

# Setting the Right Priorities:

## Protecting Children Affected by Armed Conflict in Afghanistan

### Children bear the brunt of the ongoing armed conflict in Afghanistan.

In 2009, at least 346 children were killed in aerial strikes and search-and-raid operations by international special forces as well as by assassinations and suicide bombings by anti-government elements. In addition, landmines, explosive remnants of war and other explosives have killed or severely injured hundreds of children, particularly boys who play outside, tend animals, or collect food, water or wood. Armed groups have also damaged and destroyed schools, targeting students (especially girls), teachers and others who are seen as supportive of Afghanistan's education system.

Thousands of Afghan families have been forced to flee their homes due to armed conflict and economic hardships. More than half of the country's internally displaced – approximately 161,000 people – are children; an additional 1.5 million children are refugees in Pakistan and Iran.

Despite some progress in expanding basic health services to a wide population, infant and maternal mortality is alarmingly high. Afghanistan remains the worst place in the world for a newborn child, according to child protection agencies.

### Current strategies of the Afghan government and its international supporters – though aimed at protecting civilians - have largely neglected the specific needs of children affected by armed conflict.

This reluctance to commit to the protection of children is reflected in policy and funding decisions. The London Conference communiqué of January 2010 which served as the “roadmap” to address security, governance and economic concerns in Afghanistan over the next five years, did not refer to children's needs despite the severe impact that its decisions, such as planned offers of amnesty to Taliban soldiers, will have on their security. Only one child protection advisor has been stationed at the United Nations Assistance Mission in Afghanistan (UNAMA) since 2009, despite repeated calls by the UN Security Council to allocate more resources to bolster UNAMA's child protection capacity.

Key decision makers have also neglected the advice of child protection agencies. During the 2009 presidential election for instance, Afghanistan's Independent Election



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Commission ignored repeated warnings of UN agencies, nongovernmental organizations and some governmental agencies not to use health facilities and school buildings as polling stations. This disregard ultimately resulted in multiple attacks on schools and hospitals.

## The protection of children's rights should not be limited to "safe" areas, or stop at Afghanistan's borders.

In 2009, approximately 43 percent of the country was cut off from humanitarian assistance, particularly in the conflict-affected south, southeast and parts of the west. Limited access resulted in thousands of children missing out on urgently required services offered via national health and education campaigns.

The lack of access due to insecurity has also severely hampered the work of the UN-led Monitoring and Reporting Mechanism (MRM) in Afghanistan which was set up to address the six grave violations against Children and Armed Conflict (CAC) in accordance with UN Security Council Resolutions 1612 and 1882, which include killing or maiming of children, abductions, recruitment or use of child soldiers, attacks against schools and hospitals, rape or other grave sexual violence against children, and the denial of humanitarian access to children.

In addition, there is insufficient information available on the extent of violations that are cross-border in nature, including child recruitment or trafficking and the exploitation of children to smuggle drugs or illegal goods. In order to hold perpetrators of these

violations accountable and to provide more systematic responses to children, protection-actors should make a concerted effort to engage with all parties to conflict, concerned governments and local communities.

The protection of war-affected children merits special attention and must be made a strategic priority as the Afghan government, with support from the international community, lays out plans to bring lasting peace and stability to the country.

## Urgent Recommendations

*Setting the Right Priorities* calls upon all armed forces and groups in Afghanistan to immediately halt all violations against children, comply strictly with all international commitments and uphold international human rights and humanitarian law, with particular attention to the Convention on the Rights of the Child and the Optional Protocol on the Involvement of Children and Armed Conflict. Additionally, all actors must take immediate action to protect children in Afghanistan from further abuse and to find ways to assist and support those who have suffered the consequences of decades of armed conflict.

The following are key recommendations from Watchlist's report:

### 1. Ensure that the protection of children from conflict-related violence becomes a top priority in policy and funding decisions on Afghanistan

- **The Government of Afghanistan (GoA) and its international supporters** should set specific benchmarks on child protection against which progress

can be measured. This could include developing an "Agenda for Children Affected by Armed Conflict" along the lines of the Afghanistan Compact, which sets out specific goals for the next five years and establishes a coordination mechanism to ensure implementation and monitoring of this plan.

- **The UN Security Council Working Group on Children and Armed Conflict (SCWG-CAC)** should ensure that core concerns relating to children affected by armed conflict are reflected in the terms of reference of the upcoming Security Council field visit planned for mid-2010. This includes following up on the commitments made by the GoA and international military forces to the UN Special Representative on Children and Armed Conflict (SRSG-CAC) during her recent visit.
- **The UN Secretary-General** should ensure the immediate deployment of additional child protection advisers throughout the country in an effort to strengthen the child protection component of UNAMA, as recommended by the UN Security Council.
- **The SCWG-CAC and relevant donors** should request an informational briefing with child protection actors and civil society representatives in order to better understand the role of community-based mechanisms in Afghanistan to prevent attacks against schools, and how to better support these initiatives.
- **The SCWG-CAC** should request an independent assessment of the impact of projects that are funded or operated by Provincial Reconstruction Teams

This document is a summary of Watchlist's full report *Setting the Right Priorities: Protecting Children Affected by Armed Conflict in Afghanistan*. The full report primarily reflects information drawn from secondary sources available in the public domain. Information is collected through an extensive network of organizations that work with children around the world. Analysis is provided by a multidisciplinary team of people with expertise and/or experience in the particular context. Sources for information printed in this summary and in the full report are listed at the end of the full report in alphabetical order. Some sources are confidential and are not listed to protect their safety. The people represented in the photos in this report are not necessarily themselves victims or survivors of human rights violations and other abuses.



