

POLICY PAPER

NOVEMBER 2022

HARNESSING AFRICA'S DEMOGRAPHIC DIVIDENDS FOR YOUTH PARTICIPATION IN TRANSITIONAL JUSTICE

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Introduction

In June 2021, a political crisis engulfed the Southern African country of Eswatini, the last absolute monarchy on the continent. The immediate cause was the brutal killing of a university student by state security agents. Yet, the crisis had undertones of agitation for democratic and institutional reforms in the kingdom. Conscious that their future depends on it, young people organised themselves and took to the streets, pushing for political and economic change.¹

Nearly a year earlier, similar youth-led protests shook Nigeria to its foundations. Thousands of young people demonstrated against the excesses of a rogue unit of the Nigeria Police Force, the Special Anti-Robbery Squad (SARS), which is notorious for unlawful criminal profiling and extra-judicial killings, mainly of young Nigerians in the low-income group.² With the slogan EndSARS, the protests compelled the government to disband the unit and establish judicial panels of inquiry across the country to look into allegations of human rights violations.³

Can Africa afford continually to exclude its young people in decision-making processes? How can it harness its majority youth population to ensure young people's participation in peacebuilding and transitional justice?

In 2019, a radical increase in the price of bread and general cost of living in Sudan sparked a youth-led uprising.⁴ Thousands of Sudanese youths occupied the military headquarters and other strategic locations in

Khartoum, defying bloody repression by government forces and eventually forcing the long-standing autocratic president Omar al-Bashir out of office.

Similar events occurred in South Africa in 2015, after government plans to increase the cost of tertiary education sparked protests among university students across the country.⁵ Experts opined that underlying factors like structural imbalances in university administrations and the marginalisation of young people in policy formulation and implementation fed the fury of the protesters.⁶

These youth-led uprisings across Africa occurred in the context of the many state-based conflicts, insurgencies and instabilities ravaging the continent, such as the Tigray conflict in Ethiopia, the Boko Haram insurgency in Nigeria, the civil war in the Central African Republic (CAR), the Anglophone crisis in Cameroon and the many years of conflicts in the Democratic Republic of the Congo (DRC). As in most conflict situations, young people are disproportionately affected by the violence. They are also usually the primary perpetrators, even though they are not necessarily the instigators of the conflicts.⁷

A careful reflection on the role of young people in these events evokes the following questions: Can Africa afford continually to exclude its young people in decision-making processes? How can it harness its majority youth population to ensure young people's participation in peacebuilding and transitional justice? How can African societies deploy transitional justice processes to address youth challenges and facilitate access to opportunities in post-conflict situations?

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1 Vito Laterza, "Can eSwatini's Monarchy Recover from the Ongoing Crisis?" *Aljazeera News*, August 7, 2021.

2 Amnesty International, *Time to End Impunity: Torture and Other Human Rights Violations by Special Anti-Robbery Squad (SARS)* (2020).

3 "SARS Ban: Nigeria Abolishes Loathed Federal Special Police Unit," *BBC News*, October 11, 2020.

4 "What's Going On in Sudan and What the US is Doing About It – Explained," *CNN News*, June 13, 2019.

5 "What is Behind South Africa's #FeesMustFall Protests?" *BBC News*, October 11, 2016.

6 Susan Booyesen, "Introduction," in *Fees Must Fall: Student Revolt, Decolonization and Governance in South Africa*, ed. Susan Booyesen (Johannesburg: Wits University Press, 2016).

7 Organisation for Economic Co-operation and Development, "Reducing the Involvement of Youth in Armed Violence," Programming Note (2011).

This policy paper explores the impacts of violent conflict on youth in Africa and approaches for ensuring their effective involvement in peace and transitional justice processes. It analyses regional and international policies that guarantee youth participation, and identifies challenges working against them. The paper concludes with recommendations on how best to address these challenges, with a view to involving young people as critical stakeholders in post-conflict processes.

Understanding the Impacts of Violent Crises on Youth in Africa

Latest statistics indicate that young people constitute 60 percent of the more than 1.426 billion population of the African continent, making Africa the region with the youngest population in the world.⁸ In fact, the world's top 10 youngest countries by median age are in Africa,⁹ with projections that by 2030 young Africans will account for 42% of the global youth population.¹⁰ These figures imply both positive and negative prospects. The outlook is positive if young people are adequately empowered through education, employment and inclusion in decision-making processes. It is negative if they are marginalised and structurally and economically disempowered through exclusion, bad governance and corruption. The latter finds no better illustration than the experiences of countries like Nigeria, Sudan and pre-genocide Rwanda.

