



ON CHILDREN AND ARMED CONFLICT



Karen Human Rights Group  
Documenting the voices of villagers in rural Burma



COALITION TO STOP THE USE OF CHILD SOLDIERS

## **Call for Real Progress in Protecting Children Affected by Armed Conflict in Myanmar** **Joint Response to UN Security Council Working Group on Children and Armed Conflict's** **Conclusions on Myanmar**

**9 November 2009**

**November 9, 2009, New York,** – As international and local non-governmental organizations (NGOs) committed to protecting the rights of children in armed conflict, we welcome the conclusions by the UN Security Council Working Group (SCWG) on Children and Armed Conflict on Myanmar and call for their immediate implementation in accordance with UN Security Council Resolutions 1612 and 1882.

In particular, we strongly support the SCWG's call to all parties to conflict to agree to time-bound action plans to end recruitment and use of child soldiers; to end impunity against perpetrators of violations against children; and to provide full and unimpeded access to all areas of Myanmar to facilitate the monitoring and reporting of violations and to assist victims more effectively. Also commendable is the call to donors to increase funding to benefit children affected by armed conflict in Myanmar. However, funding should be channeled through the UN and independent NGOs and be contingent on their on-the-ground presence to monitor aid delivery to ensure compliance with humanitarian standards.

We note that the Secretary-General has listed the national army, the Tatmadaw Kyi, and several armed groups in five consecutive reports to the Security Council for violations of international standards prohibiting the recruitment and use of child soldiers. We strongly urge the SCWG to actively monitor progress by these parties in implementing its recommendations. If no progress is achieved by the end of this year, the SCWG should consider imposing a three-month timeframe for specific steps to be taken, or in accordance with Security Council resolution 1539 (para 5c) apply targeted measures.

Recent outbreaks of fighting in Kokang and Karen areas underscore the gravity of the situation for children in Myanmar and the urgent need for steps to protect their rights. In the lead up to the 2010 elections, the Government of Myanmar is pushing for 'cease-fire groups' to transform into "border guard forces" under government control. This has resulted in an upsurge in violence in some of the conflict and ceasefire areas placing children at increased risk of human rights abuses.

According to credible data gathered by non-governmental organizations (NGOs), the vast majority of violations against children are committed by the state armed forces and associated armed groups. The limited measures so far taken by the Government have failed to bring an end to recruitment and use of children by the armed forces or prevented other grave violations against

them. It is thus imperative that the SCWG closely monitors the situation to ensure its recommendations are implemented without delay.

To this end, it is essential that the Monitoring and Reporting Mechanism in Myanmar is strengthened so that timely and accurate data is available on the impact of any measures that the government claims to have taken. As UN access to some conflict-affected areas continues to be restricted or prohibited, local and international NGOs are often the only actors bearing witness to violations committed against children. The UN Taskforce in Myanmar and its counterpart in Thailand should thus be encouraged to work with NGOs on documenting violations against children in Myanmar within the framework of Security Council resolutions 1612 and 1882.

For its part, the Government of Myanmar must now demonstrate measurable and real progress in ending abuses against children. As a first step, it should implement the commitment first made in September 2007<sup>1</sup> to bring its action plan against the recruitment and use of child soldiers in line with international standards within three months of the release of the conclusions. The Government must also immediately begin working with the UN Country Team to develop action plans to end killing and maiming, and rape and other grave acts of sexual violence against children in line with UNSC Resolution 1882.

In the meantime, immediate steps must be taken to improve protection of children from involvement in armed conflict and from abuses resulting from it, including:

- provide full and unimpeded access for the UN Country Team to all military facilities for identification and release of child soldiers
- facilitate full access for UN representatives to non-state armed groups (NSAGs) (cease-fire and non-cess-fire) to engage in dialogue on the design and implementation of action plans
- permit unhindered humanitarian access to conflict-affected areas
- ensure the verified release of all children detained or imprisoned on charges of desertion or other alleged military crimes accede to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

The SCWG should urge the UN Country Teams in Myanmar and Thailand to intensify their efforts to engage with relevant NSAGs to devise action plans to end recruitment and use of child soldiers, killing and maiming and sexual violence against children. These efforts should not depend on the finalization of the action plan with the Government of Myanmar. If the UN continues to be prohibited by the governments of Myanmar and Thailand from directly engaging with NSAGs, it should make use of the unique access of some NGOs to NSAGs by providing them with guidance on development and implementation of action plans and thus laying the appropriate foundation for subsequent UN engagement.

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<sup>1</sup> “[...] in September 2007 representatives from the Office of the Special Representative and the United Nations country team were informed at a meeting in Nay Pyi Taw that the action plan would be brought into line with the Paris Commitments in the near future.” (UN Doc. S/2007/666, 16 November 2007, para. 46)