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(PRTs) on the security and well-being of children in Afghanistan. The assessment should explore alternative ways to assist children living in areas that are not accessible by UN agencies or NGOs.

- **Donors** should follow the Good Humanitarian Donorship Principles so that funding is allocated in proportion to the needs of the most vulnerable populations, including children, and not to further political goals.

## 2. Take effective measures to prevent violations against children in armed conflict and end impunity for perpetrators

- **Non-state armed groups** should immediately halt all violations perpetrated against the security and rights of Afghan children.
  - Halt all suicide and improvised explosive device (IED) attacks on civilian targets.
  - Refrain from attacks and threats of attacks against schools, teachers, education staff, students and parents at the local and national level.
  - Stop operating out of schools and other civilian facilities, and end the use of humans as shields.
- **The GoA and international military forces** should ensure that systems for investigating alleged violations against civilians are transparent, timely and independently monitored. The results of these investigations should be publicly shared and include data disaggregated by age on combatant and civilian casualties.

- **All parties to the conflict** should fully cooperate with the UN-led Country Task Force on the Monitoring and Reporting Mechanism (CTFMRM) to prepare and implement action plans to end the recruitment and use of child soldiers, rape and other grave acts of sexual violence and killing and maiming of children in line with UN Security Council Resolutions 1540, 1612 and 1882. Commanders should equally work towards halting all violations against children.
- **The GoA** should repeal the reconciliation and general amnesty law and hold all perpetrators of violations against civilians, including children, accountable in accordance with national and international law.
- **The GoA** should under all circumstances avoid the use of education and health facilities in the upcoming elections and for other political purposes.
- **The GoA** should adapt the Elimination of Violence against Women Act to include a definition of rape that complies with international standards and brings perpetrators to justice in accordance with UN Security Council Resolutions 1820 and 1888.
- **The GoA** should criminalize child recruitment and the use of child soldiers, and actively prosecute those who exploit children as soldiers. The GoA should work closely with UN agencies to refine age determination procedures and grant full access to all training and detention facilities, including those of the National Directorate of Security (NDS), for monitoring purposes.

The Watchlist on Children and Armed Conflict strives to end violations against children in armed conflicts and to guarantee their rights. As a global network, Watchlist builds partnerships among local, national and international nongovernmental organizations, enhancing mutual capacities and strengths. Working together, we strategically collect and disseminate information on violations against children in conflicts in order to influence key decision-makers to create and implement programs and policies that effectively protect children.

Watchlist works within the framework of the provisions adopted in Security Council Resolutions 1261, 1314, 1379, 1460, 1539, 1612, 1882, the principles of the Convention on the Rights of the Child and its protocols and other internationally adopted human rights and humanitarian standards.

General supervision of Watchlist is provided by a Steering Committee of international nongovernmental organizations known for their work with children and human rights. The views presented in this report do not represent the views of any one organization in the network or the Steering Committee.



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### 3. Strengthen monitoring, reporting and response on all violations committed against children, including those committed in Afghanistan's conflict zones and across its borders

- **The UN Country Team in Afghanistan**, under the dedicated leadership of the Special Representative of the Secretary-General for Afghanistan (SRSG), should commit staff and resources to prioritize child protection within their respective agencies, including the full implementation of Security Council Resolutions 1612 and 1882 throughout the country.
- **The UN-led Country Task Force on the Monitoring and Reporting Mechanism (CTFMRM)** should work with all parties to the conflict to capture critical information that could prevent violations against children and more effectively assist survivors, including monitoring early warning signs as well as the circumstances surrounding the attacks and their impact. Quarterly reports from their evaluations should be used to track trends and inform evidence-based advocacy.
- **Donors** should support strengthening the capacity of Child Protection Action Networks (CPAN), which consist of governmental and nongovernmental organizations in Afghanistan, to respond more effectively to violations against children.
- **The SCWG-CAC** should request the UN High Commissioner for Refugees (UNHCR) and/or the Representative of the Secretary-General on the human rights of internally displaced persons (IDPs) to lead a study to determine vulnerabilities and risks for displaced and refugee children from Afghanistan. The study's findings would be the first step towards enacting a comprehensive action plan to find durable solutions for displaced children from Afghanistan.
- **The Government of Pakistan** should invite the Special Representative on Children and Armed Conflict (SRSG-CAC) to conduct a mission in Pakistan to identify potential ways to improve coordination in ending "cross-border violations" that impact children affected by armed conflict such as the drug trade, trafficking and small arms trade.
- **The Secretary-General** should request the UN Country Teams in Afghanistan and Pakistan, under the leadership of the SRSG-CAC, to establish a UN regional strategy to contribute actively to the protection of children affected by cross-border violations.
- **The UN Country Team in Pakistan** should establish a Working Group on Children affected by Armed Conflict to more effectively address the concerns of Afghan refugee children, and cooperate with the CTFMRM and other child protection agencies in Afghanistan to address issues of common concern, including cross-border recruitment of child soldiers and trafficking.
- **The Afghan Independent Human Rights Commission (AIHRC)** should coordinate closely with the independent Human Rights Commission of Pakistan (HRCP) to conduct joint monitoring and reporting along their common border areas.