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United Nations Human Rights Council

Agenda: Children in Armed Conflict



Chair: Akhil Raina
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Introduction:

Worldwide, over 2 million children have been killed in armed conflict, 6 million have been rendered permanently disabled, and more than 250,000 children are exploited as child soldiers. In 2006, an estimated 18.1 million children were among populations living with displacement, uprooting children and youths at a time when they most need stability in their lives. Past UN reports have noted with concern that the nature and tactics of war are changing in ways that create new threats to children.

Terrorism disproportionately targets civilians and public locations that are valuable to children, such as schools and hospitals. Children are also used as instruments of attack, in conscription as soldiers and suicide bombing, or are abused through forced labour, child trafficking, and sexual violence as a weapon of power.

History:

The task of ensuring the safety of children in times of war or instability has been a priority to member nations and organizations during most of modern history. Nonetheless, the complexity and scope of this issue makes it very difficult for many states to effectively carry out this task, especially since armed conflict brings with it additional challenges that tend to make the safety of children seem like a less immediate problem. International protocols for human rights and wartime rule have traditionally included standards for the safety of children, including the protocols for both the League of Nations in 1924 and the United Nations in 1959.⁷ However, these declarations were not legally binding, and included plans for implementation that were vague at best. Seeing the need for more substantial action, in 1979, the International Year of the Child, nations began formulating a document to outline children's rights. This resulted in the UN's adoption of the Convention on the Rights of the Child ten years later.

This document, dated December 12th 1989, seeks to make a "positive contribution to protecting children's rights and ensuring their well-being" and focuses on the situation of children worldwide, which "remains critical as a result of inadequate social conditions, natural disasters, armed conflicts, exploitation, illiteracy, hunger and disability". This document still serves as the base for global precepts of children's inherent right to life, survival, development and opinions, regardless of race, religion or gender, and has been ratified by 191 of 193 countries, all except *Somalia and the United States*.

Somalia is unable to ratify because it does not currently have a recognized government, the United States has signed the convention to signal the intention of eventually ratifying, but has not yet done so.

Along with the Universal Declaration of Human Rights and the Geneva Conventions, this document is a milestone that presents a basis for action, but like the aforementioned documents, it lacks only one thing: the mechanisms and the will for enforcement. Nonetheless, the statement made by these documents is clear: *Individuals, organizations, and governments need to take action and initiative to protect and promote the rights of children.*

Use of Children in historical warfare:

Since the 1900's, the world wars and the innovations in technology have caused traditional conflict strategies to change, which results in differences in the way children and their environments are affected by armed conflict.

In the first world war, for example, warfare was much more centred around organized armies of professional soldiers, and civilians were generally unaffected by direct Armed conflict. Child soldiers were rare, and most children in the nations involved had the same access to education and other resources for their development.¹⁶ In World War II, civilian and child casualties were much greater, due to airplane warfare such as the Blitz, child soldiers in Russian, German, and Polish armies, the terrible crimes perpetrated against children during the Holocaust, and the unbiased destruction of the atomic bombs dropped on Hiroshima and Nagasaki. The targeting of children and civilians increased dramatically after WWII and the Cold War, when parties to conflict began to employ terrorist tactics that target the innocent and defenceless.

In fact, civilian fatalities in wartime show an unsettling trend, rising from 5% in the early 1900s, to 15% in WWI, to 65% by the end of WWII, and more than 90% in the ongoing internal conflicts of the 1990s.

In 1994, almost every Adolescent who lived through a raid in Rwanda was subsequently raped, while in Bosnia and Herzegovina, raping teenage girls was practically a deliberate policy. In Uganda, the Lord's Resistance Army is causing terror for women and children, with the practice of abducting children and forcing them to become soldiers, and kidnapping women and girls into years of sex slavery, where they are subjected to "rape, unwanted pregnancies, and the risk of sexually transmitted diseases, including HIV and Aids." In addition to the rise in child and civilian violence, child soldiers have also become a cause of deep concern since the 1970s.

