



# International Service for Human Rights

## The Reports in Short

ISHR's summaries of documents for 4<sup>th</sup> session  
of the Human Rights Council

### Report of the Special Representative of the Secretary-General for Children and Armed Conflict<sup>1</sup>

#### **Name of Mandate Holder**

Radhika Coomaraswamy

#### **Mandate**

The mandate was established in 1996. The role of the Special Representative is to act as an advocate by building awareness of the needs of war-affected children; act as a catalyst proposing ideas and approaches to enhance the protection of children in war; assess progress achieved and difficulties encountered in strengthening the protection of children in situations of armed conflict; raise awareness and promote the collection of information about the plight of children affected by conflict, also to encourage the development of networking and foster international cooperation to ensure the protection and rehabilitation of children affected by conflict.<sup>2</sup>

#### **Annual Report<sup>3</sup>**

#### **Scope**

- The report highlights significant advances made in the efforts of the international community to ensure tangible protection for children affected by armed conflict and outlines strategies that will be undertaken to ensure the institution of an 'era of application' of international child protection standards and norms since the adoption of Security Council *Resolution 1612* (2005) on 26 July 2005.

#### **Activities**

- The Special Representative has put forward a two-year strategic framework to strengthen and consolidate the gains made in the past, and to meet the new challenges in the period ahead. The framework sets out four main objectives: supporting global initiatives to end grave violations against children affected by armed conflict; promoting rights-based protection for children in armed conflict; making children affected by armed conflict an integral part of peacekeeping and peacebuilding; and raising awareness about children in armed conflict issues.
- The Office of the Special Representative will engage in the following strategies: strict monitoring and reporting of violations; advocating with partners and the general public; mainstreaming the issue in all international efforts; and facilitating research and study in key

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<sup>1</sup> Written by Jumi Rayahu; edited by Rami Chalabi and Gareth Sweeney.

<sup>2</sup> A/RES/51/77, 20 February 1997 available at <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/CAC%20ARES51%2077.pdf>

<sup>3</sup> A/HRC/4/45, 9 February 2007. Full length report available at <http://www.ohchr.org/english/bodies/hrcouncil/docs/4session/A.HRC.4.45.pdf>

areas such as international criminal law and the child, the girl child, the needs and concerns of former boy soldiers, and transnational justice.

- The office of the Special Representative, together with the United Nations Children Fund (UNICEF) and other partners, will undertake a 10-year strategic review of the United Nations study on the impact of armed conflict on children.
- The Special Representative also pressured certain parties to establish dialogue with the UN to prevent and to end the violations for which they have been cited. Some parties<sup>4</sup> have shown commitments resulting from the dialogue.

### **Summary and Key Conclusions**

- It has been estimated that over two million children have been killed in situations of armed conflict; another six million have been rendered permanently disabled; and more than a quarter of a million children continue to be exploited as child soldiers.
- In the course of the past year, despite the progress that has been made, children have been subject to new, tragic experiences of terror, deprivation and vulnerability in the Middle East, Lebanon, Israel, the Occupied Palestinian Territories, Darfur, and eastern Chad.
- The Special Representative identifies six grave violations against children in armed conflict:
  1. **Recruitment and use of children as soldiers:** Children are especially vulnerable and most often the first victims of forced recruitment. Child soldiers' participation in conflict has serious implications for their physical and emotional well-being.
  2. **Killing and maiming:** Children are the most vulnerable to get caught in the crossfire of shelling and bombardments, resulting in death and injury.
  3. **Rape and other grave sexual violence:** Refugee and internally displaced girls and women are vulnerable to sexual exploitation by armed forces and other groups, and even UN peace-keepers.
  4. **Abductions:** There were reports that children are being abducted from their homes, schools, refugee and IDP camps to be exploited for forced labour, sexual slavery and forced military recruitment, and are being trafficked across borders.
  5. **Attacks on schools and hospitals:** Places that are supposed to be safe havens for children such as schools and hospitals have been deliberately attacked in many situations.
  6. **Denial of humanitarian assistance to children:** Some conflicting parties have failed to respect humanitarian or security zones for humanitarian workers to provide essential aid and protection for children. There have also been a number [of reports](#) of assaults and killing of humanitarian workers.

