conflicts/lra/beginnings-in-uganda>

⁴¹ Enough Project to End Genocide and Crimes against Humanity, “Lord’s Resistance Army” <http://www.enoughproject.org/conflicts/lra>

⁴² Virginie Ladisch, “What future for children born of war?” June 17 2015

<http://www.insightonconflict.org/2015/06/what-future-for-children-born-of-war/>

Norway.⁴³ The Nazi regime considered Norwegians racially pure enough for soldiers to father children with.⁴⁴ In Sør-Varanger alone, a municipality in Finnmark county – Norway, there are at least 200 ‘war children’.⁴⁵ After the departure of the German forces, the Norwegian war children suffered many instances of abuse: many were locked away in mental homes, many lost the opportunity to acquire formal education and thus gain meaningful employment, some were placed in pig stys and some children were even put in a tub and scrubbed down with acid to “wash the Nazi smell off them” till they had no skin left.⁴⁶

A member of the Norwegian ministry of social affairs said of them in July 1945: "To believe these children will become decent citizens is to believe rats in the cellar will become house pets."⁴⁷ Between 1946 and 1958 special rules and regulations in social laws were adopted, which excluded some war children thus creating poor economic conditions for them.⁴⁸ However, several efforts have been made by the Norwegian state to appease the victims; the Prime Minister Kjell Magne Bondevik apologized to them in his 2000 New Year's speech.⁴⁹

Attempts made by the Norwegian war children to demand justice from the state have been thrown out of two national courts because such cases fell under the statute of

⁴³ Simonsen, Eva (2006) “Into the open – or hidden away? The Construction of War Children as a Social Category in Post-War Norway and Germany” *NordEuropaforum*, 25–49

⁴⁴ Emma Jarratt, “Finnmark's 'Children of Shame’” (18 October 2014, Barent’s Observer) <http://barentsobserver.com/en/society/2014/10/finnmarks-children-shame-18-10>

⁴⁵ *ibid*

⁴⁶ Steve Rosenberg, “Living hell of Norway's 'Nazi' children” (BBC News, Thursday, 8 March 2007) <http://news.bbc.co.uk/2/hi/6432157.stm>

⁴⁷ Rob Sharp, “The Chosen Ones: The War Children Born to Nazi Fathers in a Sinister Eugenics Scheme Speak Out” (Independent, Sunday 23 October 2011) <http://www.independent.co.uk/news/world/europe/the-chosen-ones-the-war-children-born-to-nazi-fathers-in-a-sinister-eugenics-scheme-speak-out-771017.html>

⁴⁸ Steve Rosenberg, “Living hell of Norway's 'Nazi' children” (BBC News, Thursday, 8 March 2007) <http://news.bbc.co.uk/2/hi/6432157.stm>

⁴⁹ DW.com, “War Children Appeal to European Court of Human Rights” <http://www.dw.com/en/war-children-appeal-to-european-court-of-human-rights/a-2376111>

limitations.⁵⁰ Only a few were offered limited financial recompense but the officials still refused to take the blame.⁵¹ In 2005 the Norwegian parliament decided that war children were eligible for financial compensation of up to 20,000 kroner each (\$3,200, 2,440 euros); this sum was regarded scornfully by the victims.⁵² In 2010, 157 of the children appealed to the European Court of Human Rights because of the discrimination, lost years and abuse they had suffered but lost on the bases that their problems happened too long ago.⁵³

⁵⁰ Julian Isherwood, "Norway to Pay for lost years of war children" (The Telegraph, 30 November 2002) <http://www.telegraph.co.uk/news/worldnews/europe/norway/1414838/Norway-to-pay-for-lost-years-of-war-children.html>

⁵¹ Rob Sharp, "The Chosen Ones: The War Children Born to Nazi Fathers in a Sinister Eugenics Scheme Speak Out" (Independent, Sunday 23 October 2011) <http://www.independent.co.uk/news/world/europe/the-chosen-ones-the-war-children-born-to-nazi-fathers-in-a-sinister-eugenics-scheme-speak-out-771017.html>

⁵² DW.com, "War Children Appeal to European Court of Human Rights" <http://www.dw.com/en/war-children-appeal-to-european-court-of-human-rights/a-2376111>

⁵³ Rob Sharp, "The Chosen Ones: The War Children Born to Nazi Fathers in a Sinister Eugenics Scheme Speak Out" (Independent, Sunday 23 October 2011) <http://www.independent.co.uk/news/world/europe/the-chosen-ones-the-war-children-born-to-nazi-fathers-in-a-sinister-eugenics-scheme-speak-out-771017.html>

Safety and security don't just happen, they are the result of collective consensus and public investment. We owe our children, the most vulnerable citizens in our society, a life free of violence and fear."
Nelson Mandela⁵⁴

Recommendation

In order to protect progenies of armed conflict, priority should be given to emergency care, financial support and emotional healing for women and young girls that are sexually abused during armed conflict; this healing and love will be diffused from the mothers to their offspring.⁵⁵ War children should not be discriminated against; they should benefit from every existing program designed for children in their age bracket.⁵⁶

A medium should be created to raise awareness through advocacy on children's human rights without exposing them in the course of programming initiatives since they could be stigmatized in the process.⁵⁷ Efforts should be made to track and remand the perpetrators of these crimes so that justice would take its due course. Finally, peace building and reconciliation should be attempted to ensure that such conflict would not arise again.