International Concerns :

Advances in technology after the Cold War allowed for the Development of inexpensive and lightweight weapons, such as the AK-47, that are easy for children to Use, and strip and reassemble. By the end of the 1980s, guns were in the hands of 200,000 children under the age of 16 in 25 countries, and in many conflicts child soldiers were used as expendable human shields.²⁷ In the 1970s, the Khmer Rouge of Cambodia used child soldiers, both male and female, to carry out the genocide of a million people, using children as executioners.²⁸ In Sri Lanka, the Tamil Tigers used children as suicide bombers, while in the Indefadas, children were sent out against Israeli soldiers, who were reluctant to use major weapons against the children.

In the Iran-Iraq wars, unarmed children and women were sent by Iran in waves over minefields for the sole purpose of clearing mines, and unlike the Israeli, the Iraqis were not as reluctant to use their machine guns, artillery, hand grenades, and rockets. In a 2004 report of child soldiers in Africa, an estimated 100,000 children remained involved in hostilities in Burundi, the Democratic Republic of the Congo,

Somalia, Sudan, Tanzania, and Uganda.

Somalia had more child soldiers than any other country, with an estimated 200,000 children carrying guns for a militia since the 1991 collapse of the central Government. In addition to the physical and emotional damage incurred during active conflict, children also suffer greatly when the conflict is over. In countries such as Liberia and Angola, children were given lesser priority in demobilization, and very few were provided with protection for the future, or the necessary services to help them recover from past violence. Children in countries such as Sudan and the DRC were tortured and detained for political reasons during conflict, and when conflicts were settled, many children were tried and sentenced, sometimes to death, for crimes committed when they were soldiers.

Child Soldiers:

An oft quoted statistic is that there are about 300,000 children being used as soldiers around the world. Although most of those recruited are adolescents, children are being recruited at a younger and younger age, for both direct and indirect hostilities.

Those who choose to force children into war often do so with impunity because although the recruitment is not lawful under International Law, commanders are at little risk of being caught because monitoring recruitment during conflict is notoriously difficult, further hampered by the fact that the child soldier is a transitory phenomenon.

It is widely accepted that the proliferation of small arms has contributed largely to the increased recruitment and use of children by armed groups. Unlike the older weapons which were heavier and cumbersome, and difficult to operate, very young children can easily assemble and use the small arms currently circulating.

Some armed commanders seek out children simply because they view the children to be highly motivated, obedient and dedicated. Children are also easier to manipulate as they do not have a fully developed sense of right and wrong and can therefore be trained into brutal soldiers in the field.

Children who are involved with the hostilities face enormous risk to their physical, emotional and psychological well-being. Ex child combatants need a great deal of assistance spread over a long spectrum of time to help them overcome the horrors of war.

In response, a growing force exists for the application of international standards that demonstrate the commitment of the international community to child protection in armed conflict. It is paramount to build and maintain the momentum to advance this agenda and to better protect children from being victims of war. In light of the changing nature of conflict, special attention has been placed on this subject by the UN HRC and other UN entities, as well as Member States, regional organizations, NGOs and other civil society groups

Girls in Warfare:

What children had to say (Source: Human Rights Watch)

“I was just coming back from the river to fetch water... Two soldiers came up to me and told me that if I refuse to sleep with them, they will kill me. They beat me and ripped my clothes. One of the soldiers raped me... My parents spoke to a commander and he said that his soldiers do not rape, and that I am lying. I recognised the two soldiers, and I know that one of them is called Edouard.”

— 15-year-old girl, Minova, South Kivu, March 2009

Many children who are abducted and forcibly recruited into armed groups are girls. Although a significant portion of these girls are recruited into fighting ranks, most are there to provide as ‘wives’ for the soldiers. They are frequently raped and sexually abused and often get pregnant by their captors. Many contract HIV/AIDS and other horrible STDs which could eventually snowball into a serious health issue. This exploitation often continues after their release as they find it very hard to reintegrate into society, leading many to prostitution and the like.

Impact of Conflict on Children:

The face of warfare has seen a dramatic shift in the latter half of the last century with interstate wars becoming relatively rare and hugely outnumbered by internal conflicts. In such combat, the battlefield is not clearly marked and the people are often caught up as victims.

Violence against civilian population, especially children has become the rule instead of the exception.