At least 25 armed conflicts occurred in Africa in 2019 alone, with an estimated 25 million people, especially young people, directly affected.¹¹ These figures have increased with recent instability in places like Ethiopia, Sudan and Nigeria. In the context of the Boko Haram insurgency in northeast Nigeria, for example, young women and girls are specifically targeted for rape,

forced marriage, sexual slavery and all other forms of conflict-related sexual violence by insurgents. Survivors have also recounted incidents of sexual exploitation by government forces in exchange for necessities in internally displaced persons' camps. Young men are forcefully conscripted into militia groups and, in some cases, executed by parties to the conflict. According to a recent study, "Despite claims by the military that government forces are only killing boko haram members, the security services have indiscriminately killed young men on the mere suspicion of being affiliated with the group."¹²

The situation in Nigeria is similar to the lingering Anglophone crisis in Cameroon, where young people constitute the bulk of the vigilante groups that characterise the conflict and of the casualty figures. According to media reports, more than 4,000 civilians have been killed, apart from government forces and armed separatist groups locally known as the 'boys'.¹³

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Conflicts in Africa also affect young people indirectly. Parties to conflict exploit the vulnerabilities and vacuums created by the failure of critical social institutions linked to education and employment opportunities, or destroy facilities and services that should provide education, development and opportunities for future self-reliance. For example, Boko Haram finds ready tools in the 14 million out-of-school children in northeast Nigeria – a vacuum occasioned by government's failure to provide basic and accessible education to the teeming youth population in the

8 United Nations, *World Population Prospects* (2022).

9 Ibid.

10 Hicham El Habti, "Why Africa's Youth Hold the Key to Its Development," World Economic Forum (September 2019)

11 Júlia Palik, Siri Aas Rustad and Fredrik Methi, *Conflict Trends in Africa, 1989–2019* (Oslo: Peace Research Institute Oslo, 2021).

12 John Campbell and Asch Harwood, "Boko Haram's Deadly Impacts," Council on Foreign Relations, <https://www.cfr.org/article/boko-harams-deadly-impact>.

13 Jess Craig, "Violence in Cameroon's Anglophone Crisis Takes High Civilian Toll," *Aljazeera News*, April 1, 2021.

region.¹⁴ Continuous attacks on schools and other educational institutions are also a constant feature in the conflict, further exposing young people to vulnerabilities that feed the insurgency. As of 2019, more than 2,300 teachers had been killed by Boko Haram insurgents and about 1,400 schools had been closed indefinitely, with more than 1 million youths and children forced out of school.¹⁵ The Anglophone crisis in Cameroon is also characterised by sustained attacks on schools.

These examples of targeted atrocities against young people in conflict situations have been replicated in other countries, like Ethiopia, where young girls and boys are targeted for sexual violence in the Tigray crisis;¹⁶ in DRC, where young people are forcefully conscripted into the more than 100 different armed groups vying for territory and control in the eastern part of the country;¹⁷ and in CAR, where sexual violence against young people has been both a tactic and a by-product of the conflict, and where the high youth unemployment rate has made young people an easy target for recruitment by armed rebel groups.¹⁸

Young people in Africa are continually side-lined in peace and transitional justice processes and rarely considered critical stakeholders in post-conflict reconstruction

Despite being the primary participants in the conflicts in the region, and despite the disproportionate ways they are affected by this violence, young people in Africa are continually side-lined in peace and transitional justice processes and rarely considered

critical stakeholders in post-conflict reconstruction. However, the role of the youth in security and peace processes has gained tremendous prominence across the globe in recent times. The following section analyses existing frameworks guaranteeing youth participation at the international and regional levels.

Frameworks for Youth Inclusion in Decision-Making Processes

The inclusion of young people in post-conflict reconstruction processes has long been acknowledged as indispensable for peace and stability. As former United Nations Secretary-General Kofi Annan noted, “A society that cuts itself off from its youth severs its lifeline; it is condemned to bleed to death.”¹⁹ An early attempt to concretise the role of youth at the international level was the adoption of United Nations Security Council Resolution 2250 in December 2015, acknowledging the role of young people as agents of change in the maintenance and promotion of peace and security.²⁰ The resolution urges member states to consider ways of increasing inclusive youth representation in decision making at local, national, regional and international levels of governance.

