

Children and Armed Conflict:

UN SECURITY COUNCIL OPEN DEBATE ON CHILDREN AND ARMED CONFLICT

SPECIAL UPDATE:
JUNE 2021

Recommendations for the UN Security Council and Member States

In June, the UN Security Council will hold its open debate on children and armed conflict (CAAC), under Estonia's presidency. Special Representative Virginia Gamba will present the Secretary-General's (SG) 2021 annual report on children and armed conflict (forthcoming), covering the reporting period from January 1 to December 31, 2020.

Despite calls from both the SG and the Security Council ([SCR 2532](#)) for a [global ceasefire](#) to focus on the COVID-19 response, armed conflicts continued to rage—and in some cases, intensify—throughout 2020. The pandemic, and measures put in place to mitigate it, presented new [challenges](#) and exacerbated existing obstacles to the effective protection of children living through armed conflicts.

Health care systems already strained from the [impacts](#) of armed conflict were pushed further towards a breaking point under the weight of the pandemic. Hospitals and medical personnel continued to face threats and attacks, even as they struggled to respond to COVID-19's rapid spread. With in-person classes suspended, schools became easier targets for occupation by armed forces and groups, and out-of-school children faced increased vulnerability to recruitment and use. Movement restrictions to slow the virus' spread impacted the ability of humanitarian and health workers to provide lifesaving assistance to the most vulnerable. Shifts in donor funding sometimes resulted in abrupt changes to the availability of programming for children associated with armed forces and armed groups (CAAFAG). Many children continued to languish in detention, while monitors faced restricted access to detention centers. From early on, rights defenders raised the alarm about "silent pandemics" of sexual violence and mental health crises, even as access to reporting and support services became more difficult. As vaccination efforts are rolled out across the globe, it is crucial that the rights and vulnerabilities of children in warzones, including the specific needs of girls and boys, are taken into account in ongoing responses and in medium- and long-term recovery efforts.

Against this backdrop, dedicated child protection staff on the ground are needed more than ever to monitor and report on grave violations, operationalize action plans, engage with parties to conflict to end and prevent violations, and strengthen the overall child protection architecture of UN missions. However, budget cuts, underfunding, and transitions threaten to erode child protection capacity in UN peacekeeping and special political missions, especially in the context of mission transition or drawdown.

Pervasive impunity for violations also continues to present challenges to the protection of children in armed conflict. The UN Monitoring and Reporting Mechanism (MRM), the SG's annual report, and its annexed list of perpetrators of grave violations against children have proven to be powerful tools to influence warring parties' behavior and promote compliance with international law. In recent years, however, the exclusion of some offending parties from the report's annexes, and the premature de-listing of parties who continue to commit grave violations, have undermined the strength of these mechanisms. In March 2021, a group of internationally respected experts on CAAC undertook an [independent review](#) of the SG's listing and de-listing decisions between 2010 and 2020. Their analysis revealed persistent and disturbing discrepancies in the listing of perpetrators, including the omission of parties who were found responsible for killing and maiming over 100 children in a single year, double standards in the treatment of state and non-state parties, and inconsistent application of the criteria for de-listing as specified in the SG's 2010 annual report.

Finally, Watchlist and its partners continue to be concerned about the treatment of children associated with armed groups, including [foreign children](#) with actual or alleged ties to terrorist groups. In a number of contexts, these children are [detained](#), tortured, or otherwise treated as security threats and perpetrators, rather than victims of serious rights violations. Governments have employed policies and measures to counter terrorism that lack adequate safeguards and threaten to erode implementation of decades of established child protection norms and principles. Counterterrorism measures and sanctions also threaten the delivery of principled humanitarian assistance. This could amount, in some contexts, to denial of humanitarian access, one of the six grave violations.