The impact of armed conflict on children can be substantial and have long lasting repercussions on their physical, emotional and mental wellbeing. In some cases, warfare rages on and off throughout childhood, with girls and boys reaching adulthood never having known peace in their homeland.

The denial of humanitarian access to children in conflict areas is often a great concern, as demonstrated in recent years in Sri Lanka and Sudan. When denied humanitarian assistance, children are deprived of their right to survival and development, food, water and medication. Whether sudden or chronic, warfare leads to violations of children’s rights. Physical survival becomes a daily challenge, creating difficulty accessing clean water, an adequate food supply or appropriate shelter, just to mention a few of the violations. Access to adequate healthcare and securing appropriate drugs (both preventative and curative) and vaccines is a major problem for both children and mothers, including pregnant and breastfeeding women. In many conflicts, the majority of child deaths occur away from the battles, bombings and terrorist attacks.

Armed conflict affects children at all levels, as individuals and as members of both a family and a community. By its very nature, it fragments a society, generating questions of identity and allegiance and magnifying suspicions for many people. Children are not immune to these sentiments. In fact, children can be most vulnerable to them, as they may lack the maturity to make reasoned, independent judgements.

Girls and boys may witness death, destruction and other tragedies and, in some cases, they may be the very agents of those acts. War and displacement can destroy a child's connection to his or her past and impose a frightening and uncertain future. To compound matters, there may be no trusted adults who have the time to explain issues and reinforce a child's resilience.

Warfare has an impact on personal safety and security, as children often rely on adults for their protection. Alcohol and substance abuse are often used as coping mechanisms, contributing to an increase in domestic violence. It goes without saying that armed conflict puts children at great risk of physical harm, whether as a combatant or by playing a support role to armed actors, whether playing near explosive remnants of war or being caught up in communal violence, whether caught in crossfire or targeted by snipers, but also suffering from decreased access to basic services, such as healthcare and protection from exploitation and abuse.

Convention on the Rights of Child

To discuss the convention in light of the four general principles underpinning it:

- 1) Non-Discrimination (article 2)
- 2) Best Interest of the Child (Article 3)
- 3) Right to Life, Survival and Development (Article 6)
- 4) Right to Children to have their opinions heard and given due weight in the decisions affecting them (Article 12)

Speciality of the Convention:

The Convention:

- Is in force in virtually the entire community of nations, thus providing a common ethical and legal framework to develop an agenda for children. At the same time, it constitutes a common reference against which progress may be assessed.
- Was the first time a formal commitment was made to ensure the realization of human rights and monitor progress on the situation of children.
- Indicates that children's rights are human rights. Children's rights are not special rights, but rather the fundamental rights inherent to the human dignity of all people, including children. Children's rights can no longer be perceived as an option, as a question of favour or kindness to children or as an expression of charity. They generate obligations and responsibilities that we all must honour and respect.
- Was even accepted by non-state entities. The Sudan People's Liberation Army (SPLA), a rebel movement in Southern Sudan, is one such example.
- Is a reference for many organizations working with and for children—including NGOs and organizations within the UN system.
- Reaffirms that all rights are important and essential for the full development of the child and that addressing each and every child is important.
- Reaffirms the notion of State accountability for the realization of human rights and the values of transparency and public scrutiny that are associated with it.

- Promotes an international system of solidarity designed to achieve the realization of children's rights. Using the Convention's reporting process as a reference, donor countries are required to provide assistance in areas where particular needs have been identified; recipient countries are required to direct overseas development assistance (ODA) to that end too.
- Highlights and defends the family's role in children's lives.

Optional Protocol

The Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (CRCOPAC) was ratified by acclamation via Resolution A/RES/54/263 on May 25, 2000 and entered into effect on February 12, 2002. The CRCOPAC prohibits “compulsory recruitment” or conscription into the armed forces of any State of children, which, as in the CRC, are defined as individuals under the age of 18. Regarding children in the armed forces of a State, the CRCOPAC requires States to place them in non-combat roles. It also expands the prohibitions to include “armed groups that are distinct from the armed forces of a State” as entities prevented from utilizing children in combat roles. The CRCOPAC places regulations upon the recruitment of children into the armed forces, if a State should choose to maintain a minimum military age below 18, by requiring voluntary recruitment entered into by the child with full disclosure by the recruiting State of what such service would entail. Additionally, the CRCOPAC requires the establishment and increase of a minimum age for military service by States party.

