

Human Rights and Justice for the Children: Enhancing Conflict Management in Volatile Areas through Mediation and the Application of International Law

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Abstract

This paper discusses how mediation and international law can be applied towards sound conflict management in volatile areas in order to protect human rights for children. The paper observes that due to their vulnerability, children are among the most affected population who bear grave human rights abuses during conflicts especially in volatile areas. It discusses some of the human right abuses suffered by children during conflicts. Due to its negative impact on the rights of children, the paper observes that enhancing conflict management in volatile areas is necessary towards protecting children and ensuring their well-being now and in the future. The paper argues

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that mediation and international law are effective tools towards sound conflict management especially in volatile areas. It suggests how mediation and international law can be harnessed and applied towards effective conflict management in volatile areas in order to promote human rights and justice for the children.

1.0 Introduction

Effective conflict management is vital in fostering peace and Sustainable Development. Conflicts especially those that are violent in nature are an undesirable since they affect peace, sustainability and development¹. If not managed expeditiously, effectively and appropriately, conflicts can lead to instability and result in significant setbacks or even reverse decades of progress in vital areas such as economic development, public health, education and food security². The United Nations correctly observes that the Sustainable Development agenda can only be achieved through sound conflict management approaches that address the internal, external and historical drivers of conflict³.

The impact of conflict on Sustainable Development and peace can be illustrated by the high incidence of human right violations in volatile areas. For example, it has been observed that armed conflicts pose significant challenges to development and sustainability, leading to economic decline, social dislocation, humanitarian disasters, and environmental damage which often result in human right abuses⁴. In particular, armed conflicts cause human suffering in terms of loss of lives, displacement of populations and increased levels of poverty leading to violation of human rights⁵. It has

¹ Muigua. K., 'Reframing Conflict Management in the East African Community: Moving from Alternative to 'Appropriate' Dispute Resolution.' Available at <https://kmco.co.ke/wpcontent/uploads/2023/06/Reframing-Conflict-Management-in-the-EastAfrican-CommunityMoving-from-Alternative-to-Appropriate-Dispute-Resolution> (Accessed on 11/07/2026)

² Peace and Conflict., Available at <https://www.mercycorps.org/what-we-do/peace-conflict> (Accessed on 11/07/2026)

³ United Nations., 'Sustainable Development to Deliver Sustainable Peace' Available at <https://www.un.org/osaa/en/content/sustainable-development-deliver-sustainable-peace> (Accessed on 11/07/2026)

⁴ African Development Bank Group., 'Nexus conflict and sustainability: An African perspective' Available at <https://blogs.afdb.org/climate-change-in-africa/nexus-conflict-and-sustainability-an-african-perspective-363> (Accessed on 11/07/2026)

⁵ Swedish International Development Cooperation Agency., 'Conflict Prevention: Opportunities and Challenges in Implementing Key Policy Commitments and Priorities' Available at https://cdn.sida.se/app/uploads/2020/12/01125316/s209461_thematicoverview_conflict_prevention_webb_final.pdf (Accessed on 11/07/2026)

been observed that serious violations of international humanitarian and human rights law are common in many armed conflicts⁶.

Conflicts can therefore fuel abuse of human rights. It has been correctly pointed out that some of the most acute and pervasive human rights abuses take place in times of crisis and conflict⁷. In particular, conflicts usually result in grave human right abuses against vulnerable populations. For example, it has been observed that civilians including women, girls and children, continue to bear the brunt of armed conflict, suffering death, injury, forced displacement, enforced disappearance, torture and sexual violence among other dangers and human right violations⁸. Consequently, sound conflict management is necessary towards protecting human rights especially for the innocent and vulnerable populations including children.

This paper discusses how mediation and international law can be applied towards sound conflict management in volatile areas in order to protect human rights for children. The paper observes that due to their vulnerability, children are among the most affected population who bear grave human rights abuses during conflicts especially in volatile areas. It discusses some of the human right abuses suffered by children during conflicts. Due to its negative impact on the rights of children, the paper observes that enhancing conflict management in volatile areas is necessary towards protecting children and ensuring their well-being now and in the future. The paper argues that mediation and international law are effective tools towards sound conflict management especially in volatile areas. It suggests how mediation and international law can be harnessed and applied towards effective conflict management in volatile areas in order to promote human rights and justice for the children.