Several suggestions will be discussed in detail on how to curb the insurgence of sexual abuse in armed conflict, heal and equip these innocent children to fit into the society:

- a. **Citizenship**: Due to the circumstances their birth, progenies of armed conflict may be denied citizenship particularly in cultures where the identity of a child is traced from the father's lineage. Children whose mothers were raped and the offspring of forced

⁵⁴ Nelson Mandela, "Compassion in Jesus' Name: Famous Quotes about children"
<http://www.compassion.com/poverty/famous-quotes-about-children.htm>

⁵⁵ R Carpenter, "Protecting Children Born of Sexual Violence and Exploitation in Conflict Zones: Existing Practice and Knowledge Gaps" December 2004 – March 2005 www.pitt.edu/~charli/childrenbornofwar 6-7

⁵⁶ R Carpenter, Protecting Children Born of Sexual Violence: A New Report to the Humanitarian Sector (2002, Ford Institute for Human Security)

http://www.fordinstitute.pitt.edu/docs/papers/Protecting_Children_Report.pdf 3

⁵⁷ *ibid* 3 – 4

marriages in conflict zones should be permitted by their national laws to adopt the nationality of their mother. This is so because; if the state does not take responsibility for them then they may have no citizenship hence no rights.⁵⁸ Considering the fact that child birth can also result from forced maternity till the child is delivered, children born of rapes in war zones should not be identified with the perpetrator.⁵⁹ The Nigerian constitution for example in Section 25 expressly recognizes as citizens every person born in or outside Nigeria either of whose parents is a Nigerian citizen.⁶⁰

- b. **Justice:** A significant percentage of those committing acts of sexual violence in conflict have been identified as armed men.⁶¹ Regrettably, sexual abuse and exploitation is also committed by aid workers and peacekeepers in times of conflict and insecurity.⁶² This contributes to normalizing and condoning sexual violence in communities already facing trauma and upheaval.⁶³ Progenies of armed conflict and their mothers will be more secure, confident and contented with the justice mechanism if steps are taken to identify and punish the perpetrators of such acts.

Article 7(1)(g) of the International Criminal Court Statute⁶⁴ defines “crime against humanity” to include rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity. In line

⁵⁸ R Carpenter, “Protecting Children Born of Sexual Violence and Exploitation in Conflict Zones: Existing Practice and Knowledge Gaps” December 2004 – March 2005 www.pitt.edu/~charli/childrenbornofwar 9

⁵⁹Zahra Ismail, “Emerging from the Shadows: Finding a Place for Children Born of War” (2008) <http://epu.ac.at/fileadmin/downloads/research/Ismail.pdf> 13-16

⁶⁰ The 1999 Constitution of the Federal Republic of Nigeria Cap C 23 Laws of the Federation of Nigeria 2004

⁶¹ Save the Children, “Hidden Survivors: Sexual Violence against Children in Conflict” (September 2012) http://www.savethechildren.org.uk/sites/default/files/images/Hidden_Survivors.pdf 3

⁶² *ibid*

⁶³ *ibid*

⁶⁴ Rome Statute of the International Criminal Court 2002

with this provision, national laws should⁶⁵ criminalize rapes, indecent assaults on females and abduction. This will become the bases for prosecution by the judiciary, transform the beliefs and attitudes of the citizens and serve as a deterrent in times of peace and war.⁶⁶

Statutory limitation of liability should exempt war children or limitation periods should be extended to Twenty years after the incident so that those children would have attained the age of maturity and can decide for themselves if they want to sue for redress or compensation.

- c. **Peace-Building**: Peace-building has been defined as the action to identify and support structures that tend to strengthen and solidify peace in order to avoid relapse into conflict.⁶⁷ After the armed conflict comes to an end, the pain and suffering linger in the hearts of many. There is need for reconciliation to heal wounded hearts and prevent a reoccurrence of such conflict.