#### *Promoting rights-based protection for children affected by armed conflict*

- Female children remain particularly vulnerable and are in greatest need of care and services in armed conflict. The girl child is often a victim of sexual violence, and girl children are increasingly being recruited into fighting forces. Girls are often missed in intervention initiatives for children associated with fighting forces because many of them are unwilling to come forward, because communities often stigmatize and ostracize girls due to their involvement in rebel groups, and the 'taint' of being raped. Moreover, rebel groups often refuse

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<sup>4</sup> The rebel group Forces nouvelles in Côte d'Ivoire, Tamil Makkal Viduthalai Puligal (TMVP) in Sri Lanka and the Karen National Liberation Army in Thailand.

to release girls forced to associate with them through abduction, rape and violence, including their babies born out of rape.

- Refugees and internally displaced children, in particular those who are unaccompanied are also at risk. For example in Sudan, sexual violence against internally displaced girls and women is often used as a strategy of humiliation and as a tool of ethnic cleansing. Refugee and IDP camps are also often used as prime recruiting grounds for child soldiers.
- The Security Council Working Group on Children and armed conflict has been established to promote accountability and compliance for parties who commit grave violations against children. In the case of conflict in the Democratic Republic of Congo, the Working Group have provided support and technical assistance to the Government and made recommendations to the Council to consider targeted sanctions against the leader of the *Mouvement révolutionnaire du Congo* (MRC) for repeated violations of Security Council resolutions on children and armed conflict. On the Sudan, the Working Group recommended that Security Council should continue to strengthen measures taken for the protection of children, including the capacity to protect girls from rape and other forms of gender based violence.
- There have been important precedents to end impunity through the application of international child protection standards by the International Criminal Court and national law mechanisms.
- Field missions undertaken by the Special Representative to Uganda have resulted in the Government agreeing to enter into an action plan with UNICEF and OHCHR for the prevention of recruitment and removal of child combatants. The Government also agreed to strengthen existing procedures for access of designated personnel from UNICEF, OHCHR and the Uganda Human Rights Commission to enter military installations, and also to enact criminal legislation against civilian abettors of child recruitment.

### **Key Recommendations**

- UN human rights mechanisms must continue to play a crucial role and actively support the protection of the rights of war-affected children on the ground.
- The Human Rights Council should support the monitoring and reporting mechanism for children in armed conflict in all situations of concern. It should also recognize and make an integral part of the agenda of its future sessions grave violations against children in armed conflict.
- The Office of the High Commissioner for Human Rights (OHCHR) should deepen its engagement in the protection of the rights of the war-affected children, including through the provision of adequate child rights expertise in peace operations.
- UNHCR should consider placing child protection staff to monitor status of children in refugee and IDP's camps.
- The Security Council should consider grave violations against children in armed conflicts in its framework. It should also consider related issues such as psychological recovery, reintegration of children formerly associated with armed groups, children affected by HIV/AIDS, the disruption of education, the lack of access to health care and trafficking of children.
- States party to the *Convention of the Rights of the Child* should take measures to implement the recommendation of the Committee on the Rights of the Child, and strengthen national and international measures to prevent and prohibit the recruitment of children into armed forces, and their use or direct participation in hostilities, in particular by signing and ratifying Optional Protocol to the *Convention*.
- Parties in armed conflicts should respect civilian and civilian objects and ensure that schools and hospitals are accorded special protection in times of conflict.
- Parties who are responsible for the use of children in situations of armed conflict should enter into action plans to cease recruitment and ensure release of these children.

- Future strategies and programmes concerning girls in situations of armed conflicts should understand their acute vulnerability. It should also address the empowering and detrimental aspects of their experience to maximize the protection and recognition of the human rights of the girl child.