In June 2018, the Security Council further adopted Resolution 2419, calling for increased youth inclusion, especially in the negotiation and implementation of peace agreements in conflict situations.²¹ Specifically, the resolution acknowledges the continuous marginalisation of youth in post-conflict processes, which is usually detrimental to the attainment of the goals of any such process. This resolution is particularly

14 Daud Olatunji, “Boko Haram Has Ready Tools from Today’s 14 Million Out-of-school Children – Obasanjo,” *Punch Newspaper*, November 26, 2021.

15 “UNESCO: Boko Haram Has Killed 2,300 Teachers, Destroyed 1,000 Schools,” *Cable News*, November 21, 2018.

16 *Report of the Ethiopian Human Rights Commission (EHRC)/Office of the United Nations High Commissioner for Human Rights (OHCHR) Joint Investigation into Alleged Violations of International Human Rights, Humanitarian and Refugee Law Committed by all Parties to the Conflict in the Tigray Region of the Federal Democratic Republic of Ethiopia* (2021).

17 “The Facts: The Humanitarian Crisis in the Democratic Republic of Congo,” Mercy Corps, <https://www.mercycorps.org/blog/drc-humanitarian-crisis>.

18 Kitenge F. Tunda, *Youth Engagement in Conflict in Conflict Transformation in the Central African Republic* (Durban: ACCORD, 2017).

19 United Nation’s Secretary-General Kofi Annan’s statement at the opening of the World Conference of Ministers Responsible for Youth, Lisbon, Portugal, August 8, 1998, <https://www.un.org/press/en/1998/19980810.sgsm6670.html>.

20 UN Security Council Resolution S/RES/2250 (2015).

21 UN Security Council Resolution S/RES/2419 (2018).

relevant in post-conflict contexts, where peace agreements and transitional justice mechanisms are decided according to the context and needs of affected communities. In July 2020, the Security Council adopted Resolution 2535, which builds on the previous two and reiterates the importance of youth inclusion for sustainable peace.²²

Like the United Nations, the African Union (AU) has taken steps towards enhancing youth participation in decision-making processes in various aspects of governance. Although the AU earlier adopted several policies, declarations and resolutions affirming youth inclusion, the African Youth Charter, adopted in May 2006, is a concrete legal framework designed to streamline all issues, rights and privileges regarding youth on the continent. Specifically, Article 11 mandates member states to “provide access to information such that young people become aware of their rights and opportunities to participate in decision making processes and civic life.”²³ The charter calls for member states to provide education and skills training to young people to enhance their participation.

In September 2018, the AU initiated the African Youth for Peace and Security programme, with the objective of streamlining all regional initiatives towards enhancing youth participation in peace and security processes.²⁴ In 2020, the AU Peace and Security Council endorsed a study on the roles and contributions of young people to peace and security on the continent, which highlighted, among other things, the need for youth capacity to be regularly enhanced to ensure they can navigate evolving continental normative frameworks, especially on peace and security issues.²⁵

One such framework is the 2019 AU Transitional Justice Policy (AUTJP), which itself recognises young people as critical stakeholders in transitional justice

processes.²⁶ In fact, the AUTJP categorises youth as a vulnerable group – a cross-cutting issue in transitional justice processes, in the same category as children, women and girls, and older people. The policy sets standards for youth involvement in transitional justice, including providing for their participation at both the consultation and policy formulation stages of transitional justice processes. Most important, it prescribes the establishment of programmes and policies geared towards addressing the socioeconomic, political and cultural alienation that usually leads to the disempowerment of youth in decision-making processes.²⁷

The African Union has taken steps towards enhancing youth participation in decision-making processes in various aspects of governance

Despite these frameworks for youth involvement, especially in transitional justice and post-conflict reconstruction processes, several challenges may be operating against the realisation of their stated objectives. The following section discusses these challenges and the way forward.

Challenges to Effective Youth Participation in Transitional Justice Processes

Several challenges may be blamed for preventing the effective participation of youth in peace and transitional justice processes in Africa.

Dearth of Knowledge on Transitional Justice

One of the most obvious challenges to effective youth participation is the dearth of knowledge about and expertise in transitional justice as a concept and

22 UN Security Council Resolution S/RES/2535 (2020).

23 African Union, African Youth Charter (2006), Article 11(2)(e).

24 “Youth for Peace (Y4P) Africa Programme,” African Union Commission, <https://www.peaceau.org/en/page/110-youth-for-peace-africa-programme>.