For the progenies of armed conflict, this healing process could even lead to reconciliation with their families, the identification of their fathers and prospects of paternal love and support. Peace-building and reconciliation after armed conflict are delicate but essential processes; because wars began in the minds of men and it is in the minds of men that the defences of peace must be constructed.⁶⁸

⁶⁵Like Sections 357 to 363 of the Criminal Code Act, Cap C 38, Laws of the Federation of Nigeria 2004

⁶⁶ Zahra Ismail, "Emerging from the Shadows: Finding a Place for Children Born of War" (2008) <http://epu.ac.at/fileadmin/downloads/research/Ismail.pdf> 25

⁶⁷ Boutros Boutros-Ghali, "An Agenda for Peace" (1992, New York: United Nations) 11 in Zahra Ismail, "Emerging from the Shadows: Finding a Place for Children Born of War" (2008) <http://epu.ac.at/fileadmin/downloads/research/Ismail.pdf> 28

⁶⁸ Preamble of the United Nations Educational, Scientific and Cultural Organization (UNESCO) Constitution 1946

- d. **Research and Statistical Documentation**: Deliberate efforts should be made to research on the incidents of war rape, forced marriages and child-births resulting therefrom. This will help in the preparation of welfare packages, monitoring exercises and emergency response. It will also facilitate the administration of justice and aid in designing preventive mechanisms against future occurrences.
- e. **State Welfare Schemes**: Unusual measures should be taken to ensure that the consequences of events which happened in unruly circumstances are not allowed to mar the destinies of innocent children. The Universal Declaration of Human Rights 1948⁶⁹ ratified by many nations provides the basic human rights. The combined effect of Articles 3, 5 and 25 is that everyone has the right to life, a standard of living adequate for health, access to medical care and social security.

In line with the provisions above, progenies of armed conflict should be sensitized to seek benefits allocated by the state to ease their suffering. Also, the welfare schemes chosen should be sustainable to address the needs that have arisen. Particular attention should be given to the emotional, social and physical well-being of the victims. Health care should be extended to cover nutritional needs and a consistent supply of medication for children suffering from diseases like HIV which is prevalent in circumstances of sexual violence at war zones.

Care should be given according to the age distinctions and the diversity in the needs of the victims for ease of administration and monitoring. Nations should devise strategies to

⁶⁹ The Universal Declaration of Human Right 1948-<http://www.un.org/en/documents/udhr/index.shtml>

assure access to education and land.⁷⁰ In countries where access to family land is determined by the paternal clan, welfare and policy provisions should be made to accommodate progenies of armed conflict as they may not have access to any proprietary inheritance.⁷¹

f. Social Security

The Convention on the Rights of the Child⁷² can be used as a legal ground to protect progenies of armed conflict against all forms of discrimination,⁷³ preserve the rights of the child, reserve his or her identity, nationality, name and family relations as recognized by law without unlawful interference.⁷⁴ The best interest of the child shall be the primary consideration in every action concerning a child, whether undertaken by an individual, public or private body, institutions, court of law, administrative or legislative authority.⁷⁵

- g. The Role of the Mass Media:** In many countries, electronic and print media have persistently carried out advocacy programs on issues dealing with the rights, welfare and protection of children through articulate publications that have influenced behavioral changes and interventions for child victims of abuse and violence.⁷⁶ The Nigerian Children's Parliament inaugurated in 2002 for instance evolved into the most powerful

⁷⁰ Virginie Ladisch, "What future for children born of war?" June 17 2015
<http://www.insightonconflict.org/2015/06/what-future-for-children-born-of-war/>

⁷¹ *ibid*

⁷² United Nations Convention on the Rights of the Child (CRC), ratified and acceded by the General Assembly resolution 44/25 of 20 November 1989

⁷³ Article 2

⁷⁴ Article 8

⁷⁵ Article 3

⁷⁶ The Federal Ministry of Women Affairs – Abuja, "Federal Government of Nigeria: Country Report on Violence against Children" (July/August 2004)

<http://www2.ohchr.org/english/bodies/CRC/docs/study/responses/Nigeria.pdf> 12

symbol of child participation and representation in the country with a high capacity of advocacy for visible changes in the lives of children.⁷⁷

These avenues can also be used to sensitize the society on the plight of progenies of armed conflict and campaign for humanitarian assistance. Also, there should be an effective grass root campaign involving non-government organizations (NGOS), government agencies, communities and the media to enlighten the public about violence against women and report such cases to appropriate authorities for redress.⁷⁸

h. **Legislation and Policy Formation:** Government should enact and/or enforce existing penal, civil and administrative sanctions to punish and redress any act of violence done to women and girls in the society.⁷⁹ Government should also make policies, implement strategies, execute programs and set up administrative bodies that will eradicate any act of violence against women.⁸⁰ In Nigeria for instance, several agencies created by the Nigerian government have been of tremendous assistance to victims of sexual violence:⁸¹