⁶ Office of the United Nations High Commissioner for Human Rights., 'OHCHR: Protecting human rights during conflict situations' Available at <https://www.ohchr.org/en/protecting-human-rights-conflict-situations> (Accessed on 11/07/2026)

⁷ Human Rights Watch., 'Crisis and Conflict' Available at <https://www.hrw.org/topic/crisis-and-conflict> (Accessed on 11/07/2026)

⁸ United Nations Security Council., 'Protection of Civilians in Armed Conflict: S/2025/271' Available at <https://docs.un.org/en/s/2025/271#:~:text=2.,damaged%2C%20leaving%20patients%20without%20care> (Accessed on 11/07/2026)

2.0 Impact of Conflicts on Children's Rights

It is estimated that one in five children around the world live in conflict zones and volatile areas⁹. Consequently, millions of children globally live in insecure and challenging situations that often lead to grave human right violations against this innocent population¹⁰. For example, it has been correctly observed that despite not participating in armed conflicts, children are usually among civilian casualties killed and maimed during war¹¹. According to the United Nations Children's Fund (UNICEF), children do not start wars and conflicts but pay the highest price¹². For example, children are more likely than adults to be killed or maimed by explosive weapons in conflict situations¹³.

Children suffer various abuses in conflict zones and volatile areas. For example, since conflicts usually result in displacement of civilian populations, children who have been displaced are at an increased risk of various human right violations including sexual and physical violence, disease and malnutrition, and separation from family members¹⁴. It has been observed that as displaced persons or refugees, children may experience severe poverty, abuse, exploitation, and psychosocial distress¹⁵. In addition, due to conflicts and wars, children may become orphaned or separated from their families undermining their access to basic needs including food, shelter, clothing, healthcare, and education¹⁶. Further, in some contexts, children lose their parents in conflict situations forcing them to become heads of households, which leaves them vulnerable to forced labour, sexual exploitation or recruitment in armed forces¹⁷. In some conflict zones and volatile areas, children are often recruited and exploited by armed groups to participate in armed conflicts as child soldiers undermining their safety, security, development and well-

⁹ Save the Children., 'The Impact of Conflict on Children's Mental Health' Available at <https://www.savethechildren.net/blog/surviving-just-beginning-impact-conflict-children-s-mental-health> (Accessed on 12/07/2026)

¹⁰ Ibid

¹¹ United Nations., 'The Impact of Armed Conflict on Children' Available at <https://childrenandarmedconflict.un.org/wp-content/uploads/2018/07/Children-Armed-Conflict-Annual-Report-Summary-2017-web.pdf> (Accessed on 12/07/2026)

¹² United Nations Children's Fund., 'Children under attack' Available at <https://www.unicef.org/children-under-attack> (Accessed on 12/07/2026)

¹³ Ibid

¹⁴ Children Affected by Armed Conflict and Displacement., Available at <https://bettercarenetwork.org/library/particular-threats-to-childrens-care-and-protection/children-affected-by-armed-conflict-and-displacement> (Accessed on 12/07/2026)

¹⁵ Ibid

¹⁶ Matambo. R., 'Protecting Children's Rights in Conflict: A Continental Approach' Available at <https://trainingforpeace.org/publications/protecting-childrens-rights-in-conflict-a-continental-approach/> (Accessed on 12/07/2026)

¹⁷ Ibid

being¹⁸. In addition, children especially girls are also exposed to the risk of sexual abuse including rape during conflict situations¹⁹.

Children are therefore extremely vulnerable during conflicts and wars. Conflicts undermine the rights of children with both immediate and long-term implications. For example, the most basic of rights that all children are entitled to including the right to life, survival and protection during war and conflict are being completely disregarded with many of them lacking access stable education, healthcare, nutrition and other necessities²⁰. Use of military tactics such as destroying schools and hospitals and torching down crops affect the fundamental rights of children including the right to education, the right to health and the right to food²¹. Further, in the long-term, it has been observed that prolonged exposure to war and uncertainty particularly in protracted conflict situations means that many children are in a state of toxic stress²². In these settings, children experience loss and destruction that has lifelong implications on their physical and psychological wellbeing²³. Distressing conflict-related events such as death of parents, sexual abuse, torture, hunger and malnutrition and displacement, can affect children's psychological and emotional wellbeing in various ways, and have a long-term impact if left untreated²⁴.

Conflicts can therefore severely jeopardize the fundamental rights of children. As a result, there is need to enhance conflict management in volatile areas in order to achieve human rights and justice for the children.

3.0 Enhancing Conflict Management in Volatile Areas through Mediation and the Application of International Law

The prevalence of conflicts around the world presents a major threat to the human rights of children. It has been observed that in conflict situations and volatile areas, children suffer from grave human right abuses since they are more likely to be killed, separated from their families, abducted, sexually assaulted, tortured, maimed, trafficked, and

¹⁸ United Nations Children's Fund., 'Child Protection' Available at <https://www.unicef.org/child-protection> (Accessed on 12/07/2026)

¹⁹ Ibid

²⁰ Bradford. S., 'The War in Gaza is having a Catastrophic Impact on Children, Stripping them of their Rights' Available at <https://reliefweb.int/report/occupied-palestinian-territory/war-gaza-having-catastrophic-impact-children-stripping-them-their-rights> (Accessed on 12/07/2026)

²¹ United Nations., 'The Impact of Armed Conflict on Children' Op Cit

²² Save the Children., 'The Impact of Conflict on Children's Mental Health' Op Cit

²³ Ibid

²⁴ Ibid

recruited into armed forces²⁵. In addition, children are less likely to be in school or to be able to meet their basic needs including food, health care, clean water and sanitation²⁶. Further, in conflict zones and volatile areas, children are more vulnerable to death from disease and malnutrition²⁷.