Situations before the Council involving parties listed for grave violations against children:

[Afghanistan](#)

[Central African Republic](#)

[Colombia](#)

[Democratic Republic of the Congo](#)

[Iraq](#)

[Mali](#)

[Myanmar \(Burma\)](#)

[Nigeria](#)

[Philippines](#)

[Somalia](#)

[South Sudan](#)

[Sudan](#)

[Syrian Arab Republic](#)

[Yemen](#)

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In view of the upcoming open debate, Watchlist recommends that the Security Council and other UN Member States:

1. Call for increased compliance with international humanitarian, human rights, and refugee law and child protection norms, and strengthen accountability for all grave violations against children:

- a. Reiterate support for the Security Council's CAAC agenda, including the integrity and impartiality of the listing mechanism; call for a single, complete list of perpetrators in the annexes of the SG's annual reports, that is evidence-based and accurately reflects data collected and verified by the MRM; strongly urge the SG to implement a rigorous, objective, and transparent process to ensure that parties are listed and de-listed according to the formal criteria, without discrimination and consistently across country situations;
- b. Urge Member States to bring to justice all those responsible for grave violations against children, including through prompt investigation and prosecution for genocide, crimes against humanity, war crimes, and other egregious crimes perpetrated against children; encourage the cooperation of Member States with international justice mechanisms, including the International Criminal Court, and call for dedicated child rights expertise within investigative and justice mechanisms;
- c. Encourage Member States who have not done so to ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OPAC) and endorse the Paris Principles and Commitments, Vancouver Principles, and Safe Schools Declaration.








2. Make effective use of existing mechanisms and tools to monitor, report, and respond to child rights violations in armed conflict:

- a. Welcoming progress achieved thus far, call for systematic follow-up on the implementation of Security Council Working Group on CAAC conclusions, drawing on the full range of the Working Group's toolkit and strengthening coordination with regional Groups of Friends;
- b. In order to effectively implement the CAAC agenda, maintain dedicated child protection capacity in UN peace operations and political missions, with financial, political, and operational support to fully deliver on child protection mandates; prioritize child protection considerations in the context of downsizing or transition of such operations;
- c. Encourage the consistent consideration of the particular impacts of armed conflict on girls and boys, including through the systematic collection of gender-disaggregated data on grave violations to inform response and prevention strategies.

3. Prioritize the protection of the rights and well-being of children in armed conflict, including in the context of efforts to counter terrorism:

- a. Remind fellow Member States that CAAFAG should be treated primarily as victims, including those actually or allegedly associated with groups designated as terrorist or those who may have committed crimes; their reintegration should be prioritized in line with international juvenile justice standards; and detention should only be used as a last resort and for the shortest appropriate time;
- b. In order to prevent unlawful detention of children, call for the signing and effective implementation of handover protocols for their swift transfer from military custody to civilian child protection actors, as well as access to detention facilities for UN and other monitors;
- c. Call on countries of origin to safely repatriate their nationals and children of their nationals, following individual rights-based needs assessments, and to provide reintegration support in line with international laws and standards, and ensuring the best interests of the child;
- d. Ensure that COVID-19 response and medium- and long-term recovery efforts at all levels prioritize the rights and needs of vulnerable children;
- e. Recalling SCR 2427 (2018), call for the protection, rights, well-being, and empowerment of children affected by war to be fully incorporated and prioritized in ongoing and future peacebuilding efforts; encourage and facilitate consideration of children's views in these processes where possible and compatible with the best interests of the child; urge stakeholders to draw on existing tools, including the Practical Guidance for Mediators to Protect Children in Situations of Armed Conflict.

NGO Resources

-  [Joint Open Letter from 18 Nongovernmental Organizations \(NGOs\) to the Secretary-General Calling for a Complete, Evidence-Based List of Perpetrators](#), May 2021
-  [War Child and World Vision, The Silent Pandemic: The Impact of the COVID-19 Pandemic on the Mental Health and Psychosocial Wellbeing of Children in Conflict-Affected Countries](#), April 2021
-  [Watchlist, "A Credible List": Recommendations for the Secretary-General's 2021 Annual Report on Children and Armed Conflict](#), April 2021
-  [Eminent Persons Group, Keeping the Promise: An Independent Review of the UN's Annual List of Perpetrators of Grave Violations against Children, 2010 to 2020](#), March 2021
-  [Watchlist, A Path to Reintegration: The Role of Handover Protocols in Protecting the Rights of Children Formerly Associated with Armed Forces or Armed Groups](#), December 2020
-  [Plan International, et al., Girls Associated with Armed Forces and Armed Groups: Lessons Learned and Good Practices on Prevention of Recruitment and Use, Release and Reintegration](#), December 2020
-  [Save the Children, Killed and Maimed: A Generation of Violations against Children in Conflict](#), November 2020

About Watchlist on Children and Armed Conflict

Watchlist on Children and Armed Conflict is a global network of international human rights and humanitarian non-governmental organizations which strives to end violations against children in armed conflicts through local partnerships, reporting and advocacy.

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