Post Conflict - Addressing the Needs of Former Child Soldiers

Once the conflict is over, a war-torn State maybe left with thousands of former child soldiers whose physical and psychological needs must be met. The rehabilitation and reintegration programmes demand significant human and financial resources over an extended period of time.

Disarmament, Demobilisation and Reintegration (DDR) programmes, which have been established in a number of countries for reintegration of children into the mainstream society, have often excluded Child Soldiers because the armed groups simply refuse to acknowledge their presence. While the children stay outside the process, the monitoring and rehabilitation process cannot begin.

Where programmes are inclusive of children, the process is hampered by hostility and violence towards the ex child soldiers from the community.

Finding families for these children is a difficult task as they have either been displaced or killed. Where the families can be located, it is found that they are reluctant to accept the ex combatants.

Current Situation:

Despite positive developments designed to protect the rights of the child, the world's children are now facing a new set of challenges that have emerged from the current political climate. This climate is one of fear and instability, where ongoing armed

conflicts are common, and millions of families are burdened with the ever-worsening financial, food, and energy crisis. The long running instability and fighting in many regions has completely destroyed the fabric of society, and an entire generation of Children is growing up without acceptable social services in health, education, nutrition and protection. Being in areas of ongoing conflict in this time when conflict's nature is shifting puts children in the front lines, both literally and figuratively.

Many children are forced to take part in the violence as child soldiers, whether they are kidnapped and forced to fight, or recruited and accept due to a need for some sort of income for themselves and their families. The nature of conflict is no longer hierarchical and organized, but chaotic and less focused on any tangible goals. The only goal that rebel groups and militias seem to have is to cause terror and gain power through the fear and instability of already weak nations. The shift in the focus of violent actions from only military personnel to civilians has caused a startling number of civilian casualties, and general underdevelopment, especially among the most vulnerable groups: women, children, and the elderly. Protecting the rights of children, the most innocent and vulnerable of the three groups, is a key goal for the United Nations Human Rights Council as well as the international community. However, in order to protect the rights of children and assure that future generations will grow up in a healthier environment, we must first address the current situation and identify the specific areas where children are put in danger.

Questions to consider

- What influence has armed conflict had on your country?
- What regulations does your country have to protect child rights?
- Are there child soldier in your country?
- What resolutions or policies has your country adopted to protect children from armed conflict?
- What education and health resources are provided to children in your country?
- How should the United Nations punish violators of child rights?
- What other actions can the United Nations take to protect children from the violence in armed conflict?

POINTS TO BE ADDRESSED IN THE RESOLUTION:

- Identifying the root causes of child soldiering
- devising effective prevention programmes
- Development of international norms
- The status of the Convention on Rights of the Child and coming to a consensus with the members who have not ratified the same

Resources

Documents

1) United Nations Convention of the Rights of the Child on Involvement of Children in armed conflict, full text available at <http://www.unicef.org/crc/annex1.htm>

2) Optional Protocol on the use of Children in Armed Conflict
<http://www.unhcr.ch/html/menu2/6/protocolchild>

3) The Child Soldiers Protocol
<http://hrw.org/campaigns/crp/protocol.htm>

Balot, Isabelle. (2004)

"Child Soldiers", a poem. Protocol

http://www.un.org/spanish/special-rep/children-armed-conflict/fsoldiers_files/poemengbgrd.doc

5) UNICEF Fact Sheet

<http://www.unicef.org/protection/files/childsoldiers.pdf>

Alfredson, L. Disarmament Forums, (2002) Child Soldiers,

<http://ochaonline.un.org/GetBin.asp?DocID=3884>

6) Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War
http://en.wikisource.org/wiki/Fourth_Geneva_Convention

Articles

1) Werner, W. (1999). Teaching for Hope. The Canadian Anthology of Social Studies. Pacific Educational Press, Vancouver, CA p. 249-253

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2) BBC World Service, *Children of*

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