

Diallo Aminata.

Mali-Fulani/Kel Tamasheq.

O.H.C.H.R. Indigenous Fellow 2024.

Association Tin Hinan.

Dear Honorable Chair, distinguished delegates, and colleagues. We welcome the work done by the E.M.R.I.P. in better understanding the situation of Indigenous Peoples.

In my community, your neighbour's child is like your child, and the world is a big village.

Dear brothers and sisters, this village of ours that we want to build for our children is crumbling and filled with videos of children being murdered. It is imperative that we address the elephant in the room. Sadly, the Genocide happening to our Indigenous Palestinian brothers and sisters is the perfect example of what a "peace agreement" should not become. Because as Professor Browne said, transitional justice in times of occupation becomes an injustice¹.

Today, conflicts, war and Genocide's impact on Indigenous Peoples escalate, with peace agreements routinely breached and wars persisting. Why does this persist?

The answer lies in the non-implementation of peace agreements:

- Peace agreements fail because they do not authentically reflect the needs and realities of all stakeholders, including Indigenous Peoples, and they lack the inclusion of independent Indigenous justice mechanisms owned by the Peoples.

- On the other hand, there is also The persistence of the involvement of child soldiers in conflicts, which perpetuates cycles of internal armed conflicts.

¹ Brendan Ciaran Browne, *Transitional (in)Justice and Enforcing the Peace on Palestine*, 2023, <https://www.middleeastmonitor.com/20230331-transitional-injustice-and-enforcing-the-peace-on-palestine/>

According to Child Soldiers International, the number of children involved in armed conflicts has risen 159% since 2012².

Additionally, the recent U.N. annual report on Children and Armed Conflict of 2023 revealed a shocking 21 per cent increase in violence against children³, in which child soldiering reflects the intensification of armed conflict. This can be linked to the report of the E.M.R.I.P. 2023 on the militarisation of Indigenous lands by multiple armed groups⁴, exposing the Peoples to direct violence from various stakeholders, and its holistic impact, destroying the lives of the peoples, such as the case in Palestine, West Papua, Sahel and the Arctic. There is no specific data on the number of Indigenous child soldiers involved or the means established to reintegrate them back into their communities, which is alarming and calls for Research on those topics.

Many Indigenous children are involved and impacted since conflicts, for example, in the Sahel, usually happen where the Indigenous Peoples live like the Fulani and Kel Tamasheq.

The pressing need to focus on child soldier reintegration into Society as a critical element of peace agreements is underscored by Graça Machel's 1996 report⁵, which laid the foundation for frameworks such as the Capetown and Paris Principles, which recognise children as rights-holders and advocate for their participation in decision-making processes affecting their lives, leading to initiatives like the "Children Not Soldiers" campaign.

² "Child Soldier Levels Doubled since 2012 and Girls' Exploitation Is Rising - World | ReliefWeb," February 11, 2019, <https://reliefweb.int/report/world/child-soldier-levels-doubled-2012-and-girls-exploitation-rising>.

³ UN Press, "Facing Record-High Violations in 2023, Security Council Explores Ways to Bolster Norms to Protect Children in Armed Conflict | Meetings Coverage and Press Releases," June, 2024, <https://press.un.org/en/2024/sc15745.doc.htm>.

⁴ EMRIP, "A/HRC/EMRIP/2023/2," 2023,

⁵ Graça Machel, Un Secretary-General, and UN Expert on the Situation of Children in Armed Conflicts, "Impact of Armed Conflict on Children :: Note /: By the Secretary-General.," 1996, <https://digitallibrary.un.org/record/223213>.

However, implementation challenges persist, as evidenced by a 2021 study in Mali⁶, revealing gaps in support for children's complete reintegration and in addressing the culture of weapons and the lack of accessibility to social infrastructure for the children. This results in continued aid dependency on international organisations and highlights the Peoples, community and state's need to prioritise the issue of children impacted by conflicts and address the root causes of conflicts, including the culture of weapons amongst the youth leading to recruitment by terrorist groups.