- (i) The National Human Rights Commission of Nigeria established by Decree No 22 of 1995 has mandated the promotion, protection, investigation, monitoring of human rights violation, provision of legal aid and treatment of complaints from citizens about the violation of their rights.⁸²

⁷⁷ *ibid* 13

⁷⁸ B Uwameiye and Iserameiya E, "Gender Based Violence against Women and Its Implication on the Girl Child Education in Nigeria" *International Journal of Academic Research in Progressive Education and Development* (January 2013, Vol 2 No 1) <http://www.hrmars.com/admin/pics/1558.pdf> 7

⁷⁹ *ibid*

⁸⁰ *ibid*

⁸¹ The Federal Ministry of Women Affairs – Abuja, "Federal Government of Nigeria: Country Report on Violence against Children" (July/August 2004) <http://www2.ohchr.org/english/bodies/CRC/docs/study/responses/Nigeria.pdf> 8-9

⁸² National Human Rights Commission Decree 1995 (No 22 of 1995)

- (ii) The National Legal Aid Council established by the Legal Aid Act of 1976⁸³ makes Legal aid and financial assistance available to all indigent citizens to facilitate submission of complaints and redress.
- (iii) Various states have established Centres for Alternative Dispute Resolution or Peace Centres to aid in the resolution of family disputes. This is important to progenies of armed conflict because they can make complaints at the Centres inviting persons they suspect to be their father (based on the testimony of their mother or other circumstantial evidences). This could lead to DNA test to prove paternity and an agreement on the children's maintenance if the test proves that the invited person is indeed their father.

i. **A Global Fortress for Progenies of Armed Conflict**

Many war children commence their lives as the children of traumatized single mothers.

The case of progenies of armed conflict in developing countries is peculiar because citizens have to bear their housing and maintenance cost without unemployment benefits.

They also bear their educational expenses and to a large extent cater for their health care.

Unlike in many developed countries where poor people can recline on government welfare packages when they are in need; a special welfare scheme should be created for progenies of armed conflict nationally and internationally to meet their needs since welfare packages are not guaranteed especially in developing countries.

It seems that progenies of armed conflict would be cared for better if there is a global scheme to address their needs not just a momentary emergency response because of the nature of their challenges. Also, there could be an overwhelming number of war children whose needs are greater than the nation's resources. The large number of Norwegian war

⁸³ Legal Aid Act Cap L9 Laws of the Federation of Nigeria 2004

children would have made it very difficult for the Norwegian government to settle them substantially if the government had considered such a compensation scheme. In addition, some nations could be drawn into the conflict and see the children as part of the conflict not innocent victims of war so a global scheme will address their needs better.

- j. **Effective Dispute Resolution Mechanism**: All through the history of mankind, it seems that war has brought more losses to humanity than gain. In the words of John Kennedy, “mankind must put an end to war before war puts an end to mankind.”⁸⁴ Considering the effects of war on the citizens, the economy and future generations; serious efforts should be made to promote mediation, negotiation, international diplomacy and amicable avenues for the resolution of political, cultural and socio-economic disputes. That also means that government officials especially those who engage in international relations should be extensively trained by reputable bodies like the World Mediation Organization (WMO) in mediation, international diplomacy, peace building and conflict management to equip them for settlement.

⁸⁴ John Kennedy, “Brainy Quote”
http://www.brainyquote.com/slideshow/topics/top_10_war_quotes.html#Rj4WIsKRmoLOIEys.99

Give me the money that has been spent in war and I will clothe every man, woman, and child in an attire of which kings and queens will be proud. I will build a schoolhouse in every valley over the whole earth. I will crown every hillside with a place of worship consecrated to peace. Charles Sumner⁸⁵

Conclusion

The most shocking fact about war is that its victims and its instruments are individual human beings.⁸⁶ War is a destroyer of past labours, the initiator of death, suffering and pain. It projects hopelessness, grief and inadequacies into the future. In many ramifications, armed conflict is a loss to humanity; grave determination should be made to enforce peace on and within our borders.

Thoughtful measures should be taken by International organizations, governmental, non-governmental organizations and individuals to ease the suffering and pain of progenies of armed conflict. Collective strides should be made to address social exclusion, stigmatization, physical and psycho-social challenges, poor access to resources, emotional challenges, abuse or neglect by caretakers and early childhood mortality. Providing a fortress for progenies of armed conflict, recreating a bright future for them and restoring their confidence in the human race is a possibility; if we all stand up to the challenge!!!

⁸⁵ Charles Sumner, "Quote Garden-Quotations about War" <http://www.quotegarden.com/war.html>

⁸⁶ Aldous Huxley, "Brainy Quotes" http://www.brainyquote.com/quotes/topics/topic_war.html

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