25 African Union, *A Study on the Roles and Contributions of Youth to Peace and Security in Africa* (2020).

26 African Union Transitional Justice Policy (2019).

27 *Ibid.*, para. 108.

a field of practice among young people. A recent study shows that, although many African societies have implemented one or more transitional justice mechanisms, the concept remains inaccessible, even to university graduates, lawyers and other groups of individuals who by their education ought reasonably to have knowledge of it.²⁸ The lack of knowledge and capacity among youth no doubt limits their effective involvement in the design and implementation of transitional justice and peace processes generally.

Absence of Political Will to Implement Youth-Inclusive Policies

Perhaps the most significant challenge to effective youth involvement in transitional justice is the lack of sincerity and the absence of political will among governments to give effect to policies and normative frameworks for youth inclusion. For example, although 39 AU member states have ratified the African Youth Charter since its adoption in 2006, the implementation of its recommendations for youth participation in governance and decision-making processes is still a pipe dream. Instead, most states resort to tokenism, paying lip service or making only a symbolic effort at youth engagement through youth parliaments whose resolutions and recommendations have little or no binding effect on the governments concerned.

Securitisation of Issues Relating to Youth

This challenge against effective youth participation stems from the often-erroneous association of young people with negative force, violence and crime in most African societies. It is important to concede that some young people are involved in violence, but this must be viewed on a case-by-case basis to guard against the tendency to generalise and tar every young person with the same brush. Such generalisations often lead to the securitisation of issues concerning young people, with relevant examples including the violent suppression and eventual massacre of Nigerian youth

at the Lekki toll gate in Lagos during the EndSARS protests,²⁹ which occurred despite the protesters calling for police reform in a peaceful and non-violent manner, and the violent repression of young people calling for democratic reforms in Eswatini.³⁰

Despite these challenges and more, young people and youth-led groups remain critical stakeholders in transitional justice. The following section recommends ways of overcoming the challenges.

Conclusion and Policy Recommendations

To attain a peaceful and prosperous Africa and realise the ambitions of AU Agenda 2063, countries on the continent cannot afford to continue marginalising the most dynamic part of their populations. In the region with the youngest population in the world, stakeholders must endeavour to harness this demographic advantage to mobilise support for transitional justice among young people. In all of the recent youth-led uprisings on the continent, young people have demonstrated their ability to mobilise support on short notice and beyond their geographic limits for their chosen cause. This skill can prove invaluable for transitional justice processes.

African societies can deploy transitional justice mechanisms to address youth challenges and facilitate their access to opportunities in post-conflict situations

African societies can also deploy transitional justice mechanisms to address youth challenges and facilitate their access to opportunities in post-conflict situations through institutional reforms, redistributive (or socioeconomic) justice, and the adoption of programmes aimed at addressing the socioeconomic, political and cultural alienation and disempowerment of young people.

28 Steven Rebelló and Hugo van der Merwe, "Youth Inclusion in Transitional Justice Policy in Africa: Youth Contribute to Shaping the Way Forward," Impunity Watch and Centre for the Study of Violence and Reconciliation policy brief (2022).

29 Stephanie Busari, Nima Elbagir, Gianluca Mezzofiore and Katie Polglase, "They Pointed Their Guns at Us and Started Shooting," *CNN News*, November 19, 2020.

30 Magnificent Mndebele, "Repression of eSwatini Student Movement Continues," *New Frame*, February 9, 2022.

More specifically, the following recommendations may be relevant in overcoming the challenges identified above:

- The introduction of transitional justice modules, especially on the AUTJP, into relevant curricula of African universities and other tertiary education institutions, and the creation of relevant transitional justice content for radio, television and social media platforms for younger groups, like high school students, to enhance their knowledge and capacity;
- A more vigorous and robust popularisation of the AUTJP by the African Union Commission and relevant actors at all levels;
- The introduction of regular youth-focused trainings on transitional justice and peace processes;
- Encouragement of youth-led initiatives through the provision of grants for transitional justice programmes;
- Introduction of an African Youth for Transitional Justice fellowship at the AU, where suitably qualified youths are mobilised and seconded to relevant institutions and mechanisms undertaking transitional justice across the region, in order to increase interest in the field among young people and build expertise;
- Implementation of international and regional normative frameworks and policies that guarantee youth inclusion in decision-making processes;
- Promotion of African traditional justice measures as an integral part of the AUTJP; and
- Encouragement of research, mentorship and career coaching among young people by relevant stakeholders.

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