The process of building the peace that is wanted starts with Research itself.

Therefore, we recommend establishing Research that includes all stakeholders and proceeding with the analysis of which method to insert in peace agreement that would best suit the country and the Peoples, ensuring the recognition of the legitimacy of the mechanism for justice and reconciliation that would follow suit. Because People only follow what is legitimate to them. And what they can relate to.

In light of the current urgent situation, We recommend integrating the United Nations Declaration on the Rights of Indigenous Peoples (U.N.D.R.I.P.) and I.L.O. Convention 169 into peace agreements and national charters for peace and reconciliation. This includes establishing independent justice mechanisms that ensure community ownership and self-determination. Sustainable peace should be supported with technical and financial assistance from states and international organisations, in alignment with articles 36-42 of U.N.D.R.I.P. Such measures will enhance cooperation in dignity and respect, ensuring that ownership of these processes remains with the Indigenous Peoples.

In the African Continent, the enhancement and use of the African Union Transitional Justice Policy (A.U.T.J.P.) represents an opportunity to enhance the effectiveness of these frameworks primarily since it emphasises principles such as inclusivity, participation, and representation of all

⁶ Aminata Diallo, "Barriers to Indigenous People's Participation," 2022, 14.

segments of society in transitional justice processes. Additionally, when it comes to the independent justice mechanism, The Fambul Tok initiative in Sierra Leone⁷, in the aftermath of the civil war, exemplifies it as a good practice. It reconciles by anchoring its process in traditional truth-telling, apology, and forgiveness practices.

Fambul Tok emphasises communal dialogue through local ceremonies, offering a more impactful alternative to formal justice systems that can be distant, inaccessible, and costly. For child soldiers, Fambul Tok's storytelling and communal dialogue provide a truly healing path for victims-turned-perpetrators, which can help support counter-terrorism efforts and contribute to Article 7 of the U.N.D.R.I.P.

We call upon our governments and stakeholders to ensure Indigenous Peoples are integral to peace negotiations, with their voices and rights upheld from grassroots to global forums.

Last but not least, we call for Immediate actions for ceasefires, justice, and the protection of innocent lives everywhere on indigenous peoples' Land.

We encourage the E.M.R.I.P. and the Human Rights Council to continue to have this topic as a priority in their agenda and to collaborate with the existing Indigenous lead group on the topic launched during the 23rd Session of the United Nations Permanent Forum on Indigenous issues.

Thank You.

⁷ Fambul Tok, "People's Planning Process," Fambul Tok, <https://www.fambultok.org/programs/peoples-planning>.

Bibliography:

1. “Child Soldier Levels Doubled since 2012 and Girls’ Exploitation Is Rising - World | ReliefWeb,” February 11, 2019. <https://reliefweb.int/report/world/child-soldier-levels-doubled-2012-and-girls-exploitation-rising>.
2. Diallo, Aminata. “Barriers to Indigenous People’s Participation,” 2022, 14.
3. EMRIP. “A/HRC/EMRIP/2023/2,” 2023. <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FEMRIP%2F2023%2F2&Language=E&DeviceType=Desktop&LangRequested=False>.
4. Fambul Tok. “People’s Planning Process.” Fambul Tok, nd. <https://www.fambultok.org/programs/peoples-planning>.
5. Machel, Graça, Un Secretary-General, and UN Expert on the Situation of Children in Armed Conflicts. “Impact of Armed Conflict on Children :: Note /: By the Secretary-General.,” 1996. <https://digitallibrary.un.org/record/223213>.
6. UN Press. “Facing Record-High Violations in 2023, Security Council Explores Ways to Bolster Norms to Protect Children in Armed Conflict | Meetings Coverage and Press Releases.” Accessed July 7, 2024. <https://press.un.org/en/2024/sc15745.doc.htm>.