In light of the foregoing concerns, it is imperative to enhance conflict management in volatile areas in order to uphold human rights and justice for the children. In particular, mediation provides a suitable approach towards effective and appropriate conflict management in volatile areas towards protecting the rights of vulnerable populations including children. For instance, it has been observed that Appropriate Dispute Resolution (ADR) processes including mediation, negotiation and conciliation play a fundamental role in enhancing sustainable peace and strengthening peace building efforts particularly in conflict-prone and volatile areas²⁸. Mediation and other ADR processes are ideal in tackling the root causes of conflicts and strengthening relationships and are therefore suitable in creating conditions for lasting peace²⁹. Through mediation and other ADR techniques, it is possible to accomplish reconciliation among parties to a conflict towards mutual understanding, peace, and stability³⁰. It has been observed that mediation provides an appropriate platform for the use of diplomatic efforts to end conflicts for peace, security and development³¹. The United Nations observes that mediation is one of the most important diplomatic tools that can be used to prevent, manage and resolve conflicts towards strengthening international peace and security³². According to the United Nations, mediation is one of the most effective approaches to diminish human suffering and reduce the massive economic and social

²⁵ African Committee of Experts on the Rights and Welfare of the Child., 'Continental Study on the Impact of Conflict and Crises on Children in Africa' Available at https://www.acerwc.africa/sites/default/files/2022-09/Study_on_the_impact_of_armed_conflict_and_crises_on_children_in_Africa_ACERWC_FINAL_ENGLISH_0.pdf (Accessed on 12/07/2026)

²⁶ Ibid

²⁷ Ibid

²⁸ Muigua. K., 'Towards Effective Peacebuilding and Conflict Management in Kenya.' Available at <https://kmco.co.ke/wp-content/uploads/2021/05/Towards-Peacebuilding-and-Conflict-Managementin-Kenya.docx-Kariuki-Muigua-MAY-2021x.pdf> (Accessed on 12/07/2026)

²⁹ Muigua. K., 'Resolving Conflicts through Mediation in Kenya.' Glenwood Publishers Limited, 2nd Edition, 2017

³⁰ Khan. A., 'Peace-Making, Peace-Keeping, and Peace-Building' Available at <https://mgcub.ac.in/pdf/material/20200428092734eaba7dc2d0.pdf> (Accessed on 12/07/2026)

³¹ Ibid

³² United Nations., 'Maintain International Peace and Security' Available at <https://www.un.org/en/our-work/maintain-international-peace-and-security> (Accessed on 12/07/2026)

costs of conflicts and their aftermath towards safeguarding human rights and ensuring Sustainable Development³³. Embracing mediation can therefore bolster conflict management and peace-making efforts in volatile areas towards safeguarding human rights for vulnerable populations including children.

In addition to mediation, application of international law is key towards upholding human rights and justice for children in conflict zones and volatile areas. For instance, international and regional human right instruments including the *Convention on the Rights of the Child*³⁴ and the *African Charter on the Rights and Welfare of the Child*³⁵ acknowledge the special case of children in conflict situations due to their extreme vulnerability³⁶. These instruments require states and parties to armed conflicts to ensure respect for rules of International Humanitarian Law (IHL) applicable in armed conflicts which are relevant to the child³⁷. In particular, they requires all states to ensure protection and care of children who are affected by an armed conflict including through allowing access to basic necessities such as shelter, food, water and healthcare, preventing the recruitment and use of children in armed forces and promoting physical and psychological recovery and social reintegration of a children affected by armed conflicts³⁸. By applying international law, it is possible to ensure that the rules of IHL are upheld towards fostering human rights and justice for children in volatile areas.

4.0 Conclusion

With armed conflicts ravaging the world, it is imperative to foster sound conflict management in volatile areas in order to ensure peace, respect for human rights and Sustainable Development. In particular, effective conflict management is key towards upholding human rights for children due to their extreme vulnerability in conflict situations. It is therefore imperative to embrace mediation and international law including IHL towards enhancing conflict management in volatile areas in order to foster human rights and justice for the children

³³ Ibid

³⁴ United Nations General Assembly, *Convention on the Rights of the Child*, United Nations, Treaty Series, vol. 1577, p. 3, 20 November 1989

³⁵ African Union., 'African Charter on the Rights and Welfare of the Child' Available at https://au.int/sites/default/files/treaties/36804-treaty-african_charter_on_rights_welfare_of_the_child.pdf (Accessed on 12/07/2026)

³⁶ Ibid

³⁷ Ibid, article 38 (1)

³⁸ Ibid, articles 38 & 39

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